
OPPORTUNITIES FOR OHIOANS WITH DISABILITIES AGENCY

- Replaces the Rehabilitation Services Commission (RSC) with the Opportunities for Ohioans with Disabilities Agency (OODA), and generally requires the OODA to perform the duties and exercise the responsibilities assigned to the RSC under prior law.
- Replaces the Administrator of the RSC with the Executive Director of the OODA, and generally requires the Executive Director to perform the duties and exercise the responsibilities assigned to the Administrator under prior law.
- Requires the Governor to appoint the Opportunities for Ohioans with Disabilities Commission (OODC), and provides that members serving on the RSC immediately prior to September 29, 2013, are to continue serving on the new OODC.
- Requires the OODC to do all of the following:
 - approve the state vocational rehabilitation plan and, with the Ohio State Independent Living Council, the state plan for independent living;
 - appoint a consumer advisory committee, which is a continuation of the consumer advisory committee appointed by the RSC under former law; and
 - review and analyze the effectiveness of and consumer satisfaction with the functions performed by the OODA, vocational rehabilitation services provided by state agencies and other entities, and employment outcomes achieved by individuals receiving services.
- Revises several definitions in the law governing the OODA, including replacing "handicapped person" with "person with a disability."
- Eliminates the Governor's Program on Employment Initiatives in the former RSC.

Replacement of the Rehabilitation Services Commission

(R.C. 121.35, 121.37, 123.01, 124.11, 125.602, 125.603, 126.45, 127.16, 191.02, 2151.83, 3303.41, 3304.12, 3304.13, 3304.14 (3304.15), 3304.15 (3304.16), 3304.16 (3304.14), 3304.17, 3304.18, 3304.181, 3304.182, 3304.20, 3304.21, 3304.22, 3304.231 (3335.61), 3304.25, 3304.28, 3304.41, 3501.01, 3798.01, 4112.31, 4115.32, 4121.69, 4123.57, 4503.44, 4511.191, 5107.64, 5120.07, 5123.022, 5123.023, and 5126.051; R.C. 3304.26 (repealed); Sections 259.90, 327.80, 327.90, 340.10, 515.30, and 815.20)



The act replaces the Rehabilitation Services Commission (RSC) with the Opportunities for Ohioans with Disabilities Agency (OODA), generally requires the OODA to perform the duties and exercise the responsibilities formerly assigned to the RSC (see below), and makes conforming changes. The act states that the OODA is the designated state unit authorized under the federal Rehabilitation Act of 1973 to provide vocational rehabilitation to eligible persons with disabilities. Under law revised by the act, the OODA is required to provide vocational rehabilitation services to all eligible persons with disabilities, including any person with a disability who is eligible under the terms of an agreement or arrangement with another state or with the federal government. Under the act, the OODA may establish up to five positions in the unclassified civil service. Prior law did not provide for such positions.

Executive Director; functions and responsibilities

The act replaces the Administrator of the RSC with the Executive Director of the OODA and generally requires the Executive Director to perform the duties and exercise the responsibilities formerly assigned to the Administrator. In addition, the act requires the Executive Director, rather than the RSC as in prior law, to establish administrative subdivisions as necessary or appropriate to carry out the OODA's functions and duties. The Executive Director also is required to appoint deputy directors of the Bureau of Services for the Visually Impaired and Bureau of Vocational Rehabilitation, but, unlike the Administrator as in prior law, does not need to obtain the approval of the OODA (RSC in former law).

Additionally, the act states that the Executive Director of the OODA is the executive and administrative officer of the OODA. The act authorizes the Executive Director to establish procedures for the governance of the OODA, the conduct of OODA employees and officers, the performance of OODA business, and the custody, use, and preservation of OODA records, papers, books, documents, and property. Under the act, the Executive Director of the OODA, like the former Administrator of the RSC, is appointed by the Governor, and the Governor may grant the Executive Director authority to appoint, remove, and discipline staff as necessary to carry out the functions of the OODA. In exercising exclusive authority to administer the daily operation and provision of vocational rehabilitation services under the Worker Retraining Law, the Executive Director may perform specified activities.

As discussed in the table below, a number of those activities formerly were assigned to the RSC. The act instead assigns them to the Executive Director. In addition, several of the activities previously specified in statute instead are incorporated in the act's broad statutory directive that the Executive Director must administer the provision of rehabilitation services to eligible persons with disabilities. Finally, although several

activities are specifically eliminated by the act, it appears that they may continue to be performed by the Executive Director under other authority established by the act.

Responsibility of RSC under prior law	Responsibility under the act
Adopt all necessary rules	Executive Director
Prepare and submit annual reports to the Governor	Executive Director
Certify disbursement of funds	Executive Director
Take appropriate action to guarantee rights of services to handicapped persons (see below)	Executive Director
Consult with and advise other state agencies and coordinate applicable programs	Executive Director
Establish an administrative division of consumer affairs and advocacy to promote and help guarantee rights of handicapped persons	Eliminated
Maintain an inventory of state services available to handicapped persons	Specifically eliminated, but may be undertaken by the Executive Director under the authority to adopt rules or to take appropriate action to guarantee rights of persons with disabilities to services
Utilize, support, assist, and cooperate with the Governor's committee on employment of the handicapped	Specifically eliminated, but may be performed by the Executive Director under the authority to consult with and advise other state agencies and coordinate programs for persons with disabilities
Take any other necessary or appropriate action for cooperation with public and private agencies and organizations, which may include reciprocal agreements with other states, contracts with public and other nonprofit agencies, cooperative agreements with the federal government, and functions and services for the federal government	Executive Director
Conduct research and demonstration projects	Executive Director
Accept, hold, invest, reinvest, or otherwise use gifts to further vocational rehabilitation	Executive Director
Ameliorate the condition of the aged, blind, or other severely disabled individuals by establishing a program of home visitation by Commission employees for the purpose of instruction	Specifically eliminated, but may be undertaken by the Executive Director under the authority to adopt rules or to take appropriate action to guarantee rights of persons with disabilities to services
For purposes of the Business Enterprise Program, establish and manage small businesses owned or operated by visually impaired persons, purchase insurance, and accept computers	Executive Director
Enter into contracts	Executive Director



Opportunities for Ohioans with Disabilities Commission (OODC)

(R.C. 3304.12, 3304.13, 3304.16 (3304.14), and 3304.22; R.C. 3304.24 (repealed); Sections 610.20, 610.21, and 803.41)

The act requires the Governor to appoint the Opportunities for Ohioans with Disabilities Commission (OODC) within the OODA, applies the membership qualifications of the former RSC to the OODC, and provides that members serving on the RSC immediately prior to September 29, 2013, are to continue serving on the new OODC until the end of their terms. The act thus continues staggered seven-year terms.

The act requires the OODC to approve the state vocational rehabilitation plan and, with the Ohio State Independent Living Council, the state plan for independent living; appoint a consumer advisory committee, which the act states is a continuation of the consumer advisory committee appointed by the RSC under prior law; and, to the extent feasible, review and analyze the effectiveness of and consumer satisfaction with the functions performed by the OODA, vocational rehabilitation services provided by state agencies and other entities responsible for providing such services under federal law, and employment outcomes achieved by individuals receiving services.

Definitions

(R.C. 3304.11, 3304.12, 3304.17, 3304.19, 3304.27, and 4503.44)

The act replaces the term "handicapped person" or "disabled person" with "person with a disability" in the Worker Retraining Law and defines it to mean any person with a physical or mental impairment that is a substantial impediment to employment who can benefit in terms of an employment outcome from the provision of vocational rehabilitation services. It also changes "physical or mental disability" to "physical or mental impairment" and "substantial handicap to employment" to "substantial impediment to employment" in that Law, but retains the definitions in continuing law. The act then makes conforming changes throughout that Law. The act also replaces the term "handicapped person" with "person with a disability" in the Licensing of Motor Vehicles Law and makes conforming changes.

Governor's Program on Employment Initiatives

(R.C. 3304.38, repealed)

The act eliminates the Governor's Program on Employment Initiatives in the former RSC. The purpose of the Program was to create employment opportunities for persons with disabilities by providing equipment or supplies to businesses in consideration for job slots being reserved by the businesses for persons with disabilities referred by the RSC.

