

Executive	As Passed by the House	As Passed by the Senate	As Enacted
1 DMR - 3 ODODD and ODJFS Administration and Oversight Funds			
<p>R.C. 5123.0412</p> <p>Permits ODODD and the Department of Job and Family Services to use money in their respective administration and oversight funds for Medicaid administrative costs in general rather than just the administrative and oversight costs of Medicaid case management services and ODODD administered home and community-based Medicaid waiver services.</p>	<p>R.C. 5123.0412</p> <p>Same as the Executive.</p>	<p>R.C. 5123.0412</p> <p>Same as the Executive.</p>	<p>R.C. 5123.0412</p> <p>Same as the Executive.</p>
<p>Fiscal effect: Broadens the use of the dollars in the funds.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>	<p>Fiscal effect: Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
2 DMR - 26 County DD Board Levy Failure	<p>R.C. 5123.0413, 5123.049, 5126.0512, 5126.19</p>	<p>R.C. 5123.0413, 5123.049, 5126.0512, 5126.19</p>	<p>R.C. 5123.0413, 5123.049, 5126.0512, 5126.19</p>
No provision.	<p>Eliminates a requirement that ODODD adopt rules establishing a method of paying for extraordinary costs and ensure the availability of adequate funds in the event a county property tax levy for services for individuals with MR/DD fails and requires instead that ODODD adopt rules to establish, in the event such a levy fails, methods of (1) paying for home and community-based services and (2) reducing the number of individuals a county DD board would otherwise be required to ensure are enrolled in home and community-based services.</p>	Same as the House.	Same as the House.
No provision.	<p>Abolishes the State MR/DD Risk Fund and the State Insurance Against MR/DD Risk Fund.</p>	Same as the House.	Same as the House.
	<p>Fiscal effect: Minimal administrative costs associated with the development of rules and potential savings to county DD boards in waiver costs if the number of individuals required to be enrolled is reduced.</p>	Fiscal effect: Same as the House.	Fiscal effect: Same as the House.

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<p>3 DMR - 29 Nursing Home Seeking Residential Facility License</p>			
No provision.	No provision.	<p>R.C. 5123.193, 5111.21, 5111.211, 5123.19</p> <p>Establishes conditions under which a nursing home seeking licensure as residential facility for up to 25 persons with mental retardation or a developmental disability is not required to obtain approval of a development plan.</p>	<p>R.C. 5123.193, 5111.21, 5111.211, 5123.19</p> <p>Same as the Senate.</p>
No provision.	No provision.	<p>Provides that an ICF/MR is not required to have received approval of a development plan to be eligible for Medicaid payments if, under this provision of the bill, the ICF/MR obtained licensure as a residential facility without having to obtain approval of a development plan.</p>	Same as the Senate.
No provision.	No provision.	<p>Provides that ODODD is not responsible for the state share of a Medicaid claim for ICF/MR services even though the ICF/MR receives initial certification as an ICF/MR after June 1, 2003, if the ICF/MR, pursuant to this provision of the bill, obtained licensure as a residential facility without having to obtain approval of a development plan.</p>	Same as the Senate.
		<p>Fiscal effect: Potential savings to ODODD.</p>	<p>Fiscal effect: Same as the Senate.</p>

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<p>4 DMR - 32 Residential Facility Exemption from Development Approval</p>	<p>No provision.</p>	<p>No provision.</p>	<p>No provision.</p>	<p>R.C. 5123.197, 5111.21, 5111.211, 5123.19</p> <p>Provides that neither an applicant for an initial license for a residential facility for persons with mental retardation or a developmental disability nor an applicant for a modification of an existing residential facility license is required to obtain approval of a development plan for the proposed new facility or modification to the existing facility if (1) the new facility or modification to the existing facility is to serve individuals who have diagnoses or special care needs for which a special Medicaid reimbursement rate is set, (2) the ODJFS and ODODD Directors determine that there is a need under the Medicaid program for the proposed new facility or modification to the existing facility and that approving the application is fiscally prudent for the Medicaid program, and (3) the OBM Director notifies the ODJFS and ODODD Directors that the OBM Director agrees with their determination.</p>
<p>No provision.</p>	<p>No provision.</p>	<p>No provision.</p>	<p>Provides that an ICF/MR is not required to have received approval of a development plan to be eligible for Medicaid payments if, under the provision described above, the ICF/MR obtained an initial or modified residential facility license without having to obtain approval of a development plan.</p>	

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No provision.	No provision.	No provision.	<p>Provides that ODODD is not responsible for the state share of a Medicaid claim for ICF/MR services even though the ICF/MR receives initial certification as an ICF/MR after June 1, 2003, if the ICF/MR, pursuant to the provision described above, obtained an initial or modified residential facility license without having to obtain approval of a development plan.</p> <p>Fiscal effect: Could result in savings to the state if individuals are placed in ICFs/MR instead of more costly nursing facilities.</p>

5 DMR - 2 MR/DD Personnel Providing Specified Health Care Services

R.C. 5123.42

Provides that in a community living arrangement certified MR/DD personnel who are not health professionals may be authorized to provide certain health-care services to not more than five, rather than four, individuals with mental retardation or a developmental disability.

Fiscal effect: Potential savings to ODODD.

No provision.

No provision.

No provision.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
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6 DMR - 1 Number of Persons Living Together in Supported Living

R.C. 5126.01

Provides that under the Supported Living Program an individual with mental retardation or a developmental disability may reside in a residence of the individual's choice with up to four, rather than up to three, other individuals with mental retardation or a developmental disability who are not the individual's relatives.

No provision.

No provision.

No provision.

Fiscal effect: Potential savings to ODODD.

7 DMR - 4 Identity Disclosure -- County DD Programs

R.C. 5126.044

Specifies that the prohibition against disclosing the identity of a person who is eligible for or requests programs or services from a county board of developmental disabilities (county DD board), or an entity under contract with the board, does not apply if the disclosure is needed for the person's treatment or the payment of services.

R.C. 5126.044

Same as the Executive.

R.C. 5126.044

Same as the Executive.

R.C. 5126.044

Same as the Executive.

Eliminates provisions under which a county DD board or contracting entity is required to maintain a record or report of when and to whom each currently permitted disclosure or

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
release of a person's identity is made by the board or contracting entity.			
Fiscal effect: Potential minimal savings to county DD boards.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.
8 DMR - 25 County DD Board Business and Medicaid Services Managers			
	R.C. 5126.054	R.C. 5126.054	R.C. 5126.054
No provision.	Revises the conditions by which a county DD board may satisfy a requirement to have a business manager and Medicaid services manager.	Same as the House.	Same as the House.
	Fiscal effect: Potential savings to county DD boards by allowing county boards to share business and Medicaid service managers.	Fiscal effect: Same as the House.	Fiscal effect: Same as the House.
9 DMR - 24 Summary Page for Individual Service Plans			
	R.C. 5126.055	R.C. 5126.055	R.C. 5126.055
No provision.	Requires a county DD board to include with each individualized service plan a summary page, agreed to by the board, provider, and individual, clearly outlining the amount, duration, and scope of services to be provided under the plan.	Same as the House.	Same as the House.
	Fiscal effect: Minimal.	Fiscal effect: Same as the House.	Fiscal effect: Same as the House.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
10 DMR - 28 Golden Key Center	Sections: 337.10, 337.30.45	No provision.	No provision.
No provision.	Earmarks \$25,000 of appropriation item 322451, Family Support Services, in each fiscal year for the Golden Key Center for Exceptional Children.	No provision.	No provision.
11 DMR - 11 Lease-Rental Payments	Section: 337.20.10	Section: 337.20.10	Section: 337.20.10
Specifies that ODODD must pay to the Ohio Public Facilities Commission from GRF appropriation item 320415, Lease-Rental Payments, pursuant to leases and agreements made under state law regarding capital facilities for mental hygiene and retardation. Specifies that the appropriations in that appropriation item are the source of funds pledged for bond service charges on obligations issued for certain capital facilities.	Same as the Executive.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
12 DMR - 12 Residential and Support Services			
<p>Section: 337.30.10 Specifies that ODODD may designate a portion of GRF appropriation item 322413, Residential and Support Services, for Sermak Class Services used to implement the requirements of the agreement settling the consent decree in Sermak v. Manuel.</p>	<p>Section: 337.30.10 Same as the Executive.</p>	<p>Section: 337.30.10 Same as the Executive.</p>	<p>Section: 337.30.10 Same as the Executive.</p>
13 DMR - 13 Other Residential and Support Service Programs			
<p>Section: 337.30.20 Permits the use of GRF appropriation item 322413, Residential Support Services, for residential and support service programs that enable individuals with mental retardation and developmental disabilities to live in the community.</p>	<p>Section: 337.30.20 Same as the Executive.</p>	<p>Section: 337.30.20 Same as the Executive.</p>	<p>Section: 337.30.20 Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
14 DMR - 14 Medicaid Waiver - State Match (GRF)			
<p>Section: 337.30.30</p> <p>Specifies that GRF appropriation item 322416, Medicaid Waiver - State Match, is to be used for home and community-based waiver services under Title XIX of the Social Security Act and to pay the nonfederal share of the cost of one or more new intermediate care facilities for the mentally retarded certified beds if the Director of ODODD is required by the bill to transfer to the Director of Job and Family Services funds to pay such nonfederal share.</p> <p>Provides that if receipts credited to the Medicaid Waiver Fund (Fund 3G60) used by ODODD exceed the amounts appropriated from the fund, the Director of Developmental Disabilities may request that Director of OBM to authorize expenditures in excess of amounts appropriated and provides that upon the approval of the Director of OBM, the amounts are appropriated.</p> <p>Provides that if receipts credited to the Interagency Reimbursement Fund (Fund 3G50) used by the Department of Job and Family Services, exceed the amounts appropriated from the fund, the Director of Job and Family Services may request that Director of OBM to authorize expenditures in excess of amounts appropriated and provides that upon the approval of the</p>	<p>Section: 337.30.30</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p>	<p>Section: 337.30.30</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p>	<p>Section: 337.30.30</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
Director of OBM, the amounts are appropriated.			
15 DMR - 8 Fiscal Plan for Home and Community-Based Services			
Section: 337.30.40	Section: 337.30.40	Section: 337.30.40	Section: 337.30.40
Requires the Director of ODODD to submit a plan to the Director of Job and Family Services not later than December 31, 2009, with recommendations for actions to be taken addressing the fiscal sustainability of home and community-based services provided under Medicaid waiver programs ODODD administers.	Same as the Executive, but specifies that any recommendations on modifying the methodology used in establishing provider payment rates may address (1) wages and benefits of persons who provide direct care and (2) training and supervision of those persons.	Same as the House.	Same as the House.
Fiscal effect: Minimal.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

16 DMR - 22 State Subsidy to County DD Boards

Section: 337.30.50

Except as otherwise provided in the section of the bill titled "Nonfederal Share of ICF/MR Beds," requires the Director of ODODD, in consultation with the county DD boards, to develop a formula for allocating GRF appropriation item 322501, County Boards Subsidies, to each county board. Requires ODODD to distribute the subsidy to county boards in quarterly installments. Except for the portion of those dollars used to pay the nonfederal share of Medicaid expenditures, requires county boards to use the subsidy for early childhood and adult services, service and support administration, and supported living.

Section: 337.30.50

Same as the Executive.

Section: 337.30.50

Same as the Executive.

Section: 337.30.50

Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
17 DMR - 9 County Share of Medicaid Home and Community-Based Services			
<p>Section: 337.30.60 Requires the Director of ODODD to establish a methodology to be used in FY 2010 and FY 2011 to estimate the quarterly amount each county DD board is to pay of the nonfederal share of home and community-based services for which the county board is responsible. Requires the Director of ODODD to provide written notice of the amount owed by each county board for each quarter.</p> <p>Authorizes the Director of ODODD to withhold from a county DD board, that fails to make the full payment by the time it is due, the amount the county board fails to pay from one or more state subsidies that ODODD would otherwise provide to the county board.</p>	<p>Section: 337.30.60 Same as the Executive.</p> <p>Same as the Executive.</p>	<p>Section: 337.30.60 Same as the Executive.</p> <p>Same as the Executive.</p>	<p>Section: 337.30.60 Same as the Executive.</p> <p>Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>18 DMR - 15 Tax Equity</p>			
<p>Section: 337.30.70</p>	<p>Section: 337.30.70</p>	<p>Section: 337.30.70</p>	<p>Section: 337.30.70</p>
<p>Specifies that GRF appropriation item 322503, Tax Equity, is to be used pay each county DD board an amount equal to what was received in FY 2009 if the Director of ODODD determines that sufficient appropriation is available, or an amount that is proportionate to what was received in FY 2009 if the appropriation is insufficient.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p>19 DMR - 16 Medicaid Waiver - State Match (Fund 4K80)</p>			
<p>Section: 337.30.80</p>	<p>Section: 337.30.80</p>	<p>Section: 337.30.80</p>	<p>Section: 337.30.80</p>
<p>Requires that SSR Fund 4K80 appropriation item 322604, Medicaid Waiver - State Match, be used as matching funds for home and community-based waivers.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>20 DMR - 23 ICF/MR Conversion</p>	<p>Section: 337.30.85 Provides the funding mechanism for conversion of ICF/MR beds to home and community-based services for the FY 2010-FY 2011 biennium by transferring cash from the General Revenue Fund to the Home and Community-Based Services Fund (Fund 4K80), used by ODODD, appropriating the transferred amount to appropriation item 322604, Medicaid Waiver - State Match, and reducing appropriation item 600525, Health Care/Medicaid, used by the Department of Job and Family Services.</p>	<p>Section: 337.30.85 Same as the House.</p>	<p>Section: 337.30.85 Same as the House.</p>
<p>No provision.</p>			
<p>21 DMR - 17 Targeted Case Management Services</p>	<p>Section: 337.30.90 Same as the Executive.</p> <p>Section: 337.30.90 Same as the Executive.</p>	<p>Section: 337.30.90 Same as the Executive.</p> <p>Section: 337.30.90 Same as the Executive.</p>	<p>Section: 337.30.90 Same as the Executive.</p> <p>Section: 337.30.90 Same as the Executive.</p>
<p>Section: 337.30.90 Specifies that county DD boards are to pay the nonfederal portion of targeted case management services to ODODD and requires the Director of ODODD to withhold any amount owed from subsequent payments from any appropriation item or money otherwise due to a nonpaying county.</p>			
<p>Permits the Director of ODODD and the Director of Job and Family Services to enter into an interagency agreement requiring ODODD to pay the Department of Job and Family Services (ODJFS) the nonfederal</p>			

Executive	As Passed by the House	As Passed by the Senate	As Enacted
portion of the cost of targeted case management services paid by county DD boards and ODJFS to pay the total cost of targeted case management claims.			
22 DMR - 18 Transfer to Program Fee Fund			
Section: 337.31.10	Section: 337.31.10	Section: 337.31.10	Section: 337.31.10
Requires the Director of ODODD to request the Director of Budget and Management to transfer the cash balance in GSF Fund 4B50, Conference/Training Fund, to SSR Fund 5EV0, Program Fee Fund, on July 1, 2009 or as soon as possible thereafter and abolishes Fund 4B50 upon completion of the transfer.	Same as the Executive.	Same as the Executive.	Same as the Executive.
23 DMR - 10 Developmental Center Billing for Services			
Section: 337.31.20	Section: 337.31.20	Section: 337.31.20	Section: 337.31.20
Permits a developmental center to provide services to persons with mental retardation or other developmental disabilities who live in the community or to providers of services to such persons and authorizes ODODD to develop a methodology for recovering all costs associated with provision of these services.	Same as the Executive.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
24 DMR - 19 Transfer of Funds for Developmental Center Pharmacy Programs			
<p>Section: 337.40.10 Requires the Director of ODODD to transfer to the Department of Job and Family Services, by intrastate transfer voucher, cash in an amount equal to the nonfederal share of Medicaid prescription drug claim costs paid for all developmental centers. Specifies that transfers are to occur quarterly.</p>	<p>Section: 337.40.10 Same as the Executive.</p>	<p>Section: 337.40.10 Same as the Executive.</p>	<p>Section: 337.40.10 Same as the Executive.</p>
25 DMR - 20 Nonfederal Match for Active Treatment Services			
<p>Section: 337.40.20 Requires that any county funds received by ODODD from county DD boards for active treatment be deposited into SSR Fund 4890, Developmental Disabilities Operating Fund.</p>	<p>Section: 337.40.20 Same as the Executive.</p>	<p>Section: 337.40.20 Same as the Executive.</p>	<p>Section: 337.40.20 Same as the Executive.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
26 DMR - 21 Nonfederal Share of New ICF/MR Beds			
<p>Section: 337.40.30 Requires ODODD to transfer funds, by intrastate transfer voucher, to ODJFS to pay the nonfederal share of Medicaid costs for beds that obtain certification as an ICF/MR bed on or after July 1, 2009.</p>	<p>Section: 337.40.30 Same as the Executive.</p>	<p>Section: 337.40.30 Same as the Executive, but provides that ODODD is not required to make the transfer if the beds are in an ICF/MR that obtained licensure as a residential facility without having to obtain approval of a development plan under the bill's provision discussed in DMR-29.</p>	<p>Section: 337.40.30 Same as the Senate, but provides that ODODD also is not required to make the transfer if the beds are in an ICF/MR that obtained licensure as a residential facility, or that had its residential facility license modified, without having to obtain approval of a development plan under the bill's provision discussed in DMR-32.</p>
<p>Stipulates that funds the ODODD Director transfers in the case of beds located in a county served by a county DD board that initiates or supports the beds' certification be funds that the ODODD Director has allocated to that county DD board unless the amount of the allocation is insufficient to pay the entire nonfederal share of the Medicaid costs for the beds in which case the ODODD Director is to use as much of such funds allocated to other counties as needed to make up the difference.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p>Requires the ODODD Director to use only funds appropriated to ODODD in GRF appropriation item 322416, Medicaid Waiver - State Match, and in GRF appropriation item 322501, County Boards Subsidies, for the transfer.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
		<p>Fiscal effect: Potential savings to ODODD.</p>	<p>Fiscal effect: Same as the Senate.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
27 DMR - 30 Recreation Unlimited Life Center	No provision.	No provision.	<p>Section: 610.30</p> <p>Amends H.B. 562 of the 127th General Assembly by changing the name of capital appropriation item C59054 "Recreation Unlimited Life Center" to "Ashley Campus Support Company."</p>
			<p>Section: 610.30</p> <p>Same as the Senate.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
28 GOV - 1 Service Coordination Workgroup			
Section: 751.20	Section: 751.20	Section: 751.20	Section: 751.20
(1) Creates the Service Coordination Workgroup to develop procedures for coordinating services provided to individuals under age 21 and their families by the following entities: the Offices of the Governor and Budget and Management; the Departments of Alcohol and Drug Addiction Services, Education, Health, Job and Family Services, Mental Health, Developmental Disabilities, and Youth Services; and the Family and Children First Cabinet Council.	(1) Same as the Executive.	(1) Same as the Executive.	(1) Same as the Executive.
(2) Requires the Workgroup, not later than July 31, 2009, to submit a report to the Governor with recommendations for implementing the procedures.	(2) Same as the Executive.	(2) Same as the Executive.	(2) Same as the Executive.
(3) Permits the Director of Budget and Management to seek Controlling Board approval to transfer cash and appropriations as necessary to implement the Workgroup's recommendations.	(3) Same as the Executive.	(3) No provision.	(3) No provision.
Fiscal effect: Minimal administrative costs for the Governor's Office to produce the workgroup's report.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
29 INS - 24 Health Insurance Coverage of Autism Spectrum Disorders			
	<p>Sections: 307.10, R.C. 1739.05, 1751.68, 3923.84, and Section 271.10</p>		
(1) No provision.	(1) Earmarks up to \$20,000 in FY 2010 of SSR Fund 5540 appropriation item 820606, Operating Expenses, to be used by the Department of Insurance for a study related to autism spectrum disorder coverage, and requires the study to be completed by January 31, 2010.	(1) No provision.	(1) No provision.
(2) No provision.	(2) Requires the Director of Budget and Management, in FY 2010, to transfer \$20,000 cash from the General Revenue Fund to Fund 5540.	(2) No provision.	(2) No provision.
(3) No provision.	(3) Prohibits health insurers from excluding coverage for specified autism services for individuals diagnosed with an autism spectrum disorder but allows insurers to impose a yearly maximum of \$36,000 on coverage of those services. Allows an insurer to opt out of the required coverage if the insurer can show that the incurred claims for those coverages caused the insurer's costs to increase by more than 1% and that the increase could reasonably justify an increase of more than 1% in the annual premiums or rates charged by the insurer for health insurance coverage. Exempts this provision from the existing law requirement that the Superintendent of Insurance review all new health benefit	(3) No provision.	(3) No provision.

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(4) No provision.	<p>mandates before a mandate may take effect.</p> <p>(4) Requires the Director of Mental Retardation and Developmental Disabilities to convene a committee on the coverage of autism spectrum disorders to investigate and recommend additional treatments or therapies for autism spectrum disorders to be covered by health insurers.</p>	(4) No provision.	(4) No provision.
(5) No provision.	<p>(5) Delays the applicability of the requirements to plans that are issued or renewed six months after the bill's effective date.</p>	(5) No provision.	(5) No provision.
(6) No provision.	<p>(6) Requires the Director of Budget and Management to transfer \$1.62 million from the GRF to the State Employee Health Benefit Fund (Fund 8080) on June 30, 2010, or as soon as possible thereafter.</p>	(6) No provision.	(6) No provision.

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As Enacted

Fiscal effect: The provision to mandate coverage for screening, diagnosis, and treatment of an autism spectrum disorder may potentially increase the costs to Medicaid in the tens of millions of dollars per year. The federal government would likely reimburse approximately 60% of any increase in Medicaid spending if federal rules allow the federal matching rate to apply.

It would increase costs to the state's health benefit plan for employees and their dependents by approximately \$1.62 million in FY 2011, assuming such coverage applies to approximately 45 children under age 6 per year. The GRF would pay the cost of coverage for approximately half the individuals, with various state funds providing the rest. It would also increase costs, potentially in the millions per year, to counties, municipalities, townships, and school districts statewide of providing such coverage in their health benefits to employees and their dependents.

Executive

As Passed by the House

As Passed by the Senate

As Enacted

Medicaid

Executive	As Passed by the House	As Passed by the Senate	As Enacted
<p>30 JFS - 124 **VETOED** Collection of Long-Term Care Facilities' Medicaid Debts</p>	<p>No provision.</p>	<p>R.C. 5111.65, 5111.68, 5111.681, 5111.685, 5111.686, 5111.689</p> <p>[**VETOED: Revises the law governing the collection of a long-term care facility's Medicaid debts when the facility undergoes a change of operator, closes, or ceases to participate in Medicaid, including by (1) permitting rather than requiring ODJFS to withhold an amount from a Medicaid payment to a facility, (2) providing for a withholding to equal the total amount specified in a notice regarding the facility's estimated Medicaid debts rather than the greater of (a) the total amount of the facility's actual and potential Medicaid debts and (b) an amount equal to the average amount of monthly Medicaid payments to the facility for a 12-month period, (3) prohibiting ODJFS from making the withholding if an entering operator or qualified affiliated operator assumes liability for the entire amount of the facility's estimated Medicaid debts, (4) requiring ODJFS to reduce the amount to be withheld if an entering operator or qualified affiliated operator assumes liability for the portion of the facility's estimated Medicaid debts that represents the nursing home or ICF/MR franchise permit fee, (5) reducing from 90 to 60 the number of days ODJFS has to determine a facility's actual Medicaid debts following the date the facility files a</p>	<p>R.C. 5111.65, 5111.68, 5111.681, 5111.685, 5111.686, 5111.689</p> <p>Same as the Senate.</p>

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		cost report or ODJFS waives the cost report, (6) establishing a process for a facility or qualified affiliated operator to request an informal settlement conference regarding ODJFS's determination of the facility's actual Medicaid debts, (7) permitting a qualified affiliated operator who executes a successor liability agreement (in addition to the exiting operator) to request an adjudication under the Administrative Procedure Act regarding ODJFS's determination of the facility's actual Medicaid debts and providing that any part of ODJFS's determination is subject to the adjudication, and (8) revising the timeframes for ODJFS to release a withholding.***]	
		Fiscal effect: May reduce debt revenue.	Fiscal effect: Same as the Senate.
31 JFS - 22 ICF/MR Franchise Permit Fee			
R.C. 5112.30, 5112.31, 5112.37, 5112.371, 5112.372	R.C. 5112.30, 5112.31, 5112.37, 5112.371, 5112.372	R.C. 5112.30, 5112.31, 5112.37, 5112.371, 5112.372	R.C. 5112.30, 5112.31, 5112.37, 5112.371 (<i>repealed</i>), 5112.371 (<i>new</i>), 5112.39, and 5123.0417
Subjects ICFs/MR that ODODD operates (i.e., developmental centers) to the ICF/MR franchise permit fee.	Same as the Executive.	Same as the Executive.	Same as the Executive, but provides that developmental centers are not subject to franchise permit fee until August 1, 2009.
Increases the franchise permit fee on ICF/MR beds to \$14.25 per day from \$11.98.	Same as the Executive.	Same as the Executive.	Replaces the Executive provision with a provision that (1) continues the franchise permit fee of \$11.98 until August 1, 2009, (2) increases the fee to \$14.75 for the period between August 1, 2009, and June 30, 2010, (3) sets the fee at \$13.55 for fiscal year 2011, and (4) sets the fee, for each successive fiscal year, at the amount set for

Executive	As Passed by the House	As Passed by the Senate	As Enacted
No provision.	No provision.	No provision.	<p>the previous fiscal year as adjusted by a composite inflation factor.</p> <p>Requires ODJFS to recalculate the franchise permit fee if the amount assessed by the fee for a fiscal year exceeds 5.5% of the actual net patient revenue for all ICFs/MR for that fiscal year and to credit the franchise permit fees to ICFs/MR for the following fiscal year.</p>
<p>Provides for the money raised by the ICF/MR franchise permit fee to be deposited as follows: (1) 74.89% in FY 2010 and 70.67% in FY 2011 and thereafter into the SSR Fund 4K80, Home and Community Based Services, (2) 3.78% in FY 2010 and 3.57% in FY 2011 and thereafter into SSR Fund 5CT0, Children with Intensive Behavioral Needs Programs, and (3) 21.33% in FY 2010 and 25.76% in FY 2011 and thereafter into a new fund called the Developmental Disabilities Operating and Services Fund.</p>	Same as the Executive.	Same as the Executive.	<p>Replaces the Executive provision with a provision that (1) requires 84.2% (in FY 2010) and 79.12% (in FY 2011 and thereafter) of the money raised by the franchise permit fee to be deposited into SSR Fund 4K80, Home and Community Based Services, and 15.8% (in FY 2010) and 20.88% (in FY 2011 and thereafter) to be deposited into the new Developmental Disabilities Operating and Services Fund and (2) abolishes SSR Fund 5CT0, Children with Intensive Behavioral Needs Programs, but maintains the requirement for the Director of Developmental Disabilities to establish one or more programs for individuals under age 21 who have intensive behavioral needs which, under current law, are funded with money in SSR Fund 5CT0.</p>
<p>Provides for money in the Developmental Disabilities Operating and Services Fund to be used for expenses of the programs that the Department of Developmental Disabilities administers and the Department's administrative expenses.</p>	Same as the Executive.	Same as the Executive.	Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
Fiscal effect: Increasing the ICF/MR franchise permit fee as well as subjecting developmental centers to the fee will generate several million dollars in additional revenue for the Medicaid Program each year.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive.	Fiscal effect: Same as the Executive, but changes the allocation of franchise fee revenue to state funds.

Executive	As Passed by the House	As Passed by the Senate	As Enacted
32 DMH - 17 Care Coordination Information	<p>R.C. 121.375</p> <p>Permits a care coordination agency to provide certain information to the Ohio Family and Children First Cabinet Council regarding care coordination for at-risk individuals and permits the Council to use the information to help improve care coordination for at-risk individuals throughout the state.</p>	<p>R.C. 121.375</p> <p>Same as the House, but permits the Cabinet Council to give incentives to encourage care coordination agencies to provide the information.</p>	<p>R.C. 121.375</p> <p>Same as the Senate.</p>
No provision.	<p>Creates statutory definitions of the terms "at-risk individual" and "care coordination agency."</p>	<p>Replaces the House provision with a provision that requires the Cabinet Council to adopt rules defining the terms "at-risk individual" and "care coordination agency."</p>	<p>Same as the House.</p>
No provision.	<p>Fiscal effect: None.</p>	<p>Fiscal effect: Minimal increase in administrative costs for the Cabinet Council to promulgate rules and potential increase in costs to provide incentives to care coordination agencies.</p>	<p>Fiscal effect: Same as the House.</p>

Executive	As Passed by the House	As Passed by the Senate	As Enacted
33 DRC - 11 Laboratory Services	R.C. 5120.135		
(1) No provision.	(1) Permits, rather than requires, the Department of Rehabilitation and Correction to provide laboratory services to the departments of Mental Health, Mental Retardation and Developmental Disabilities, Youth Services, and Rehabilitation and Correction.	(1) No provision.	(1) No provision.
(2) No provision.	(2) Eliminates a provision that establishes a resolution process for the departments to follow if the Department of Rehabilitation and Correction provides unsatisfactory laboratory services.	(2) No provision.	(2)No provision.
	Fiscal effect: Potential revenue loss and expenditure savings, net annual effect uncertain.		