

Executive

As Passed By House

**DDDCD2 Notary requirement of applicants for employment or supported living certificates**

R.C. 5123.081, 5123.169

Eliminates the requirement that the statement of residency, which must be submitted by a job applicant with DODD or a county board of developmental disabilities, or an applicant for a supported living certificate, be notarized.

**Fiscal effect: None.**

R.C. 5123.081, 5123.169

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DDDCD10 Guardianship and supported living**

R.C. 5123.16, 5123.1613

Prohibits the guardian, or a supported living certificate holder owned or operated by the guardian, of an individual with developmental disabilities from providing supported living to that individual unless they are related by blood, adoption, or marriage.

**Fiscal effect: None.**

R.C. 5123.16, 5123.1613

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DDDCD9 Certified mail requirements**

R.C. 5123.166, 5123.19

Eliminates the certified mail requirement for delivering written notice that the DODD Director has issued an adjudication order against an individual or entity seeking or holding a supported living certificate and the written report and recommendation following proceedings related to denying or revoking a residential facility's license.

**Fiscal effect: Possible minimal reduction in administrative costs.**

No provision.

**DDDCD3 Termination of supported living certificate**

R.C. 5123.168

Requires, rather than permits, the DODD Director terminate a supported living certificate if the certificate holder does not bill the Department for supported living services for a specified time period.

Increases that time period from 12 months to 24 consecutive months.

R.C. 5123.168

Same as the Executive.

Same as the Executive.

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Requires DODD, when terminating a supported living certificate, to send notice to the certificate holder by regular mail explaining its action.

Same as the Executive, but requires the notice to be sent by certified mail.

**Fiscal effect: None.**

**Fiscal effect: Same as the Executive.**

**DDDCD4 Community developmental disabilities trust fund**

**R.C. 5123.352**

Abolishes the community developmental disabilities trust fund.

**R.C. 5123.352**

Same as the Executive.

**Fiscal effect: None.**

**Fiscal effect: Same as the Executive.**

**DDDCD11 Nonfederal share of Medicaid expenditures for state-operated ICF/IID services**

**R.C. 5123.38**

Permits the DODD Director to establish a methodology for determining the amount collected from a county board to pay the nonfederal share of Medicaid expenditures for an individual admitted to a state-operated ICF/IID.

**R.C. 5123.38**

Same as the Executive.

Eliminates law specifying that a county board is not required to pay the nonfederal share of Medicaid expenditures for an individual committed to a state-operated ICF/IID if the county board arranges for alternative services within 180 days of the individual's admission to the ICF/IID.

Same as the Executive.

Specifies that the Director's authority under existing law to grant a waiver from paying the nonfederal share may exempt a county board from paying either the full amount or a portion.

Same as the Executive.

**Fiscal effect: Potential foregone revenue if the DODD Director elects to waive all or part of the collection of the nonfederal share that a county board must pay to admit a person at a developmental center. This impact is projected to be minimal.**

**Fiscal effect: Same as the Executive.**

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**DDDCD8 Developmental disabilities personnel authority to administer medications and perform health-related activities**

R.C. 5123.42

Specifically authorizes developmental disabilities personnel to administer prescribed epinephrine intranasally to treat anaphylaxis, without nursing delegation and without a medication administration certificate.

Authorizes developmental disabilities personnel, with nursing delegation, to administer to recipients of early intervention, preschool, and school-age services prescribed medications for the treatment of metabolic glycemc disorders through subcutaneous injections.

Replaces statutory references to vagal nerve stimulators with references to vagus nerve stimulators.

Requires developmental disabilities personnel to successfully complete training as a condition of administering topical over-the-counter medications as permitted under continuing law.

**Fiscal effect: None.**

R.C. 5123.42

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DDDCD7 Family members' authority to administer medications and perform health-related activities**

R.C. 5123.423, 5123.41

Authorizes certain family members of an individual with a developmental disability to administer medications to, and perform health-related tasks for, the individual without holding a medication administration certificate and without nursing delegation.

**Fiscal effect: None.**

R.C. 5123.423, 5123.41

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DDDCD6 In-home workers and health care tasks**

R.C. 5123.47, 5123.41

Establishes an additional condition on the authority of a family member to authorize an unlicensed in-home care worker to perform health care tasks for an individual with a developmental disability - that the family member is not acting as a paid provider for the individual.

R.C. 5123.47, 5123.41

Same as the Executive.

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Also eliminates a condition that the worker provide care through employment or another arrangement with the family member and is not otherwise employed to provide services to individuals with developmental disabilities.

Same as the Executive.

Requires an unlicensed in-home worker to accept the written document in which the family member authorizes the worker to perform health-related tasks before the worker may perform them.

Same as the Executive.

In the event a county board of developmental disabilities determines that a family member, when authorizing such care, acted in a manner that is inappropriate for the health and safety of the individual with developmental disabilities receiving such care, requires the county board to authorize appropriately licensed or certified providers to instead perform health care tasks for the individual, rather than the in-home worker.

Same as the Executive.

**Fiscal effect: None.**

**Fiscal effect: Same as the Executive.**

**DDDCD1 Supported decision-making plans**

**R.C. 5123.68, 5123.681, 5123.682, 5123.683, 5123.684, 5123.685, 5123.686**

Establishes a presumption that all adults with developmental disabilities are capable of making their own decisions and are competent to handle their own affairs unless otherwise determined by a court.

No provision.

Permits an adult with a developmental disability (known as the principal) to establish a formal or informal supported decision-making plan with one or more chosen supporters.

No provision.

Permits a supported decision-making plan to be presented to a probate court as a less restrictive alternative to guardianship (under existing law that requires a probate court to consider less restrictive alternatives when guardianship has been requested).

No provision.

Requires DODD to create informational materials about supported decision-making plans and to create a model written supported decision-making plan.

No provision.

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**Fiscal effect: None.**

**DDDCD5 ICF/IID professional workforce development payment**

**R.C. 5124.15**

For FY 2026, specifies that the professional workforce development payment component of an ICF/IID's per Medicaid day payment rate equals 10.405% of an ICF/IID's desk reviewed, actual, allowable, per Medicaid day direct care costs from the applicable cost report year.

**Fiscal effect: Estimated at \$54 million all funds (\$15 million state share) in FY 2026. This covers the gap between the calendar-year cost reports and the fiscal-year-based rate increases.**

**R.C. 5124.15**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DDDCD25 Service and support administrators training requirements**

No provision.

**R.C. 5126.201**

Requires a county DD board superintendent to ensure a conditional-status service-and-support administrator successfully completes a DODD web-based training program not later than 30 days after hiring.

**Fiscal effect: None.**

**DDDCD12 Special Olympics**

**Section: 261.20**

Requires that the GRF ALI 320411, Special Olympics, be distributed to the Special Olympics of Ohio in support of the Ohio Special Olympics Summer Games.

**Section: 261.20**

Same as the Executive.

**DDDCD13 Developmental disabilities facilities lease-rental bond payments**

**Section: 261.30**

Requires that the GRF ALI 320415, Developmental Disabilities Facilities Lease Rental Bond Payments, be used to meet all payments during FY 2026 and FY 2027 by DODD for leases and agreements.

**Section: 261.30**

Same as the Executive.

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**As Passed By House**

**DDDCD14 Multi-system youth**

**Section: 261.40**

Allows a portion of the GRF ALI 322422, Multi-System Youth, to be used to provide a subsidy to eligible county boards of developmental disabilities to provide respite services and other services and supports for youth with complex or multi-system needs to enable them to remain in their homes with their families or in their communities.

**Section: 261.40**

Same as the Executive.

**DDDCD15 Technology first**

**Section: 261.50**

Allows a portion of the GRF ALI 322423, Technology First, to be used to increase access and use of innovative technology for people with developmental disabilities.

**Section: 261.50**

Same as the Executive.

**DDDCD16 Employment first**

**Section: 261.60**

Requires that the GRF ALI 322508, Employment First Initiative, be used to increase employment opportunities for individuals with developmental disabilities.

**Section: 261.60**

Same as the Executive.

Requires the DODD Director to transfer a portion of the appropriation each year to Opportunities for Ohioans with Disabilities to be used as state matching funds to obtain available federal grant dollars for vocational rehabilitation services.

Same as the Executive.

Requires the remainder of the appropriation be used to develop a long-term, sustainable system that places individuals with developmental disabilities in community employment.

Same as the Executive.

**DDDCD26 Achievement Centers for Children**

No provision.

**Section: 261.61**

Earmarks \$190,000 in each fiscal year under GRF ALI 322509, Community Supports & Rental Assistance for the Achievement Centers for Children.

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**DDDCD17 Community supports and rental assistance**

**Section: 261.70**

Allows the DODD Director to use a portion of the GRF ALI 322509, Community Supports and Rental Assistance, to provide funding to county boards of developmental disabilities for rental assistance to (1) individuals with developmental disabilities receiving home- and community-based services (HCBS), and (2) individuals with developmental disabilities who enroll in a Medicaid HCBS waiver.

**Section: 261.70**

Same as the Executive.

**DDDCD27 Best Buddies**

No provision.

**Section: 261.73**

Requires GRF ALI 322510, Best Buddies Ohio, be used to support the delivery and expansion of skills-building services throughout Ohio schools and communities.

**DDDCD18 Medicaid services**

**Section: 261.80**

Specifies that within GRF ALI 653407, Medicaid Services, appropriate uses include HCBS, ICF/IID services, and other programs identified by the DODD Director.

**Section: 261.80**

Same as the Executive.

**DDDCD19 Central office operating expenses**

**Section: 261.90**

Earmarks \$100,000 in each fiscal year from DPF Fund 5GE0 ALI 320606, Central Office Operating Expenses, for the Ohio Center for Autism and Low Incidence to establish a lifespan autism hub to support families and professionals.

**Section: 261.90**

Same as the Executive.

**Executive**

**As Passed By House**

**DDDCD20 County board share of waiver services**

**Section: 261.100**

Requires the DODD Director to establish a methodology to estimate the quarterly amount each county board of developmental disabilities is to pay of the nonfederal share of home- and community-based services. Requires the director to submit to a county board each quarter written notice of the amount to be paid for that quarter, and the date payment is due.

**Section: 261.100**

Same as the Executive.

**DDDCD21 Withholding of funds owed DODD**

**Section: 261.110**

Allows the DODD Director to withhold any amount unpaid by a county board of developmental disabilities from any amounts due to the county board.

**Section: 261.110**

Same as the Executive.

**DDDCD22 DODD innovative pilot projects**

**Section: 261.120**

Allows the DODD Director to authorize the continued implementation of innovative pilot projects that are likely to assist in promoting DODD and county board objectives.

Requires the Director to consult with entities interested in the issue of developmental disabilities before authorizing the pilot projects.

**Section: 261.120**

Same as the Executive.

Same as the Executive, but specifies five entities with whom the Director must consult: the Ohio Provider Resource Association, Ohio Association of County Boards of Developmental Disabilities, Ohio Health Care Association/Ohio Centers for Intellectual Disabilities, the Values and Faith Alliance, and ARC of Ohio.

Prohibits the Director from authorizing a pilot project be implemented in a manner that would cause the state to be out of compliance with any requirements of a program funded with federal funds.

Same as the Executive.



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**DDDCD23 Payments rates for homemaker/personal care services**

**Section: 261.130**

Specifies the total Medicaid payment rate for each 15 minutes of routine homemaker/personal care services provided to a qualifying enrollee by a Medicaid provider be 52 cents higher than the Medicaid payment rate in effect on the day the services were provided.

Requires portions of GRF ALI 653407, Medicaid Services, and FED Fund 3A40 ALI 653654, Medicaid Services, be used to pay the Medicaid payment rate specified above.

**Fiscal effect: The fiscal impact of this continuation of current policy depends on service use and the number of individuals who qualify for the increased rates.**

**Section: 261.130**

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**DDDCD24 ICF workforce development payments**

**Section: 261.140**

Requires a portion of GRF ALI 653407, Medicaid Services, and FED Fund 3A40 ALI 653654, Medicaid Services, to be used in FY 2026 to maintain rates supporting the professional workforce development payment.

**Section: 261.140**

Same as the Executive.

Executive

As Passed By House

**AGECD4 Electronic visit verification - home care services**

**R.C. 121.36**

Exempts providers utilizing electronic visit verification systems from the law requiring providers under contract with the ODA, ODODD, ODJFS, and ODH to satisfy certain conditions (e.g. procedures for maintaining certain records and procedures for conducting a random check of 5% of home care visits) when adopting a system to monitor the delivery of home care services by their employees.

Eliminates the law requiring the departments above to study and submit a report addressing how self-employed providers, who are exempt under current law from the requirement to adopt a monitoring system, may be made subject to that requirement by September 27, 2005.

**Fiscal effect: If the provision leads to a reduction in provider administrative costs, this might eventually result in a decrease in reimbursements provided by these departments.**

**R.C. 121.36**

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

As Passed By House

**KIDCD38 DCY duties and responsibilities and conforming changes**

R.C. 121.37, 149.43, 1347.08, 2101.16, 2151.3527, 2151.421, 3107.062-3107.065, 3107.391, 3115.201, 3301.0714, 3301.0723, 3301.541, 3701.045, 5101.211, 5101.212, 5101.215, 5101.222, 5101.242, 5101.26, 5101.272, 5101.273, 5101.28, 5101.30, 5101.33, 5101.351, 5101.38, 5101.461, 5101.892, 5101.899, 5103.021, 5103.15, 5103.155, 5103.41, 5104.37, 5104.99, 5123.191, 5139.05, 5139.08, 5139.34, 5153.10; Section 830.10

Makes conforming changes and technical corrections to reflect the transfer of various duties and responsibilities to DCY in H.B. 33 of the 135th General Assembly.

Transfers or adds responsibility related to specified other programs to DCY, including the Putative Father Registry, child fatality review boards, scholars residential centers, access to records of public assistance recipients, access to DCY records by the Youth and Family Ombudsman Office, coordination with DYS, and providing technical assistance to a court-appointed receiver of a DODD-licensed residential facility.

**Fiscal effect: Costs relating to programs and activities being transferred or relating to any additional responsibilities will also be transferred to DCY and will be reflected in DCY’s budget rather than ODJFS, ODH, or other applicable state agency budgets.**

R.C. 121.37, 149.43, 1347.08, 2101.16, 2151.3527, 2151.421, 3107.062-3107.065, 3107.391, 3115.201, 3301.0714, 3301.0723, 3301.541, 3701.045, 5101.211, 5101.212, 5101.215, 5101.222, 5101.242, 5101.26, 5101.272, 5101.273, 5101.28, 5101.30, 5101.33, 5101.351, 5101.38, 5101.461, 5101.892, 5101.899, 5103.021, 5103.15, 5103.155, 5103.41, 5104.37, 5104.99, 5123.191, 5139.05, 5139.08, 5139.34, 5153.10; Section 830.10

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

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Special Programs

**MCD35 HCBS direct care worker wages**

**Section: 333.270**

Requires ODM, jointly with ODA and DODD, to collect data from providers regarding the wages paid to direct care workers under the Medicaid home and community-based waiver components administered by each agency. Requires ODM to compile and submit to the Governor an annual report on this data.

**Fiscal effect: The departments will likely incur administrative costs to collect, compile, and submit the data and report.**

**Section: 333.270**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

General

**MCD48 Electronic visit verification system**

No provision.

**R.C. 5164.451**

Establishes duties on, and grants authority to, ODM, DODD, Medicaid managed care organizations (MCOs), and other entities in the event the ODM Director establishes an electronic visit verification (EVV) system in rule, including the following:

No provision.

(1) Requires ODM and DODD to provide education and technical assistance to Medicaid providers to aid them in complying with the EVV system.

No provision.

(2) Requires ODM, DODD, a Medicaid MCO, or other authorized entity to notify a Medicaid provider that a claim is not supported by information in the EVV system and offer the provider opportunity to review and correct the claim in the system.

No provision.

(3) Prohibits ODM, DODD, a Medicaid MCO, or other entity from denying a claim that is not supported by information in the EVV system.

No provision.

(4) Authorizes ODM, DODD, a Medicaid MCO, or other authorized entity to conduct a post-payment audit or review to consider information in the EVV system as part of its audit or review protocol, but prohibits an audit or review based solely on information in the EVV system.

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No provision.

(5) Prohibits the EVV system from exceeding minimum requirements specified in federal law.

**Fiscal effect: Possible administrative costs to comply with the provisions, and possible service savings if the EVV is implemented and leads to increased recoveries in accordance with these changes.**

**Appropriation Language**

**MCDCD13 Personal needs allowance support**

**Section: 333.40**

Permits the OBM Director, upon the request of the ODM Director, to transfer up to \$2,200,000 in FY 2026 and \$4,400,000 in FY 2027 from GRF ALI 651525, Medicaid Health Care Services, to appropriation items in DODD, for individuals living in ICFs/IIDs.

**Section: 333.40**

Same as the Executive.

**MCDCD27 Home and community based services appropriations - state**

**Section: 333.180**

Permits the OBM Director to authorize additional expenditures in Fund 5HC8 ALIs 651698, MCD Home and Community Based Services, 653698, DDD Home and Community Based Services, 652698, MHA Home and Community Based Services, 655698, JFS Home and Community Based Services, 659698, BOR Home and Community Based Services, and 656698, AGE Home and Community Based Services, conditional on the additional expenditures being offset by equal expenditure reductions in another of these identified ALIs.

No provision.

Stipulates that any additional expenditures be used in accordance with federal rules and comply with ODM's Medicaid state plan approved by the federal government. Appropriates any additional expenditures.

No provision.

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As Passed By House

**MCDCD28 Home and community based services appropriations - federal**

**Section: 333.190**

Permits the OBM Director to authorize additional expenditures in Fund 3HC8 ALLs 651699, MCD Home and Community Based Services – Federal, 653699, DDD Home and Community Based Services – Federal, 652699, MHA Home and Community Based Services – Federal, 655699, JFS Home and Community Based Services – Federal, and 659699, BOR Home and Community Based Services - Federal, and 656699, AGE Home and Community Based Services – Federal, conditional on the additional expenditures being offset by equal expenditure reductions in another of these identified line items.

No provision.

Stipulates that any additional expenditures be used in accordance with federal rules and comply with ODM's Medicaid state plan approved by the federal government. Appropriates any additional expenditures.

No provision.