

State Medical Board of Ohio

**POLICY COMMITTEE MEETING**

**April 10, 2019**

**30 East Broad Street, Columbus, OH 43215, Room 336**

<b>Members:</b> Andrew P. Schachat, MD Robert Giacalone Mark Bechtel, MD Amol Soin, MD  <b>Other Board Members present:</b> Michael Schottenstein, MD Sherry Johnson, DO Bruce Saferin, DPM Richard Edgin, MD Kim Rothermel, MD	<b>Staff:</b> A.J. Groeber, Executive Director Kimberly Anderson, Chief Legal Counsel Sallie J. Debolt, Senior Counsel Nathan Smith, Senior Legal and Policy Counsel Joan Wehrle, Education & Outreach Program Manager Rebecca Marshall, Chief Enforcement Attorney James Roach, Chief of Investigations Joe Turek, Deputy Director David Fais, Deputy Director Jerica Stewart, Communications and Outreach Administrator
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Dr. Soin called the meeting to order at 9:15 a.m.

### **Meeting Minutes Review**

Dr. Soin reported that the draft minutes of the March 13, 2019 meeting had been distributed to the committee and were included in the agenda materials.

**Dr. Bechtel moved to approve the draft minutes of the March 13, 2019 Policy Committee meeting. Mr. Giacalone seconded the motion. Motion carried.**

### **Legislative Update**

Dr. Soin reported that Mr. LaCross was in legislative committee meeting. Dr. Soin provided an update regarding pending legislation.

HB63	Pharmacy Benefit Managers - Regarding pharmacy benefit managers, pharmacists, and the disclosure to patients of drug price information. House Health, first hearing
HB68	Heartbeat Bill - House Health, first hearing
HB 133	Temporary State Occupational License Military - House Health State and Local Government, first hearing
SB7	Temporary State Occupational License Military - Referred to House Armed Services and Veterans Affairs
SB61	Nurse Anesthetists - Regarding the authority of certified registered nurse anesthetists to select, order, and administer certain drugs. Senate General Government and Agency Review, first hearing
SB105	Massage Therapy Licensing - Standardizes, for purposes of regulation by the State Medical Board, townships, and municipal corporations, terminology regarding massage therapy and individuals authorized to perform massage therapy. Senate Health, Human Services and Medicaid, first hearing.

Dr. Edgin commented that he had heard that some CRNAs did not support the Nurse Anesthetist legislation.

Dr. Bechtel asked the status of the telemedicine legislation that was going to be introduced in the budget bill. Dr. Soin said we will have more information as the budget bill discussions move through the legislature.

### **Rules Review Update**

Ms. Anderson referred to the information in the agenda materials. She reported that many rules have moved out of CSI. The physician licensure rules came out of CSI and were filed yesterday.

### **Respiratory Care Rule Updates OAC Chapter 4761 – initial review**

Mr. Smith referred to the memo in the agenda materials. He said several respiratory care rules were updated and approved by the Board at the February meeting and became effective February 28, 2019. These proposed rules are a supplement to that and they update the Medical Board's respiratory care rules for licensure, continuing education, and providing information to the Medical Board. Notable changes were included in the memo, but he pointed out item 4:

- 4 4761-9-01, 4761-9-04 and 4761-9-05: Rules proposed to be amended to remove full Board approval for the required Ohio respiratory care law and professional ethics courses and replace it with a process like other Respiratory Care Continuing Education requirements.

Mr. Smith said the Board would no longer be required to review individual courses for Respiratory Care Continuing Education when this rule is adopted.

Dr. Schottenstein asked if the change requires legislative action. Mr. Smith said that an administrative rule is enough, and a statutory change is not needed.

**Dr. Bechtel moved that the proposed respiratory care rules be sent to interested parties for comment in initial circulation and referred to the Respiratory Care Advisory Council for review. Dr. Schachat seconded the motion. Motion carried.**

### **Revisions to FAQ for Rule 4731-11-09 (Prescribing to Persons Not Seen by Physician)**

Ms. Anderson said that the Board received several comments from doctors about interpretation of the rule in cross-coverage situations for non-controlled medication refills, such as blood pressure medicine or diabetes medication.

Paragraph (C) of Rule 4731-11-09, OAC, requires that in all situations a physician or physician assistant must interact with the patient when prescribing to a patient for whom the physician or physician assistant has not conducted a physical examination.

Many inquiries, including from the Ohio Hospital Association, have indicated that requiring a physician who is serving in a cross-coverage situation to interact with the patient is very cumbersome when the patient is seeking a refill of a non-controlled maintenance drug and the physician has access to the patient's medical records. Ms. Anderson and Ms. Debolt had a telephone conference with representatives of the Ohio Hospital Association and some physicians who explained the problem. Ms. Anderson said it was clear from that discussion that the doctor was reviewing the medical record before approving the refill. The concern is with the patient interaction. It is difficult as the patient calls in, the doctor returns the call, and the patient is not there. The problem is only in the cross-coverage situation.

Accordingly, the FAQ for the rule is proposed to be amended by adding the following question and answer:

**23. In a cross-covering situation is the cross-covering physician or physician assistant required to interact with the patient who seeks a new prescription for a maintenance drug that is not a controlled substance?**

Perhaps. The cross-covering physician or physician assistant does not need to personally interact with the patient if all the following conditions are met:

1. It is a cross-coverage situation as defined in Rule 4731-11-01, Ohio Administrative Code. That is, the care is being delivered by agreement between an Ohio-licensed physician or physician assistant and another Ohio licensed physician or healthcare provider who is temporarily unavailable to conduct an evaluation of the patient.
2. The patient is an active patient of the other physician or healthcare provider. An active patient is one that within the previous twenty-four months the physician or other healthcare provider being cross-covered conducted at least one in-person medical evaluation of the patient or an evaluation of the patient through the practice of telemedicine.
3. The drug requested is a non-controlled maintenance drug for a chronic condition.
4. The cross-covering physician or physician assistant has access to the patient's medical record and reviews the record as part of the prescriptive decision-making.
5. The cross-covering physician or physician assistant authorizes the issuance of a new prescription.

Dr. Bechtel said that the FAQ was very well written. Ms. Anderson said that Ms. Debolt wrote the FAQ.

Dr. Schottenstein also thought it well written. He referenced questions 13 and 16 that seem to address similar issues. He asked if they can be streamlined. Ms. Debolt said that questions 13 and 16 talk about interacting with a licensed health professional. The new FAQ does not have that interaction with the health professional in a very specific exception.

**Dr. Schachat moved to recommend approval of the new FAQ. Dr. Bechtel seconded the motion. Motion carried.**

### **Revision to Rules 4731-1-01 and 4731-1-02, OAC – Criminal Records Checks**

Ms. Debolt reported the rules in Chapter 4731-4, OAC, simplify and clarify the language, and reflect current procedures. The proposed rules also will apply to all license types instead of having separate rules based on the chapter of the Revised Code that contains licensing requirements for each license type.

Following approval at the February meeting rules were sent for initial review by interested parties. No comments were received. The rules are now ready to be submitted for CSI review.

**Dr. Bechtel moved to recommend to the full Board that the rules be filed with the Common Sense Initiative. Dr. Schachat seconded the motion. Motion carried.**

### **Revision to Rules on Meeting Notices (4731-7-01, OAC) and Recordings (4731-9-01, OAC)**

Ms. Debolt reported that Rules 4731-7-01 (Method of notice of meetings) and 4731-9-01 (Record of board meetings; recording, filming, and photographing of meetings), were reviewed for purposes of the five-year review. Following approval at the February committee meeting the rules were circulated to interested parties for initial comment. No comments were received. Therefore, the proposed rules are ready to be submitted to CSI for review.

**Dr. Bechtel moved to recommend to the full Board that the rules be filed with the Common Sense Initiative. Dr. Schachat seconded the motion. Motion carried.**

#### **Dietetics FAQ and Guidelines C and D; Respiratory Care FAQs**

Mr. Smith referred to the memo in the agenda materials. The documents were discussed by each advisory council and approved at the respective meetings of the Respiratory Care Advisory Council and the Dietetics Advisory Council.

Mr. Smith said that the Dietetics FAQs included a reference to Guidelines C and D, so they were included and reviewed and approved by the Dietetics Advisory Council yesterday.

He reported that the Dietetics Advisory Council brought up a clarification on page 1, FAQ #3 – the statutory reference should be paragraph J not paragraph K. Mr. Smith said that was a typographical error. Also, Ms. Montgomery had communicated through Ms. Anderson that the name of BCI was incorrect on page 8 #27, it should be the Bureau of Criminal Investigation, so that change will be made.

Mr. Smith reported that the Dietetics Advisory Council had also received comments from the Ohio Academy of Nutrition and Dietetics (OAND), and all those comments were taken under advisement, and the Council made many of the changes suggested by the OAND. One issue raised by OAND related to the reference to registered dietetic technician include in questions #20 and #11. OAND believes that the title should read “Dietetic Technician-Registered” instead. Mr. Smith reported that the Dietetics Advisory Council considered the issue, but the statute does not contain any trademarked titles in it, so the Council decided to keep the more generic position title. No changes were made to the title.

**Dr. Schachat moved to recommend approval of the Respiratory Care FAQs and the Dietetics FAQs and Dietetics Guidelines C and D for posting on the Medical Board’s website. Dr. Bechtel seconded the motion. Motion carried.**

#### **Physician Assistant Policy Committee Items – Rule changes under SB259**

Ms. Debolt reported that SB259 made significant changes so the current physician assistant rules were reviewed and revised to reflect the statutory changes. She referred to the memorandum in the agenda materials that outlined the proposed changes.

Ms. Debolt reported that the PAPC recommended a change **4730-1-06: Licensure as a physician assistant** when it comes to the renewal provisions in new paragraph (I)(2). PAPC recommended a shorter and more concise statement in (I)(2) to eliminate the references to specific entities approving pharmacology courses and to also eliminate (I)(2)(a) and (b) as follows:

**(2) Except as provided in paragraph (I)(4) of this rule, completion of at least twelve hours of category I continuing education in pharmacology.** ~~as certified by the "Ohio Association of Physician Assistants," "Ohio State Medical Association," "Ohio Osteopathic Association," "Ohio Foot and Ankle Medical Association," a continuing medical education provider accredited by the ACCME and approved by the board, "American Academy of Physician Assistants," "American Council on Pharmacy Education," or and advanced instructional program in pharmacology approved by the Ohio board of nursing.~~

~~(a) Certification is a process whereby ACCME accredited providers define their respective continuing medical education program requirements for periodic submission to the board for approval.~~

~~(b) The board may approve each association's continuing medical education requirements which consist of continuing medical education category I courses and activities that are deemed~~

acceptable for completing the requisite hours of continuing education in pharmacology by each licensee who has a valid prescriber number.

**Dr. Bechtel moved to recommend that the proposed amended, rescinded, and no change rules be sent to interested parties. Dr. Schachat seconded the motion. Motion carried.**

#### **Proposed Guidance Documents Concerning Laws and Rules Applicable to PA Prescribing**

Ms. Debolt reported that as of March 20, 2019, the Ohio Physician Assistant Formulary no longer exists. However, Section 4730.41, Ohio Revised Code, states that a physician assistant shall not prescribe any drug in violation of state or federal law. "Law" includes provisions of the Ohio Revised Code, rules in the Ohio Administrative Code, provisions of U.S. Code, and federal regulations.

In anticipation of calls regarding what a PA can and cannot do, a proposed guidance document was prepared to assist physician assistants and their supervising physicians in being aware of the state and federal laws and rules that govern physician assistant prescribing. The document would be posted on the Medical Board's website under the "Resources" heading.

Ms. Debolt reported that the PAPC recommended that the document include hyperlinks to the statutes and rules referenced in the document. Ms. Pollock indicated that the links can be included.

Dr. Bechtel said the guidance document was extremely well written especially as we transition from a formulary to prescribing under the physician's direction. He believed that the more PA's understand the prescribing regulations, the fewer questions and complications will occur. He wanted to know if there was any way we could mandate that PAs review this information. Ms. Pollock said that we can have a targeted email to the PAs.

Discussion was also held regarding broader distribution of the guidelines. Mr. Giacalone also asked if it was possible to obtain continuing education credit for review of the materials. Ms. Pollock will find out more information about obtaining continuing education credit.

**Dr. Bechtel moved to recommend the Board approve the Guidance Document and post the information on the Medical board's website. Dr. Schachat seconded the motion. Motion carried.**

#### **Adjourn**

**Dr. Schachat moved to adjourn the meeting. Dr Bechtel seconded the motion. Motion carried.**

The meeting adjourned at 9:35 a.m.

jkw

# Legislative Report

May 3, 2019  
Prepared by: Jonithon  
LaCross

## MY TRACKED BILLS

### Bill Information

#### **HB29** DEXTROMETHORPHAN SALES *(KOEHLER K)*

To prohibit sales of dextromethorphan without a prescription to persons under age 18.

##### CURRENT STATUS

2/19/2019 - House Health, (First Hearing)

#### **HB46** STATE GOVT EXPENDITURE DATABASE *(GREENSPAN D)*

To require the Treasurer of State to establish the Ohio State Government Expenditure Database.

##### CURRENT STATUS

5/1/2019 - **BILL AMENDED**, House State and Local Government, (Fourth Hearing)

#### **HB50** CHARTER COUNTY HOSPITAL PATENTS *(GREENSPAN D)*

To require that all rights to and interests in charter county hospital employee discoveries, inventions, or patents are the property of the charter county hospital.

##### CURRENT STATUS

4/30/2019 - Senate Government Oversight and Reform, (Third Hearing)

#### **HB61** HEALTH PROVIDER RESIDENTIAL INFO *(LANESE L, LISTON B)*

To include forensic mental health providers, mental health evaluation providers, and regional psychiatric hospital employees as individuals whose residential and familial information is exempt from disclosure under the Public Records Law.

##### CURRENT STATUS

5/1/2019 - Referred to Committee Senate Judiciary

#### **HB63** PHARMACY BENEFIT MANAGERS *(LIPPS S, WEST T)*

Regarding pharmacy benefit managers, pharmacists, and the disclosure to patients of drug price information.

■ **CURRENT STATUS**

4/30/2019 - House Health, (Third Hearing)

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**HB68** **HEARTBEAT BILL** *(HOOD R, KELLER C)*

To generally prohibit an abortion of an unborn human individual with a detectable heartbeat and to create the Joint Legislative Committee on Adoption Promotion and Support.

■ **CURRENT STATUS**

2/26/2019 - House Health, (First Hearing)

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**HB133** **MILITARY-TEMPORARY LICENSURE** *(PERALES R, WEINSTEIN C)*

To require state occupational licensing agencies, under certain circumstances, to issue temporary licenses or certificates to members of the military and spouses who are licensed in another jurisdiction and have moved to Ohio for active duty.

■ **CURRENT STATUS**

4/3/2019 - House State and Local Government, (First Hearing)

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**HB144** **NURSE EMPLOYMENT-MANDATORY OVERTIME** *(MANNING D)*

To prohibit a hospital from requiring a registered nurse or licensed practical nurse to work overtime as a condition of continued employment.

■ **CURRENT STATUS**

4/10/2019 - House Commerce and Labor, (First Hearing)

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**HB165** **HEALTH EDUCATION STANDARDS** *(LISTON B, GALONSKI T)*

Regarding the adoption of health education standards.

■ **CURRENT STATUS**

4/2/2019 - Referred to Committee House Primary and Secondary Education

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**HB166** **OPERATING BUDGET** *(OELSLAGER S)*

To make operating appropriations for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of state programs.

■ **CURRENT STATUS**

## **HB177** STANDARD CARE ARRANGEMENTS *(BRINKMAN T)*

Regarding standard care arrangements entered into by advanced practice registered nurses and collaborating physicians or podiatrists; physician prescribing of schedule II controlled substances from convenience care clinics; and clearances by licensed health professionals of concussed student athletes.

### CURRENT STATUS

4/30/2019 - House Health, (Second Hearing)

## **HB205** LEGAL IMMUNITY-OVERDOSE *(GALONSKI T)*

To expand immunity from prosecution for certain drug offenses when a person obtains medical assistance for a drug overdose.

### CURRENT STATUS

4/30/2019 - Referred to Committee House Criminal Justice

## **HB224** NURSE ANESTHETISTS *(CROSS J, WILKIN S)*

Regarding the practice of certified registered nurse anesthetists.

### CURRENT STATUS

4/29/2019 - Introduced

## **HB231** FREE EPINEPHRINE PROGRAMS *(GREENSPAN D)*

To require the Department of Education to notify public and private schools of free epinephrine autoinjector programs and to enact the "Allison Rose Suhy Act" with regard to food allergy training for public schools and institutions of higher education.

### CURRENT STATUS

5/2/2019 - Introduced

## **SB1** REDUCE REGULATORY RESTRICTIONS *(MCCOLLEY R, ROEGNER K)*

To require certain agencies to reduce the number of regulatory restrictions and to continue the provision of this act on and after August 18, 2019.

### CURRENT STATUS

3/5/2019 - Senate Government Oversight and Reform, (Third Hearing)



## **SB7** TEMP STATE OCCUPATIONAL LICENSES-MILITARY *(LEHNER P, HACKETT R)*

Regarding temporary state occupational licenses for members of the military and their spouses.

### **CURRENT STATUS**

4/2/2019 - Referred to Committee House Armed Services and Veterans Affairs

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## **SB9** HEALTH PLAN CLAIM INFORMATION *(HUFFMAN M)*

To require health plan issuers to release certain claim information to group plan policyholders.

### **CURRENT STATUS**

4/30/2019 - House Insurance, (Second Hearing)

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## **SB14** DRUG PRICE INFORMATION DISCLOSURE *(MAHARATH T)*

Regarding pharmacy benefit managers, pharmacists, and the disclosure to patients of drug price information.

### **CURRENT STATUS**

4/3/2019 - Senate Insurance and Financial Institutions, (First Hearing)

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## **SB20** CONTROLLED SUBSTANCES DISPOSAL *(MAHARATH T)*

Regarding the disposal of controlled substances.

### **CURRENT STATUS**

4/10/2019 - Senate Health, Human Services and Medicaid, (First Hearing)

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## **SB25** MEDICAID WORK, EDUCATION REQUIREMENTS *(HUFFMAN M)*

Regarding work and education requirements for the Medicaid program.

### **CURRENT STATUS**

3/20/2019 - Senate Health, Human Services and Medicaid, (Second Hearing)

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## **SB27** FETAL REMAINS-SURGICAL ABORTIONS *(UECKER J)*

To impose requirements on the final disposition of fetal remains from surgical abortions.

### **CURRENT STATUS**

## **SB29** MEDICAID COPAYMENTS *(DOLAN M)*

Regarding Medicaid copayment requirements.

### **CURRENT STATUS**

2/19/2019 - Senate Health, Human Services and Medicaid, (Second Hearing)

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## **SB51** NON-OPIOID DIRECTIVES AND THERAPIES *(MAHARATH T)*

Regarding non-opioid directives and non-opioid therapies.

### **CURRENT STATUS**

5/1/2019 - Senate Health, Human Services and Medicaid, (First Hearing)

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## **SB61** NURSE ANESTHETISTS *(BURKE D)*

Regarding the authority of certified registered nurse anesthetists to select, order, and administer certain drugs.

### **CURRENT STATUS**

4/10/2019 - Senate General Government and Agency Review , (Second Hearing)

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## **SB97** COST ESTIMATES FOR HEALTH CARE *(HUFFMAN S)*

Regarding the provision of cost estimates for scheduled health care services and health care services requiring insurer preauthorization.

### **CURRENT STATUS**

3/20/2019 - Senate Health, Human Services and Medicaid, (First Hearing)

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## **SB105** MASSAGE THERAPY LICENSING *(BRENNER A)*

To make changes to the massage therapy licensing law.

### **CURRENT STATUS**

4/3/2019 - Senate Health, Human Services and Medicaid, (First Hearing)

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## **SB121** HEALTH EDUCATION STANDARDS *(SYKES V, KUNZE S)*

To require the State Board of Education to adopt health education standards and to require that only statewide venereal disease education standards and curriculum be approved by the General Assembly.

■ **CURRENT STATUS**

5/1/2019 - Referred to Committee Senate Education

**SB130** **PROHIBIT CONVERSION THERAPY** *(MAHARATH T)*

To prohibit certain health care professionals from engaging in conversion therapy when treating minor patients.

■ **CURRENT STATUS**

5/1/2019 - Referred to Committee Senate Health, Human Services and Medicaid

**SB141** **PHYSICIAN EMPLOYMENT CONTRACTS** *(WILLIAMS S)*

To prohibit the use of noncompete provisions in physician employment contracts.

■ **CURRENT STATUS**

5/2/2019 - Introduced



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**Legislative Bill Report**  
**05-03-2019**

**HB63 PHARMACY BENEFIT MANAGERS**

Regarding pharmacy benefit managers, pharmacists, and the disclosure to patients of drug price information.

***BILL SUMMARY***

- Prohibits health plan issuers and third-party administrators from requiring or directing pharmacies to collect cost-sharing beyond a certain amount from individuals purchasing prescription drugs.
- Prohibits issuers and administrators from retroactively adjusting pharmacy claims other than because of a technical billing error or a pharmacy audit.
- Prohibits issuers and administrators from charging claim-related fees unless those fees can be determined at the time of claim adjudication.
- Requires pharmacists, pharmacy interns, and terminal distributors of dangerous drugs to inform patients if the cost-sharing required by the patient's plan exceeds the amount that may otherwise be charged and prohibits those persons from charging patients the higher amount.
- Provides for license or certificate of authority suspension or revocation and monetary penalties for failure to comply with the bill.
- Requires the Department of Insurance to create a web form for consumers to submit complaints relating to violations of the bill.

**Status:** House Health, Third Hearing

**HB 133 TEMPORARY STATE OCCUPATIONAL LICENSES-MILITARY**

To require state occupational licensing agencies, under certain circumstances, to issue temporary licenses or certificates to members of the military and spouses who are licensed in another jurisdiction and have moved to Ohio for active duty

***BILL SUMMARY***

- Requires state occupational licensing agencies, under certain circumstances, to issue temporary licenses or certificates to members of the military or military technicians dual status (and their spouses) who are licensed in another jurisdiction and have moved to Ohio for active duty or were transferred to Ohio.
- Requires a licensing agency, at least annually, to verify the standing of a license or certificate that was issued by another state or jurisdiction for each individual to whom it has issued a temporary license or certificate.
- Authorizes a licensing agency to charge a fee for a temporary license or certificate, which must not be more than one-third of the fee charged in Ohio for the regular license or certificate.

- Requires a licensing agency to prepare an annual report regarding the number and type of temporary licenses or certificates the agency issued.

**Status:** House State and Local Government, First Hearing

### **SB7 TEMPORARY STATE OCCUPATIONAL LICENSES-MILITARY**

Regarding temporary state occupational licenses for members of the military and their spouses.

#### ***BILL SUMMARY***

- Requires state occupational licensing agencies, under certain circumstances, to issue temporary licenses or certificates to members of the military and spouses who are licensed in another jurisdiction and have moved or will move to Ohio for duty.
- Specifies that temporary licenses or certificates under the bill are to be issued to an individual for a duration of not more than three years.
- Requires a state licensing agency to deny or revoke a temporary license or certificate issued under the bill under certain circumstances.
- Requires the Director of Administrative Services to prepare a report for each fiscal year on the number and type of temporary licenses or certificates issued during the fiscal year under the bill.

**Status:** Referred to House Armed Services and Veterans Affairs

### **SB61 NURSE ANESTHETISTS**

Regarding the authority of certified registered nurse anesthetists to select, order, and administer certain drugs.

#### ***BILL SUMMARY***

- Authorizes a certified registered nurse anesthetist to select, order, and administer drugs other than anesthesia in the immediate post-operative period if certain conditions are met.
- Requires the facility in which the nurse practices to develop a protocol specifying the drugs that the nurse may select, order, and administer and the procedures for doing so.
- Limits the drugs to those used only for the treatment of nausea, pain, or respiratory conditions related to the administration of anesthesia.
- Permits the nurse to direct another person to administer the drug under specified conditions.
- Allows the nurse's supervising physician, podiatrist, or dentist to prohibit, in certain circumstances, the nurse from selecting, ordering, or administering a drug for a patient.

**Status:** Senate General Government and Agency Review, Second Hearing

## **SB105 MASSAGE THERAPY LICENSING**

To make changes to the massage therapy licensing law

### ***BILL SUMMARY***

- Standardizes, for purposes of regulation by the State Medical Board, townships, and municipal corporations, terminology regarding massage therapy and individuals authorized to perform massage therapy.
- As part of that standardization:
  - Eliminates a township's authority to issue licenses to individuals who perform massage therapy;
  - Requires that if a township opts to regulate massage establishments, the regulations must require all massage therapy to be performed only by specified state-licensed professionals or massage therapy students;
  - Purports to require a municipal corporation that opts to regulate massage establishments to require all massage therapy to be performed by a state-licensed professional or a student, similar to township regulation.
- Regarding a township's authority to regulate massage establishments, eliminates a permit requirement and otherwise modifies permit application procedures.

**Status:** Senate Health, Human Services and Medicaid, First Hearing

# Ohio Legislative Service Commission

Legislative Budget Office      Office of Research and Drafting

[www.lsc.ohio.gov/Budget Central](http://www.lsc.ohio.gov/BudgetCentral)

## Comparison Document

House Bill 166—133rd General Assembly

Main Operating Budget Bill  
(FY 2020-FY 2021)

As Introduced  
In House Finance  
(LSC 133 0001-4)

May 2, 2019

## **Introduction**

The Comparison Document provides brief descriptions and fiscal estimates of the provisions that make up the executive recommended version and subsequent versions of the biennial main operating budget bill of the 133rd General Assembly, House Bill 166. The document is arranged in alphabetical order by state agency. It also includes three nonagency sections for which appropriations are made: Employee Benefits Fund (PAY), Pension Subsidies (PEN), and Revenue Distribution Funds (RDF) as well as a Local Government Provisions (LOC) section for provisions that affect local governments and that are not listed in other agency sections. A Table of Contents follows this Introduction. Two indices are located at the end of the document. The first index gives the page number of each particular item within the sections; the second index lists cross-references by agency.

Generally within an agency's section, items that involve Revised Code changes come first, followed by items that involve uncodified (i.e., temporary) law provisions. The section for the Department of Education is first arranged by general topic area. If an item affects more than one agency, it is described under one of the affected agencies, rather than all of the agencies. However, the other agencies are listed in the cross-reference index at the end of the document. This index lists, for each agency, all entries that affect the agency but are not included in that agency's section as well as the page numbers for these entries. A reader who is interested in all provisions affecting a certain agency should consult the cross-reference index in addition to the agency's section.

Each item is assigned a unique identification number. This number begins with the three-letter agency code used in the state's accounting system followed by a comparison document reference ("CD") and a number (TAXCD15, for example). A reader who wants to track an item across several versions of the Comparison Document may find the identification number useful.

The Comparison Document does not include appropriation amounts for the agencies. Please see the Appropriation Spreadsheet for that information. For a complete discussion of the statutory changes in the bill, please see the Bill Analysis for H.B. 166



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Executive

In House Finance

ACCCD1

Providing accounting services to marijuana licensees

No provision.

R.C. 4701.16

Provides that public accountants are not guilty of a crime or subject to professional discipline solely because they provide accounting services to marijuana licensees.

Fiscal effect: None.

Executive

In House Finance

ADJCD1

National Guard Benefits

- Section: 205.20

(1) Requires GRF appropriation item 745407, National Guard Benefits, to be used for the purpose of paying reimbursement of active duty members for life insurance premiums (R.C. 5919.31), and death benefits where an active duty member dies while performing active duty (R.C. 5919.33), and administrative costs of the associated programs.

(2) Permits the Adjutant General, if necessary in order to pay benefits pursuant to R.C. 5919.31 and 5919.33 in a timely manner, to request the Director of Budget and Management transfer appropriation from any appropriation item used by the Adjutant General to GRF appropriation item 745407, National Guard Benefits. Allows the Adjutant General to seek Controlling Board approval to restore the appropriation in any appropriation item for which such a transfer was made.

(3) Requires, for active duty members of the National Guard who died after October 7, 2001, while performing active duty, the death benefit being paid pursuant to R.C. 5919.33 be paid to the beneficiary or beneficiaries designated on the member's Servicemembers' Group Life Insurance Policy.
- Section: 205.20

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Executive

In House Finance

ADJCD2

State active duty costs

Section:

205.20

(1) Requires \$50,000 in each fiscal year from GRF appropriation item 745409, Central Administration, to be used for the purpose of paying expenses related to state active duty of members of the Ohio organized militia, in accordance with a proclamation of the Governor. Specifies that expenses include, but are not limited to, the cost of equipment, supplies, and services, as determined by the Adjutant General's Department.

(2) Permits the Adjutant General, on June 1 of each fiscal year, to determine if any portion of \$50,000 in that fiscal year will not be used for state active duty expenses, and to encumber that portion for maintenance expenses.

(3) Requires the Adjutant General, if before the end of that fiscal year state active duty expenses occur, to cancel those encumbrances to pay for expenses related to state active duty.

Section:

205.20

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

ADJCD3

Cyber range

Section:

205.20

(1) Requires the Adjutant General's Department, in conjunction and collaboration with the Department of Administrative Services, the Department of Public Safety, the Department of Higher Education, and the Department of Education, to establish and maintain a cyber range, and permits the Department to work with federal agencies to assist in accomplishing this objective.

Section:

205.20

(1) Same as the Executive.

Executive

In House Finance

- |   |                            |
|---|----------------------------|
| (2) Requires the cyber range to provide cyber training and education to K-12 students, higher education students, Ohio National Guardsmen, federal employees, and state and local government employees, and to provide for emergency preparedness exercises and training.   | (2) Same as the Executive. |
| (3) Permits the state agencies identified in the above provision to procure any necessary goods and services including, but not limited to, contracted services, hardware, networking services, maintenance costs, and the training and management costs of a cyber range. Requires those state agencies to determine the amount of funds each agency will contribute from available funds and appropriations enacted in the bill in order to establish and maintain a cyber range. | (3) Same as the Executive. |
| (4) Requires up to \$2,000,000 in each fiscal year from GRF appropriation item 745409, Central Administration, to be used for the purpose of establishing and maintaining the cyber range.  | (4) Same as the Executive. |

## Executive

## In House Finance

**DASCD25      Debarred vendor participation in state contracts****R.C.      9.242, 125.25, 153.02, 5513.06, and 5525.03**

Provides for a general prohibition against vendor participation in any state contract for the duration of the debarment. Defines "participate," for purposes of the general provision, to mean to respond to solicitation or procurement issued by a state agency, be the recipient of an award of a state contract, or to provide any goods or services to any state agency. Defines "state contract" as any contract for goods, services, or construction that is paid for in whole or in part with state funds.

Requires state agencies to exclude vendors debarred under specified sections, or any other section of law, from participating in state contracts. Specifies, in certain sections, that eligibility for participation in state contracts is restored only when the vendor is not otherwise debarred.

**Fiscal effect: Assuming that a vendor has been debarred due to some negative performance under a state contract, it is likely that a prohibition against contracting with a debarred vendor would result in lower overall procurement costs.**

**R.C.      9.242, 125.25, 153.02, 5513.06, and 5525.03**

Same as the Executive.

Same as the Executive.

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

**DASCD28      Land conveyance process for property located in Qualified Opportunity Zones****R.C.      123.01**

Authorizes DAS to transfer, lease, or otherwise dispose of all the right, title, and interest of the state in real estate located in a federally-designated "Qualified Opportunity Zone," without the need for specific land conveyance legislation.

No provision.

Executive

In House Finance

Requires DAS, not later than January 31 each year, to submit a report to the General Assembly providing details about each transaction, if any, that occurred in the previous calendar year.

**Fiscal effect: Potential administrative cost savings. Under current law, land conveyance legislation, identifying the real estate to be conveyed, generally is used to provide DAS with clear authorization to convey specific real estate, as most agencies do not have the authority to convey real estate under the agency's jurisdiction.**

No provision.

DASCD36      State agency workforce diversity annual survey and report

No provision.

**R.C.      124.91**

Requires the DAS Director to annually conduct a survey on diversity within each state agency's workforce at the time of the survey and report the results of the survey to the Governor and General Assembly not later than December 31 of each year beginning December 31, 2020.

**Fiscal effect: Although DAS could incur some new costs to conduct the survey and report the results, any increase would likely be negligible.**



## Executive

## In House Finance

**DASCD35 State employee leave for serving on Team Rubicon disaster recovery efforts**

No provision.

**R.C. 124.132**

Authorizes a state appointing authority, upon the request of Team Rubicon, to grant an employee who is a verified Team Rubicon member leave with pay not to exceed 30 work days in each year, in addition to state employees who are disaster service volunteers certified by the Red Cross as under current law. (Team Rubicon is an organization of military veterans dedicated to serving in disaster recovery worldwide.)

No provision.

Requires the appointing authority to compensate the employee at the employee's regular rate of pay for those regular work hours during which the employee is absent from work.

**Fiscal effect: State agencies could incur increased payroll costs to provide paid leave for employees participating in Team Rubicon disaster relief services. State agencies could also incur additional overtime pay as a result of other employees having increased workloads during the Team Rubicon employee's absence.**

**DASCD29 Supplementary pay for administrative department heads who are licensed physicians****R.C. 124.181**

Allows the Director of DAS to approve supplementary pay to any administrative department head, not just the Director of Health as under current law, if the department head is a licensed physician. Eliminates the limitation that a supplemental pay increase not exceed 20% of the base rate of pay.

**Fiscal effect: Potential increases in state payroll costs.**

No provision.

## Executive

## In House Finance

**DASCD26      Use of the Investment Recovery Fund (Fund 4270) to fund surplus property programs****R.C.      125.14**

Codifies an uncoded section of H.B. 49 of the 132nd GA that allows DAS to use the Investment Recovery Fund (Fund 4270) to pay the operating expenses of the Federal Surplus Property Program in addition to the State Surplus Property Program.

**Fiscal effect: None.**

**R.C.      125.14**

Same as the Executive.

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

**DASCD27      Proceeds from disposal of surplus state vehicles****R.C.      125.14, 125.832**

Clarifies that the Director of DAS may choose to deposit the proceeds from the disposal of GRF-funded surplus state vehicles in either the Investment Recovery Fund (Fund 4270) or the Fleet Management Fund (Fund 1220).

Permits the Director, if the Director deposits those proceeds in Fund 4270, to transfer those proceeds to Fund 1220.

**Fiscal effect: The Investment Recovery Fund (Fund 4270) is used by DAS to operate the State Surplus Property Program. Under continuing law, amounts in excess of the program's operating expenses must be periodically transferred to the GRF. The Fleet Management Fund (Fund 1220) is used by DAS to operate, maintain, and replace the state's vehicle fleet. Under current law, Fund 1220 receives revenue from charges to state agencies and from the sale of surplus vehicles originally purchased with money from the GRF.**

No provision.

No provision.

## Executive

## In House Finance

**DASCD31            Computation of amortization from equipment and systems from IT service delivery and major IT purchases****R.C.            125.18**

Adds the following to the list of operating appropriation items for which the Information Technology Chief Information Officer must compute the amount of revenue attributable to amortization: (1) MARCS administration, including the user fees charged by DAS and deposited into the MARCS Administration Fund, (2) enterprise applications, including the rates charged by DAS to benefiting agencies for the operation and management of information technology applications and deposited into the Enterprise Applications Fund, and (3) Professions Licensing System, including the rates charged by DAS for the cost of ongoing maintenance of the Professions Licensing System and deposited into the Professions Licensing System Fund.

**Fiscal effect: The proceeds from these calculated amortization amounts would be deposited into the Major Information Technology Purchases Fund (Fund 4N60) currently used to make infrequent and large-scale IT purchases for state agencies. This provision would provide Fund 4N60 some additional revenue from the noted funds.**

**R.C.            125.18**

Same as the Executive.

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

**DASCD33            Transfers to the Major Information Technology Purchases Fund****R.C.            125.18**

Allows the Director of Budget and Management, upon request from the DAS Director, to transfer cash from the MARCS Administration Fund, the Enterprise Applications Fund, or the Professions Licensing System Fund to the Major Information Technology Purchases Fund.

**R.C.            125.18**

Same as the Executive.

## Executive

## In House Finance

Fiscal effect: The Major Information Technology Purchases Fund (Fund 4N60) is used by DAS to purchase major IT equipment and systems for the state. Transfers under this provision would allow DAS to apply amortized amounts on previously purchased IT equipment and systems to upgrades and new systems as necessary without significantly altering the IT rates agencies pay to DAS for its oversight IT services benefiting state agencies.

Fiscal effect: Same as the Executive.

**DASCD37      Single Medicaid managed care pharmacy benefit manager procurement process****R.C.      125.93, 125.931, 3959.01**

No provision.

(1) Not later than July 1, 2020, requires the Director of DAS to select and contract with a single state pharmacy benefit manager (PBM) to administer pharmacy benefits for Medicaid managed care organizations (MCOs).

No provision.

(2) Requires state PBM applicants to provide specified information, including the following: (1) conflicts of interest, (2) the state PBM's affiliations, (3) direct or indirect fees, charges, or any kind of assessments the state PBM imposes on pharmacies with which the state PBM or its affiliates shares common ownership, management, or control, (4) direct or indirect fees, charges, or any kind of assessments the state PBM imposes on pharmacies that operate ten or more, as well as ten or fewer, locations in Ohio, and (5) any financial terms and arrangements between the state PBM and prescription drug manufacturers or labelers, including formulary management, drug substitution programs, educational support claims processing, or data sales fees.

No provision.

(3) Specifies that the state PBM's affiliated companies can also engage in PBM business for Medicaid MCOs.

## Executive

## In House Finance

No provision.

(4) Prohibits the state PBM or its affiliates from being owned or associated in any way with a Medicaid MCO or the MCO's affiliates.

No provision.

(5) Specifies that the state PBM has a fiduciary responsibility to DAS and Department of Medicaid, including seeking the lowest prices for prescription drugs, pricing drugs at the lowest prices on the prescription drug formulary, and cooperating with audits conducted by a state entity.

No provision.

(6) Clarifies that the state PBM is an "administrator" subject to licensure by the Department of Insurance.

**Fiscal effect: DAS would incur some additional cost for overseeing the master state PBM contract procurement process. The effect on Medicaid prescription drug costs will depend on terms in the new state master PBM contract.**

## DASCD1

## Unemployment Insurance System Lease Rental Payments

**Section: 207.20**

Requires GRF appropriation item 100412, Unemployment Insurance System Lease Rental Payments, to cover the financing costs for the acquisition, development, implementation, and integration of the Unemployment Insurance System.

**Section: 207.20**

Same as the Executive.

Executive

In House Finance

DASCD2

EDCS Lease Rental Payments

Section: 207.20

Requires GRF appropriation item 100413, EDCS Lease Rental Payments, to be used to cover the financing costs for the acquisition, development, implementation, and integration of the Enterprise Data Center Solutions (EDCS) initiative.

Section: 207.20

Same as the Executive.

DASCD3

Multi-Agency Radio Communication System Lease Rental Payments

Section: 207.20

Requires GRF appropriation item 100414, MARCS Lease Rental Payments, to cover the financing costs for the acquisition, development, implementation, and integration of the Multi-Agency Radio Communication System (MARCS) upgrade.

Section: 207.20

Same as the Executive.

DASCD4

Ohio Administrative Knowledge System Lease Rental Payments

Section: 207.20

Requires GRF appropriation item 100415, OAKS Lease Rental Payments, to cover the financing costs for the acquisition, development, implementation, and integration of the Ohio Administrative Knowledge System (OAKS).

Section: 207.20

Same as the Executive.

Executive

In House Finance

DASCD5

State Taxation Accounting and Revenue System Lease Rental Payments

Section: 207.20

Requires GRF appropriation item 100416, STARS Lease Rental Payments, to cover the financing costs for the acquisition, development, implementation, and integration of the State Taxation Accounting and Revenue System (STARS).

Section: 207.20

Same as the Executive.

DASCD6

Administrative Buildings Lease Rental Bond Payments

Section: 207.20

Requires that GRF appropriation item 100447, Administrative Buildings Lease Rental Bond Payments, be used to make payments pursuant to leases and agreements entered into by the state. Specifies that the appropriations are the source of funds pledged for bond service charges on obligations issued pursuant to R.C.152. and R.C. 154.

Section: 207.20

Same as the Executive.

## Executive

## In House Finance

**DASCD7                      Multi-Agency Radio communication System debt service payments****Section:     207.20**

Requires the Director of Administrative Services, in consultation with the Multi-Agency Radio Communication System (MARCS) Steering Committee and the Director of Budget and Management, to determine the share of debt service payments attributable to spending for MARCS components that are not specific to any one agency and requires that these payments be charged to the Public Safety - Highway Purposes Fund (Fund 5TM0). Requires that these payments be calculated for MARCS capital disbursements made beginning July 1,1997.

Requires the Director of Administrative Services, within thirty days of any payment made from GRF appropriation item 100447, Administrative Building Lease Rental Bond Payments, to certify to the Director of Budget and Management the share of debt service payments not attributable to any one agency, and requires the Director of Budget and Management to transfer such amounts to the GRF from Fund 5TM0.

**Section:     207.20**

Same as the Executive.

Same as the Executive.

**DASCD8                      DAS - Building operating payments and Building Management Fund****Section:     207.20**

Permits appropriation item 130321, State Agency Support Services, to also be used to provide funding for the cost of property appraisals or building studies that DAS may be required to obtain for property that is being sold by the state or under consideration to be renovated or purchased by the state.

**Section:     207.20**

Same as the Executive.



Executive

In House Finance

Permits appropriation item 130321, State Agency Support Services, notwithstanding RC 125.28, to also be used to pay the operating expenses or other costs of state facilities maintained by DAS that are not billed to building tenants, or other costs associated with the Voinovich Center in Youngstown. Specifies that these expenses may include, but are not limited to, the costs for vacant space, space undergoing renovation, and the rent expense of tenants that are relocated because of building renovations. Allows DAS to process these payments through intrastate transfer voucher to the credit of the Building Management Fund (Fund 1320).

Requires that, at least once per year, the portion of appropriation item 130321, State Agency Support Services, not used for the regular expenses of the appropriation item be processed by DAS through intrastate transfer voucher to the credit of the Building Improvement Fund (Fund 5KZ0).

Same as the Executive.

Same as the Executive.

DASCD9

Cash transfer from the MARCS Administration Fund to the GRF

**Section: 207.20**

Allows the Director of Budget and Management, upon the request of the Director of Administrative Services, to transfer unobligated cash in the MARCS Administration Fund (Fund 5C20) to the GRF to reimburse the GRF for lease rental payments made on behalf of the MARCS upgrade.

**Section: 207.20**

Same as the Executive.

Executive

In House Finance

DASCD10

Professional Development Fund

Section: 207.30

Requires appropriation item 100610, Professional Development, to be used to make payments from the Professional Development Fund (Fund 5L70) under R.C.124.18, covering the cost of programs that provide professional development opportunities for exempt employees. Appropriates additional amounts for these purposes if the Director of Budget and Management determines it is necessary.

Section: 207.30

Same as the Executive.

DASCD11

911 Program

Section: 207.30

Requires appropriation item 100663, 911 Program, to be used by DAS to pay the administrative, marketing, and educational costs of the Statewide Emergency Services Internet Protocol Network program.

Section: 207.30

Same as the Executive.

## Executive

## In House Finance

**DASCD12 Employee Educational Development****Section: 207.30**

Requires that appropriation item 100619, Employee Educational Development, be used to make payments from the Employee Development Fund (Fund 5V60) to pay the costs of administering educational programs (generally tuition reimbursement) under existing collective bargaining agreements with District 1199 of the Health Care and Social Service Union, Service Employees International Union; State Council of Professional Educators; Ohio Education Association and National Education Association; the Fraternal Order of Police Ohio Labor Council, Unit 2; and the Ohio State Troopers Association, Units 1 and 15. Appropriates additional amounts for this purpose if determined they are necessary by the Director of Budget and Management.

**Section: 207.30**

Same as the Executive.

**DASCD13 General service charges****Section: 207.40**

Requires DAS to establish, with the approval of the Director of Budget and Management, charges for recovering the costs of administering the programs funded by the General Services Fund (Fund 1170) and the State Printing Fund (Fund 2100).

**Section: 207.40**

Same as the Executive.

Executive

In House Finance

DASCD14

Collective bargaining arbitration expenses

Section:

207.40

Allows DAS to seek reimbursement from state agencies for the actual costs and expenses that DAS incurs in the collective bargaining arbitration process. Requires the reimbursements to be processed through intrastate transfer vouchers and credited to the Collective Bargaining Fund (Fund 1280).

Section:

207.40

Same as the Executive.

DASCD15

Equal Opportunity Program

Section:

207.40

Requires DAS, with the approval of the Director of Budget and Management, to establish charges for recovering the costs of administering the activities supported by the State EEO Fund (Fund 1880). Specifies that the charges be deposited to the credit of Fund 1880 upon payment by state agencies, state-supported or state-assisted institutions of higher education, and tax-supported agencies, municipal corporations, and other political subdivisions of the state.

Section:

207.40

Same as the Executive.

## Executive

## In House Finance

## DASCD16

## Consolidated IT Purchases

## Section: 207.40

Specifies that Fund 2290 appropriation item 100640, Consolidated IT Purchases, be used by DAS to make information technology purchases for the benefit of one or more government entities at a lower aggregate cost than each individual government entity could obtain than if they were making the purchase independently.

## Section: 207.40

Same as the Executive.

## DASCD17

## Investment Recovery Fund

## Section: 207.40

Allows cash balances in the Investment Recovery Fund (Fund 4270) to be used to support the operating expenses of the Federal Surplus Operating Program created in R.C 125.84 through 125.90.

Allows the Director of Budget and Management, at the request of the Director of Administrative Services, to transfer up to \$3.8 million of cash in excess of needs from Fund 4270 to the Enterprise Applications Fund (Fund 5PC0) to pay the operating and maintenance expenses of the Ohio Business Gateway.

## Section: 207.40

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

## DASCD18

## Major IT purchases charges

## Section: 207.40

Requires the Director of Budget and Management to cancel any existing encumbrances against appropriation item 100617, Major IT Purchases, and reestablish them against appropriation item 100640, Consolidated IT Purchases. Appropriates the reestablished encumbrance amounts. Specifies that any business commenced but not completed under appropriation item 100617, Major IT Purchases, by July 1, 2019, shall be completed under appropriation item 100640, Consolidated IT Purchases in the same manner, and with the same effect, as if completed with regard to appropriation item 100617, Major IT Purchases.

Requires the Director of Administrative Services to certify to the Director of Budget and management the amount of cash in the Major Information Technology Purchases Fund (Fund 4N60) that was received from agencies for actual expenditures. Requires the Director of Budget and Management to transfer the certified amount of cash from Fund 4N60 to the IT Governance Fund (Fund 2290).

Allows the Director of Budget and Management, at the request of the Director of Administrative Services, to transfer up to the amount collected for statewide indirect costs attributable to debt service paid for the enterprise data center solutions project from the GRF to Fund 4N60.

## Section: 207.40

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**DASCD19      Professions Licensing System****Section:    207.40**

Requires Fund 5JQ0 appropriation item 100658, Ohio Professionals Licensing System, to be used to purchase the equipment, products, and services necessary to update and maintain an automated licensing system for the professional licensing boards.

Requires the DAS to establish charges for recovering the costs of ongoing maintenance of the system that are not otherwise recovered under Section 125.18 of the Revised Code. Requires that the charges be billed to state agencies, boards, and commissions using the state's enterprise electronic licensing system and deposited via intrastate transfer vouchers to the credit of the Professions Licensing System Fund (Fund 5JQ0).

**Section:    207.40**

Same as the Executive.

Same as the Executive.

**DASCD20      Building Improvement Fund****Section:    207.45**

Requires that Fund 5KZ0 appropriation item 100659, Building Improvement, be used to make payments for major maintenance or improvements required in facilities maintained by DAS.

Requires DAS to conduct or contract for regular assessments of these buildings and maintain a cash balance in the Building Improvement Fund (Fund 5KZ0) equal to the cost of the repairs and improvements that are recommended to occur within the next five years, except that the Director of DAS may request the Director of OBM to permit a cash transfer from Fund 5KZ0 to

**Section:    207.45**

Same as the Executive.

Same as the Executive.

Executive

In House Finance

the Building Management Fund (Fund 1320) to pay costs of operating and maintaining the buildings that are not charged to tenants during the same fiscal year.

Allows the Director of Administrative Services to request the Director of Budget and Management to transfer cash from Fund 1320 to Fund 5KZ0 in amount equal to the initial transfer plus interest if the cash balance in Fund 1320 is determined to be sufficient.

Same as the Executive.

DASCD21

Information Technology Development Fund and Innovate Ohio

**Section: 207.45**

Establishes the Information Technology Development Fund (Fund 5LJ0). Specifies that Fund 5LJ0 appropriation item 100661, IT Development, be used by DAS to pay the costs of modernizing the state's information technology management and investment practices to a statewide methodology supporting development of enterprise solutions. Allows the Director of DAS, with approval from the Director of OBM, to charge state agencies an information technology development assessment based on state agencies' information technology expenditures or other methodology. Requires the revenues from this assessment to be deposited into Fund 5LJ0.

Allows the Director of OBM, upon the request of the Director of Administrative Services, to transfer up to \$12.5 million in cash in each fiscal year from the GRF to Fund 5LJ0 to support the operations of the Office of InnovateOhio.

**Section: 207.45**

Same as the Executive.

Same as the Executive, but reduces the amount authorized to be transferred to \$4.0 million in each fiscal year.



## Executive

## In House Finance

**DASCD22      Enterprise Applications Fund****Sections:    207.45, R.C. 125.18**

Creates the Enterprise Applications Fund (Fund 5PC0) in the state treasury and requires Fund 5PC0 appropriation item 100665, Enterprise Applications, to be used for the operation and management of information technology applications that support state agencies' objectives. Requires that charges billed to benefiting agencies be deposited to the credit of Fund 5PC0.

**Fiscal effect: Under the bill, the fund would receive revenue from DAS charges to state agencies for the operation and management of IT applications.**

**Sections:    207.45, R.C. 125.18**

Same as the Executive.

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

**DASCD23      Cash transfer from the Director's Office Fund to the Local Government Innovation Fund****Section:    207.45**

Requires the Director of Budget and Management, on July 1, 2019, or as soon as possible thereafter, to transfer \$38,555.24 in cash from the Director's Office Fund (Fund 1120) to the Local Government Innovation Fund (Fund 5KN0). Clarifies that the amount represents the unexpended balance of a grant received from the Local Government Innovation Fund (Fund 5KN0) and previously appropriated under Fund 1120, appropriation item 100667, Local Government Efficiency Programs.

**Section:    207.45**

Same as the Executive.

Executive

In House Finance

DASCD24

Enterprise IT strategy implementation

Section: 207.50

- (1) Requires the Director of Administrative Services to determine and implement strategies that benefit the state by improving efficiency, reducing costs, or enhancing capacity of information technology (IT) services.
- (2) Allows the Director of Administrative Services, notwithstanding any provision of law to the contrary, to request the Director of Budget and Management to consolidate or transfer IT-specific budget authority between agencies or within an agency as necessary to implement enterprise IT cost containment strategies and related efficiencies.
- (3) Allows the Director of Budget and Management to transfer appropriations, funds, and cash as needed to implement proposed initiatives to achieve the IT cost containment strategies and efficiencies if cost advantageous. Requires Controlling Board approval to establish any new fund or appropriation that may be necessary to implement these new IT strategies.
- (4) Allows the Director of Budget and Management and the Director of Administrative Services to transfer any employees, assets, and liabilities, including but not limited to records, contracts, and agreements, in order to facilitate these strategies.

Section: 207.50

- Same as the Executive.
- Same as the Executive.
- Same as the Executive.
- Same as the Executive.

## Executive

## In House Finance

**DASCD34 Ohio Enterprise Data and Information System Projects****Sections: 601.10, 601.11**

Amends Section 701.10 of H.B. 529 of the 132nd GA to increase the maximum amount of obligations that may be issued for the enterprise data and information system and OAKS projects from \$29,594,850 to \$51,094,850.

**Sections: 601.10, 601.11**

Same as the Executive.

**DASCD30 State agency efficiency review****Section: 701.10**

Requires designees from the Office of Budget and Management and the Department of Administrative Services jointly to review agency functions and programs with the purpose of identifying areas for consolidation. Requires the designees to identify, by January 1, 2020, agency functions and programs to be consolidated.

Allows the Director of DAS to transfer employees, equipment, and assets of a consolidated program. Allows the Director of OBM to make budget changes, including canceling and re-establishing encumbrances, to reflect the consolidated programs.

**Fiscal effect: DAS and OBM will incur new administrative costs to carry out the reviews. Agencies may also incur some minimal administrative costs for assisting DAS and OBM with reviews of their programs and functions.**

**Section: 701.10**

Same as the Executive.

Same as the Executive.

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

## Executive

## In House Finance

**AGECD7 Training materials and programmatic support for dementia****R.C. 173.04**

Expands the topics that must be covered in training materials disseminated to health and social service personnel by ODA and the respite care programs funded by ODA to include other types of dementia rather than only Alzheimer's disease.

**Fiscal effect: None.**

**R.C. 173.04**

Same as the Executive.

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

**AGECD8 Background checks for conditionally employed applicants****R.C. 173.27, 173.38**

Requires the Director of ODA or other hiring entity to request a criminal records check before, rather than up to five days after, conditionally employing an applicant in (1) a community-based long-term care position involving direct-care services for consumers or (2) a state or regional long-term care ombudsman position.

**Fiscal effect: None.**

**R.C. 173.27, 173.38**

Same as the Executive.

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

**AGECD12 Restrictions on offering snacks with home-delivered meals**

No provision.

**R.C. 173.30, 173.525**

Prohibits ODA from awarding a grant under Title III of the Older Americans Act of 1965 to a provider of home-delivered meals if the provider offers snacks in addition to the regular meals unless certain requirements regarding the snacks are met.

## Executive

## In House Finance

No provision.

Prohibits entities that provide home-delivered meals under the PASSPORT waiver program from offering snacks unless the entities meet certain requirements regarding the snacks. (This provision applies to certain other Medicaid waivers, please see MCD41).

**Fiscal effect: None.**

## AGECD10

## Procedures for conducting background checks for ODA programs

**R.C. 173.38, 5164.342**

Requires ODA's procedures to be used for conducting criminal records checks when considering applicants for direct-care positions under an ODA-administered program, even if a community-based long-term care provider is also a service provider under an ODM-administered program for home and community-based care.

**Fiscal effect: None.**

**R.C. 173.38, 5164.342**

Same as the Executive.

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

## AGECD15

## Nursing Home Quality Initiative

No provision.

**R.C. 173.60 (repealed), 3721.072**

Eliminates a requirement that ODA implement a nursing home quality initiative to improve person-centered care in nursing homes.

**Fiscal effect: Decrease in administrative costs.**

Executive

In House Finance

AGECD9

Notice of decision regarding certification or discipline

R.C.

173.391

Requires, rather than permits, ODA to notify a provider of community-based long-term care services of the following decisions reached without holding a hearing: decisions not to certify, and decisions to take disciplinary action.

Fiscal effect: Potential decrease in administrative hearing costs.

R.C.

173.391

Same as the Executive.

Fiscal effect: Same as the Executive.

AGECD11

Exception to required hearing regarding certification

R.C.

173.391

Exempts from hearing requirements certain ODA actions regarding the certification of a community-based long-term care provider if the provider's Medicaid provider agreement has been suspended.

Fiscal effect: Potential decrease in hearing costs.

R.C.

173.391

Same as the Executive.

Fiscal effect: Same as the Executive.

## Executive

## In House Finance

AGECD14

Health Services executive license and other changes

**R.C. 4751.01, 109.572, 149.43, 1347.08, 2925.01, 4743.02, 4751.01, 4751.041, 4751.043, 4751.044, 4751.04-4751.07, 4751.10-4751.12, 4751.14, 4751.99, 4751.102, 4751.202, 4751.21-4751.23, 4751.25, 4751.30, 4751.31, 4751.37, 4751.38, 4751.40, 4751.41, 4751.45, 4776.01, 4776.20, 5751.101, 5751.08, 5903.12 Repealed: 4751.02, 4751.04, 4751.09, Section 747.30**

No provision.

Tasks the Board of Executives of Long-Term Services and Supports with issuing health services executive licenses and sets the requirements for issuance, renewal, and reinstatement of the license.

No provision.

Prohibits a person from knowingly using words or other devices to indicate that the person holds a health services executive license unless the person holds the license.

No provision.

Specifies that a health services executive license is not required to practice nursing home administration or serve in a leadership position in a long-term services and supports setting.

No provision.

Revises the requirements for a standard nursing home administrator license, including raising the minimum age to 21 (from 18) and establishing a criminal records check requirement.

No provision.

Revises the requirements for an out-of-state and temporary nursing home administrator license, including establishing age, education, character, and criminal records check requirements.

No provision.

Eliminates annual certificates of registration for nursing home administrator licenses and instead makes standard and out-of-state licenses valid for one year.

## Executive

## In House Finance

No provision.

Establishes renewal procedures for nursing home administrator licenses.

No provision.

Requires applicants for a nursing home administrator license or health services executive license to use the same criminal records check process as for various occupational licenses.

No provision.

Revises the law governing complaints about nursing home administrators and extends it to health services executives.

No provision.

Permits any person to submit to the Board a complaint about a violation of the law governing nursing home administrators or health services executives.

No provision.

Requires the Board to receive, investigate, and take appropriate action for complaints.

No provision.

Authorizes the Board to question witnesses, conduct interviews, inspect and copy documents, issue subpoenas, and compel the attendance of witnesses and the production of documents and testimony.

No provision.

Permits, rather than requires, the Board to take certain disciplinary actions regarding individuals who apply for or hold a nursing home administrator license or a health services executive license.

No provision.

Revises the reasons for which disciplinary action may be taken and the types of disciplinary actions that may be taken.

No provision.

Applies the Board's authority to reissue a license that has been revoked for at least one year or to restore a felon's license when the felon is pardoned or receives a final release to the three types of nursing home administrator licenses (standard, out-of-state, and temporary) and health services executive licenses.



## Executive

## In House Finance

No provision.

Revises requirements regarding the display of licenses to require licensed nursing home administrators and licensed health services executives to display their license in the place where they practice.

No provision.

Revises the prohibitions regarding the practice of nursing home administration and the licenses needed to engage in that practice, including specifying that a person must knowingly violate a prohibition to be subject to a penalty.

No provision.

Provides that an administrator, owner, or officer of a hospice care program may be one of the Board's members who work in long-term services and supports settings, understand person-centered care, and have experience with a range of long-term services and supports settings.

No provision.

Relocates and reorganizes many statutory provisions governing the Board to modernize and clarify those statutes.

No provision.

Provides that the Board is not required to amend its rules for the sole purposes of updating citations to the authorizing statutes.

**Fiscal effect: Potential impact on administrative expenses.**

## AGECD1

## Long-term care

## Section: 209.20

Permits, pursuant to an interagency agreement, ODM to designate ODA to perform level of care assessments.

Requires ODA to provide long-term care consultations to assist individuals in planning for their long-term health care needs.

## Section: 209.20

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

Requires ODA to administer the Medicaid waiver-funded PASSPORT Home Care Program, the Assisted Living Program, and PACE as delegated by ODM in an interagency agreement.

Same as the Executive.

## AGECD2

## Performance-based reimbursement

**Section: 209.20**

Permits ODA to design and utilize a payment method for PASSPORT Administrative Agencies (PAA) that includes a pay-for-performance incentive component that is earned by a PAA when defined consumer and policy outcomes are achieved.

**Fiscal effect: Potential impact on earnings received by PAAs depending on whether or not the pay-for-performance is utilized and outcomes are achieved.**

**Section: 209.20**

Same as the Executive.

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

## AGECD3

## MyCare Ohio

**Section: 209.30**

Extends the authority of the Office of the State Long-Term Care Ombudsman to MyCare Ohio during the period of the federal financial alignment demonstration program.

**Fiscal effect: Potential increase in administrative costs.**

**Section: 209.30**

Same as the Executive.

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

## Executive

## In House Finance

**AGECD4 Senior Community Services****Section: 209.30**

Permits GRF appropriation item 490411, Senior Community Services, to be used for programs, services, and activities designated by ODA. Permits ODA to use these funds to provide grants to community organizations to support and expand evidence-based/informed programming. Requires service priority to be given to low-income, high need, and/or cognitively impaired persons 60 years of age and older.

**Section: 209.30**

Same as the Executive.

**AGECD5 National Senior Service Corps****Section: 209.30**

Permits GRF appropriation item 490506, National Senior Service Corps, to be used by ODA to fund grants to organizations that receive federal funds from the Corporation for National and Community Service to support the following: (1) the Foster Grandparents Program; (2) the Senior Companion Program; and (3) the Retired Senior Volunteer Program.

Requires a grant recipient to use funds to support priorities established by ODA and the Ohio State Office of the Corporation for National and Community Service.

Specifies that neither ODA nor any area agencies on aging involved in the distribution of funds to lower-tiered grant recipients may use funds to cover administrative costs.

**Section: 209.30**

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**AGECD6 Board of Executives of Long-Term Services and Supports****Section: 209.30**

Permits DPF Fund 5MT0 appropriation item 490627, Board of Executives of Long-Term Care Services and Supports, to be used to administer and enforce the Nursing Home Administrators law and rules adopted under it.

**Section: 209.30**

Same as the Executive.

**AGECD16 Assisted Living and PASSPORT Program Payment Rates**

No provision.

**Sections: 209.40, 209.60**

Requires that the rates for each tier of assisted living services provided under the Assisted Living Program during FY 2020 and FY 2021 be at least 2.7% higher than the rates in effect on June 30, 2019.

No provision.

Requires that the base and unit rates for home care attendant, personal care, and waiver nursing services provided under the PASSPORT program during FY 2020 and FY 2021 be at least 2.7% higher than the rates in effect on June 30, 2019.

**Fiscal effect: Appropriations have been adjusted to Medicaid GRF line item 651525, Medicaid Health Care Services by approximately \$10.8 million (\$4.0 million state share) in each fiscal year. Individuals enrolled in the MyCare Ohio Waiver may also receive PASSPORT and Assisted Living services. Payments for MyCare Ohio services are provided under managed care. As a result of this provision, it is possible that MyCare Ohio costs may increase.**

Executive

In House Finance

AGECD13

Home-delivered meals under PASSPORT

No provision.

**Section: 209.50**

Establishes the payment rates for home-delivered meals provided under the PASSPORT waiver program, during FY 2020 and FY 2021 as follows: \$7.19 per meal delivered daily by the provider or volunteer, \$6.99 per meal (chilled or frozen) delivered weekly by the provider or volunteer, and \$6.50 per meal (chilled or frozen) delivered weekly by a common carrier. (This provision is applied to certain other Medicaid waivers, please see MCD40)

**Fiscal effect: The current regular meal reimbursement is \$6.50. The provision would result in an increase in PASSPORT costs for meal reimbursements. The total cost will depend on the number of meals delivered at the higher rates.**

## Executive

## In House Finance

## AGRC14

## Creation of the H2Ohio Fund

## R.C. 126.60

Creates the H2Ohio Fund (Fund 6H20) in the state treasury consisting of money credited to it and any donations, gifts, bequests, and other money received for deposit in the Fund.

Requires Fund 6H20 to be used for the following purposes: (1) awarding or allocating grants or money, issuing loans, or making purchases for the development and implementation of projects and programs that are designed to address water quality priorities, (2) funding cooperative research, data gathering and monitoring, and demonstration projects related to water quality priorities, (3) encouraging cooperation with and among leaders from state legislatures, state agencies, political subdivisions, business and industry, labor, agriculture, environmental organizations, and water conservation districts, and (4) other purposes, policies, programs, and priorities identified by the Lake Erie Commission (LEC) in coordination with the state agencies or boards responsible for water protection and water management.

Requires that the LEC, in coordination with state agencies or boards responsible for water protection and water management, prepare a report on the activities undertaken under Fund 6H20 during the immediately preceding FY, including the revenues and expenses of the fund for the preceding fiscal year, and submit the report to the General Assembly and the Governor.

## R.C. 126.60

Same as the Executive.

Same as the Executive, but also includes institutions of higher education in the list of entities specified in (3) for which H2Ohio Fund money may be used to encourage cooperation.

Same as the Executive, but requires the H2Ohio Advisory Council in coordination with LEC to prepare the report not later than August 31, 2020, and annually thereafter.

## Executive

## In House Finance

Fiscal effect: The bill requires a portion of FY 2019 GRF surplus revenue and the entire balance of FY 2020 and FY 2021 GRF surplus moneys to be deposited into Fund 6H20 (see OBMCD44 and OBMCD56). It appropriates \$85.2 million in FY 2020 under Fund 6H20 to be used by DNR, AGR, and EPA. The funding is distributed as follows: (1) \$46.2 million under appropriation item 725681, H2Ohio, used by DNR, (2) \$30.3 million under appropriation item 700670, H2Ohio, used by AGR, and (3) \$8.7 million under appropriation item 715695, H2Ohio, used by EPA.

Fiscal effect: Same as the Executive, but the provision that requires FY 2020 and FY 2021 GRF surplus revenues to be deposited into Fund 6H20 is removed (see OBMCD44 and OBMCD56).

AGRCD18

H2Ohio Advisory Council

No provision.

**R.C. 126.60, 126.61, 126.62**

Requires the AGR, EPA, and DNR Directors to each prepare an annual plan for H2Ohio Fund (Fund 6H20) expenditures that, at a minimum, describes the following: (1) funding priorities, (2) specific programs, projects, or entities proposed to receive funding, and (3) internal controls and external accountability measures that will be put in place to ensure that the funding is properly used. (See AGRCD14 for uses of the new H2Ohio Fund.)

No provision.

Creates the H2Ohio Advisory Council, consisting of the following members: (1) AGR Director or Director's designee, (2) EPA Director or Director's designee, (3) DNR Director or Director's designee, (4) LEC Executive Director, (5) two members appointed by the President of the Senate, (6) two members appointed by the Speaker of the House, and (7) 10 members who represent various specific interests who are appointed by the Governor with the advise and consent of the Senate.

Executive

In House Finance

No provision.	Requires the Council to do all of the following: (1) review and approve or disapprove the annual plans submitted by the AGR, EPA, and DNR, and (2) adopt bylaws governing its operation, including the process for reviewing and approving or disapproving the submitted plans, the frequency of meetings, and other relevant operating procedures.
No provision.	Requires LEC, AGR, and EPA to provide administrative support to the Council. Requires LEC to provide the location for Council meetings. <b>Fiscal effect: Potential increase in administrative costs for AGR, EPA, and DNR to prepare an annual plan and to reimburse members of the Council for expenses.</b>

AGRCD15      Promotion of Ohio-produced agricultural goods in alcohol

	<b>R.C.      901.172</b>
No provision.	Authorizes AGR to promote the use of Ohio-produced agricultural goods grown for inclusion in beer, cider, or spirituous liquor through promotional programs.
No provision.	Authorizes AGR, pursuant to rules adopted under the bill, to establish reasonable fees and criteria for participation in the programs. <b>Fiscal effect: May increase costs for the Division of Markets to run the Ohio Proud Craft Beer Program. The costs would be offset by fees to be established by AGR. Fees are to be deposited into the GRF.</b>



## Executive

## In House Finance

**AGRCD16**      **Voluntary nutrient management plans - soil test results**

No provision.

**R.C.      905.31**

Increases from three years to four years the amount of time that soil test results are valid for purposes of inclusion in a voluntary nutrient management plan approved by the AGR Director.

**Fiscal effect: None.**

**AGRCD11**      **Enforcement of Soil and Water Conservation Law****R.C.      939.07**

Expands the Attorney General's authority for seeking civil penalties for violations of any provision of the Soil and Water Conservation Law, rather than only rules adopted under that Law.

**Fiscal effect: Potential increase in revenue deposited into the Agricultural Pollution Abatement Fund (Fund 5PM0). Civil penalties are not to exceed \$10,000 per violation.**

No provision.

**AGRCD17**      **Advisory Council on Amusement Ride Safety**

No provision.

**R.C.      1711.52**

Requires the Advisory Council on Amusement Ride Safety to vote on whether to submit findings or recommendations to the AGR Director. Specifies that the Advisory Council may submit only those findings or recommendations that receive a majority vote.

## Executive

## In House Finance

No provision.

Removes an obsolete provision that required the Advisory Council to prepare and submit a report by December 31, 2006, concerning the Advisory Council's recommendations for alternative funding sources for the amusement ride safety program.

**Fiscal effect: None.**

**AGRCD2****Amusement ride and inspection fees**

**R.C. 1711.53**

Increases the permit fee for an amusement ride by \$75, from \$150 to \$225.

Increases by \$50 the annual inspection and reinspection fee per ride for kiddie rides (from \$100 to \$150), roller coasters (from \$1,200 to \$1,250), aerial lifts or bungee jumping facilities (from \$450 to \$500), and other rides (from \$160 to \$210).

Increases from \$105 to \$154 the maximum amount of the fee for the inspection and reinspection of inflatable rides that the Director of Agriculture may establish by rule.

**Fiscal effect: Increases the amount of revenue deposited into the Amusement Ride Inspection Fund (Fund 5780). Fund 5780 collected \$1.1 million in revenue in FY 2018.**

**R.C. 1711.53**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**AGRCD1****Wine tax revenue credited to the Ohio Grape Industries Fund**

**R.C. 4301.43**

Extends through June 30, 2021, the extra two cents per-gallon wine tax revenue that is credited to the Ohio Grape Industries Fund (Fund 4960).

**R.C. 4301.43**

Same as the Executive.

## Executive

## In House Finance

**Fiscal effect:** Maintains the current amount of wine tax revenue credited to DPF Fund 4960 through the FY 2020-FY2021 biennium to support marketing and production in the grape industry. Fund 4960 received approximately \$1.2 million from this portion of wine tax proceeds in FY 2018 and is estimated to receive about \$1.1 million in FY 2019. Receipts from the wine tax are otherwise credited to the GRF.

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

## AGRCD3

## Soil and Water Phosphorous Program

**Section: 211.20**

Requires AGR to establish programs to assist in reducing total phosphorous and dissolved reactive phosphorus in the Western Lake Erie Basin and give priority to sub watersheds determined to be the highest in total phosphorus and dissolved reactive phosphorus nutrient loading.

Requires that GRF appropriation item 700417, Soil and Water Phosphorus Program, be used to support these programs established by AGR which may include but not be limited to the following: (1) equipment for subsurface placement of nutrients into the soil, (2) equipment for nutrient placement based on geographic information system data, (3) soil testing, (4) implementation of variable rate technology, (5) equipment implementing manure transformation and manure conversion technologies, (6) tributary monitoring, (7) water management and edge-of-field drainage management, and (8) an agricultural phosphorus reduction revolving loan program.

Requires that not more than 40% of GRF appropriation item 700417, Soil and Water Phosphorus Program, be used for any single activity.

**Section: 211.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**AGRCD4                      Dangerous and Restricted Wild Animals****Section:    211.20**

Requires that GRF appropriation item 700426, Dangerous and Restricted Animals, be used to administer the Dangerous and Restricted Wild Animal Permitting Program.

**Section:    211.20**

Same as the Executive.

**AGRCD5                      County Agricultural Societies****Section:    211.20**

Requires that GRF appropriation item 700501, County Agricultural Societies, be used to reimburse county and independent agricultural societies for expenses related to Junior Fair activities.

**Section:    211.20**

Same as the Executive.

**AGRCD6                      Western Lake Erie Basin earmarks****Section:    211.20**

Earmarks \$350,000 in each fiscal year from GRF appropriation item 700509, Soil and Water District Support, to be used by AGR for a program to support soil and water conservation districts in the Western Lake Erie Basin to comply with provisions of Sub. S.B. 1 of the 131st G.A. Specifies that a soil and water district's application for funding must demonstrate that the money will be used for but not limited to providing technical assistance, developing nutrient or manure management plans, hiring and training staff on best conservation practices, or other activities that assist farmers in the Western Lake Erie Basin comply with S.B. 1 of the 131st G.A.

**Section:    211.20**

Same as the Executive.

## Executive

## In House Finance

Earmarks \$3,500,000 in each fiscal year from GRF appropriation item 700509, Soil and Water District Support, to be used to support county soil and water conservation districts in the Western Lake Erie Basin for (1) staffing costs and (2) to assist in soil testing and nutrient management plan development, including manure transformation and manure conversion technologies, enhanced filter strips, water management, and other conservation support.

Same as the Executive.

## AGRCD7

## Soil and Water Districts

**Section: 211.20**

Allows AGR, in addition to state payments to soil and water conservation districts authorized by RC 940.15, to use DPF Fund 5BV0 appropriation item 700661, Soil and Water Districts, to pay any soil and water conservation district an annual amount not to exceed \$40,000 upon receipt of request and justification from the district and approval by the Ohio Soil and Water Conservation Commission.

**Section: 211.20**

Same as the Executive.

## AGRCD8

## Clean Ohio Agricultural Easement Operating

**Section: 211.20**

Requires CLF Fund 7057 appropriation item 700632, Clean Ohio Agricultural Easement Operating, to be used to administer the Clean Ohio Agricultural Easement Purchase Program under RC 901.21, 901.22, and 5301.67 to 5301.70.

**Section: 211.20**

Same as the Executive.

Executive

In House Finance

AGRCD13

H2Ohio Fund

Section: 211.20

Requires that Fund 6H20 appropriation item 700670, H2Ohio, be used to support best management practices for farmers including but not limited to assistance with equipment purchases and soil testing.

Allows Fund 6H20 appropriation item 700670, H2Ohio, to be used to fund improvements and protection of state waterways in support of water quality priorities and management in accordance with R.C. 126.60.

Allows the AGR Director, on July 1, 2020, or as soon as possible thereafter, to certify to the OBM Director an amount up to the unexpended, unencumbered balance of the foregoing appropriation item, 700670, H2Ohio, at the end of FY 2020 to be reappropriated to the same appropriation item for FY 2021.

Section: 211.20

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

In House Finance

AIRCD2

Removal of advanced energy projects program funds

<b>R.C.</b>	<b>122.075, 166.01, 3706.25, 3706.29, 4313.02,</b> <b>Repealed: 3706.27, 166.30, and 3706.30</b>	<b>R.C.</b>	<b>122.075, 166.01, 3706.25, 3706.29, 4313.02,</b> <b>Repealed: 3706.27, 166.30, and 3706.30</b>
Abolishes the Advanced Energy Research Development Fund and the Advanced Energy Research Development Taxable Fund (both funds are unused now). (The accounting changes related to the abolishment of the funds are reflected in Section 516.10 of the bill, see OBMCD63.)		Same as the Executive.	

AIRCD1

Reimbursement to Air Quality Development Authority Trust Account

<b>Section: 213.20</b>	<b>Section: 213.20</b>
Authorizes the Authority to reimburse the trust account established in RC 3706.10 to hold bond proceeds and related revenue from all operating funds of the Authority for the expenses related to administration and shared costs and other responsibilities under Chapter 3706. of the Revised Code. Requires the reimbursements to be made by voucher and completed in accordance with the administrative indirect cost allocation plan approved by OBM.	Same as the Executive.

Executive

In House Finance

ARTCD2

State Program Subsidies

Section: 217.10

Earmarks at least \$2,000,000 per fiscal year of GRF appropriation item 370502, State Program Subsidies, for grants for arts-related educational programming for kindergarten through twelfth grade students.

Section: 217.10

Same as the Executive.

ARTCD1

Federal Support

Section: 217.10

Requires that FED Fund 3140 appropriation item 370601, Federal Support, be used for subsidies only, and not for administrative costs, unless required under conditions of the federal grant.

Section: 217.10

Same as the Executive.



Executive

In House Finance

AGOCD15

Organized Crime Investigations Commission reimbursements

No provision.

R.C. 177.02

Permits the Organized Crime Investigations Commission to reimburse a political subdivision for employment related costs, other than workers' compensation, of political subdivision employees who serve as directors and investigatory staff for an organized crime task force under the Commission.

**Fiscal effect: Potentially increases expenditures from the Organized Crime Commission Fund (Fund R042), with annual magnitude subject to available revenues.**

AGOCD1

Ohio Center for the Future of Forensic Science

Section: 221.20

Requires \$600,000 in each fiscal year from GRF appropriation item 055321, Operating Expenses, to be used for the Ohio Center for the Future of Forensic Science at Bowling Green State University for the purpose of fostering forensic science research techniques (BCI Eminent Scholar) and creating professional training opportunities to students (BCI Scholars) in the forensic science fields.

Section: 221.20

Same as the Executive.

## Executive

## In House Finance

**AGOCD2 Domestic violence program****Section: 221.20**

Permits \$100,000 in each fiscal year from GRF appropriation item 055321, Operating Expenses, to be used by the Attorney General to provide funding to domestic violence programs as defined in R.C. 109.46.

**Section: 221.20**

Same as the Executive.

**AGOCD3 Narcotics task forces****Section: 221.20**

Requires up to \$500,000 in each fiscal year from GRF appropriation item 055321, Operating Expenses, to be used by the Attorney General to support narcotics task forces to be funded through GRF appropriation item 761403, Recovery Ohio Law Enforcement, used by the Department of Public Safety.

**Section: 221.20**

Same as the Executive.

**AGOCD4 BCIRS lease rental payments****Section: 221.20**

Requires GRF appropriation item 055406, BCIRS Lease Rental Payments, to be used for payments during the period from July 1, 2019, through June 30, 2021, pursuant to leases and agreements entered into for the financing of costs associated with the acquisition, development, installation, and implementation of the Bureau of Criminal Investigation Records System.

**Section: 221.20**

Same as the Executive.

## Executive

## In House Finance

**AGOCDS County sheriffs' pay supplement****Section: 221.20**

- (1) Requires GRF appropriation item 055411, County Sheriffs' Pay Supplement, to be used for the purpose of supplementing the annual compensation of county sheriffs as required by R.C. 325.06.
- (2) Permits the Director of Budget and Management, at the request of the Attorney General, to transfer appropriation from GRF appropriation item 055321, Operating Expenses, to GRF appropriation item 055411 to be used for the purpose of funding the supplemental annual compensation of county sheriffs.

**Section: 221.20**

- (1) Same as the Executive.
- (2) Same as the Executive.

**AGOCDE County prosecutors' pay supplement****Section: 221.20**

- (1) Requires GRF appropriation item 055415, County Prosecutors' Pay Supplement, to be used for the purpose of supplementing the annual compensation of certain county prosecutors as required by R.C. 325.111.
- (2) Permits the Director of Budget and Management, at the request of the Attorney General, to transfer appropriation from GRF appropriation item 055321, Operating Expenses, to GRF appropriation item 055415 to be used for the purpose of funding the supplemental annual compensation of county prosecutors.

**Section: 221.20**

- (1) Same as the Executive.
- (2) Same as the Executive.

Executive

In House Finance

AGOCD7

Battered Woman's Shelter

Section: 221.30

Requires \$50,000 in each fiscal year from GRF appropriation item 055501, Rape Crisis Centers, to be distributed to the Battered Women's Shelter of Summit and Medina counties for the cost of operating the commercial kitchen located at its Market Street Facility.

Section: 221.30

Same as the Executive.

AGOCD8

Drug Abuse Response Team Grants

Section: 221.30

(1) Requires the Attorney General to maintain the Drug Abuse Response Team Grant Program for the purpose of replicating or expanding successful law enforcement programs that address the opioid epidemic similar to the Drug Abuse Response Team established by the Lucas County Sheriff's Department, and the Quick Response Teams established in Colerain Township's Department of Public Safety in Hamilton County and Summit County. Permits any grants awarded to include requirements for private or nonprofit matching support.

(2) Requires GRF appropriation item 055431, Drug Abuse Response Team Grants, to be used by the Attorney General to fund grants to law enforcement or other government agencies primarily for the purpose of noted in provision (1) above.

(3) Requires that each recipient of funding submit, within six months of the end date of the grant, a written report describing the outcomes that resulted from the grant to the Governor, President of the Senate, the Speaker of the House of

Section: 221.30

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

## Executive

## In House Finance

Representatives, the Minority Leader of the Senate, and the Minority Leader of the House of Representatives.

**AGOCD9****Workers' Compensation Section****Section: 221.30**

(1) Permits the Workers' Compensation Fund (Fund 1950) to receive quarterly payments from the Bureau of Workers' Compensation and the Ohio Industrial Commission to fund legal services provided by the Attorney General to those two state agencies.

(2) Requires the Bureau of Workers' Compensation to transfer quarterly payments for the support of the Attorney General's Workers' Compensation Fraud Unit.

(3) Requires that the amounts of these quarterly payments be mutually agreed upon by the Attorney General, the Bureau of Workers' Compensation, and the Ohio Industrial Commission.

**Section: 221.30**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**AGOCD10****General Holding Account****Section: 221.30**

Requires that HLD Fund R004 appropriation item 055631, General Holding Account, be used to distribute money under the terms of relevant court orders or other settlements received in a variety of cases involving the Attorney General. Appropriates additional amounts if it is determined that they are necessary for this purpose.

**Section: 221.30**

Same as the Executive.

Executive

In House Finance

AGOCD11

Antitrust Settlements

Section:

221.30

Requires that HLD Fund R005 appropriation item 055632, Antitrust Settlements, be used to distribute money under the terms of relevant court orders or other out of court settlements in antitrust cases or antitrust matters involving the Attorney General. Appropriates additional amounts if it is determined that they are necessary for this purpose.

Section:

221.30

Same as the Executive.

AGOCD12

Consumer Frauds

Section:

221.30

Requires that HLD Fund R018 appropriation item 055630, Consumer Frauds, be used for distribution of money from court-ordered judgments against sellers in actions brought by the Attorney General under R.C. 1334.08, 4549.48 and 1345.07(B) to provide restitution to consumers victimized by the fraud that generated the court-ordered judgments. Appropriates additional amounts if it is determined that they are necessary for this purpose.

Section:

221.30

Same as the Executive.

## Executive

## In House Finance

**AGOCD13      Organized Crime Commission Distributions****Section:    221.30**

Requires that HLD Fund R042 appropriation item 055601, Organized Crime Commission Distributions, be used by the Organized Crime Investigations Commission, as provided by R.C. 177.011, to reimburse political subdivisions for expenses incurred when their law enforcement officers participate in an organized crime task force. Appropriates additional amounts if it is determined that they are necessary for this purpose.

**Section:    221.30**

Same as the Executive.

**AGOCD14      Collection Payment Redistribution****Section:    221.30**

Requires that HLD Fund R054 appropriation item 055650, Collection Payment Redistribution, be used for the purpose of paying contingency counsel fees for cases where debtors mistakenly paid the client agencies instead of the Attorney General's Collections Enforcement Section. Appropriates additional amounts if it is determined that they are necessary for this purpose.

**Section:    221.30**

Same as the Executive.

**AGOCD17      Domestic violence programs**

No provision.

**Section:    221.30**

Requires GRF appropriation item 055504, Domestic Violence Programs, to be used by the Attorney General to provide funding to domestic violence programs as defined in R.C. 109.46.

Executive

In House Finance

AUDCD2

Recovery of audit costs

No provision.	<div>R.C.117.13</div> <div>Includes among the total costs of audits that are to be recovered both direct and indirect costs and allows the Auditor of State the flexibility to determine the amounts of direct and indirect costs that will be charged to state agencies or local public offices.</div>
No provision.	<div></div> <div>Requires the Auditor of State to determine and publish rates to be charged to state agencies and local public offices annually instead of establishing those rates by rule as under current law. Requires the rates charged to state agencies to take into consideration federal cost recovery guidelines.</div>
No provision.	<div></div> <div>Modifies how the Auditor of State recovers the costs of auditing local public offices in two ways. (1) Removes the specification that a local government bears certain costs (i.e. compensation to assistant auditors of state, local public office employees assisting with the audit, and experts, and costs of producing reports) and instead specifies that the Auditor must render a statement of direct and indirect costs for which the local office is responsible. (2) Removes the requirement that the Auditor of State furnish a statement to the fiscal officer of the local public office for allocating the audit cost by each audited fund and instead allows the fiscal officer of the local public office to allocate funds using a methodology provided by the Auditor.</div>
No provision.	<div></div> <div>Allows the Auditor of State to offset charges billed to a local public office using available resources from the Local Government Audit Support Fund, the GRF, or other state</div>



Executive

In House Finance

sources the Auditor of State has for this purpose.

**Fiscal effect: These provisions allow the Auditor of State to collect additional revenue to cover the cost of auditing state agencies. They also provide a way to partially offset the costs of audits to local governments through different state sources.**

AUDCD3

Local Government Audit Support Fund

**R.C. 5747.461, 131.511**

Creates the Local Government Audit Support Fund (Fund 5VP0) to be used by the Auditor of State to offset the costs of audits of local public offices.

Requires the Director of Budget and Management to credit monthly a portion of total tax revenue credited to the General Revenue Fund equal to 1/12 of the annual fiscal appropriation from the Local Government Audit Support Fund.

Requires the Director of Budget and Management to develop a schedule identifying the specific tax revenue sources to be used to make the monthly transfers and allows the Director to revise the schedule as necessary.

**Fiscal effect: Establishing this fund diverts a portion of GRF revenues to the Local Government Audit Support Fund (Fund 5VP0), which will offset a portion of the audit costs charged to local governments.**

Executive

In House Finance

AUDCD4

Audit Management and Services

No provision.

**Section: 223.20**

Specifies that newly-created GRF appropriation item 070401, Audit Management and Services, be used to support costs of the Auditor of State that are not recovered through charges to local governments and state entities, which are deposited into the Public Audit Expense - Intrastate Fund (Fund 1090), including costs that cannot be recovered from audit clients under federal indirect cost allocation guidelines.

AUDCD5

Local Government Audit Support

No provision.

**Section: 223.20**

Requires that newly-created GRF line item 070412, Local Government Audit Support, be used pursuant to RC 117.13 to support the Auditor of State's costs that are not recovered through charges to local governments and state entities, which are deposited into the Public Audit Expense - Local Government Fund (Fund 4220), including costs that cannot be recovered from audit clients under federal indirect cost allocation guidelines.

## Executive

## In House Finance

## AUDCD6

## Performance Audits

No provision.

**Section: 223.20**

Requires that newly-created GRF appropriation item 070402, Performance Audits, be used to support costs for providing performance audits for local governments, school districts, state agencies, and colleges and universities that are not recovered through charges to those entities, including costs that cannot be recovered from audit clients under federal indirect cost allocation guidelines.

## AUDCD7

## Local Government Audit Support Fund

No provision.

**Section: 223.20**

Requires that newly-created Fund 5VP0 appropriation item 070611, Local Government Audit Support Fund, be used pursuant to RC 5747.461 to offset the costs of audits that would otherwise be charged to local public offices.

No provision.

Requires the Director of Budget and Management to monthly credit Fund 5VP0 the amounts necessary to support FY 2020 appropriations from the fund.

Executive

In House Finance

AUDCD8

Department of Education Performance Audit

No provision.

**Section: 701.50**

Requires the Auditor of State, in consultation with the Joint Education Oversight Committee, to conduct a performance audit of selected offices or programs within the Department of Education, and requires the audit to be completed by October 1, 2020.

**Fiscal effect:** Increases auditing costs paid from the Public Audit Expense - Intrastate Fund (Fund 1090), as this does not provide additional funding for the audit or require the Department of Education to pay these costs.

## Executive

## In House Finance

ETCCD7

Broadcasting of committee hearings

No provision.

**R.C. 3353.07**

Permits the Ohio Government Telecommunications (OGT) Service to broadcast and record any committee meeting in the Senate or House of Representatives, as directed by the presiding officer of the respective house.

**Fiscal effect: Possible increases in OGT's administrative and operating costs. Funding for OGT is provided through GRF item 935402 (see ETCCD5). The House budget increases the appropriation for item 935402 by \$350,000 in FY 2020 and \$200,000 in FY 2021. H.B. 529 of the 132nd General Assembly, the capital budget bill for FY 2019 and FY 2020, appropriated \$80,039 to BEMC to purchase eight additional cameras and associated hardware for Statehouse committee rooms.**

ETCCD4

Statehouse News Bureau

**Section: 281.20**

Requires that GRF appropriation item 935401, Statehouse News Bureau, be used solely to support the operation of the Ohio Statehouse News Bureau.

**Section: 281.20**

Same as the Executive.

## Executive

## In House Finance

## ETCCD5

## Ohio Government Telecommunications Services

## Section: 281.20

Requires that GRF appropriation item 935402, Ohio Government Telecommunications Services, be used solely to support the operations of Ohio Government Telecommunications Services, which include providing multimedia support to the state government and its affiliated organizations and broadcasting the activities of the legislative, judicial, and executive branches of government.

## Section: 281.20

Same as the Executive.

## ETCCD6

## Content Development, Acquisition, and Distribution

## Section: 281.20

Requires that GRF appropriation item 935410, Content Development, Acquisition, and Distribution, be used for the development, acquisition, and distribution of information resources by public media and radio reading services and for educational use in the classroom and online. Makes the following earmarks:

- (1) Up to \$977,856 in each fiscal year to be allocated equally among Ohio's educational television stations for the production of interactive instructional programming, which must be targeted to the needs of the one-third lowest capacity school districts as determined by the state share index calculated by the Department of Education.
- (2) Up to \$2,574,472 in each fiscal year to support the operations of Ohio's qualified public educational television stations and radio stations. Requires these funds to be

## Section: 281.20

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Executive

In House Finance

distributed pursuant to an allocation formula used by the former Ohio Educational Telecommunications Network Commission unless a substitute formula is developed by BEMC in consultation with Ohio's qualified public educational television stations and radio stations.

(3) Up to \$286,053 in each fiscal year to support the operations of Ohio's qualified radio reading services. Requires these funds to be distributed pursuant to an allocation formula used by the former Ohio Educational Telecommunications Network Commission unless a substitute formula is developed by BEMC in consultation with Ohio's qualified radio reading services.

(3) Same as the Executive.

## Executive

## In House Finance

**OBMCD64**      **Definition of "invoice" for State purchases****R.C.      125.01**

Changes the current definition of "invoice" in the state purchasing law to require all of the items specified to be in the order: date of purchase or rendering of the service; an itemization of things done, material supplied, or labor furnished; the sum due under the contract. ("Invoice" is not used in Chapter 125. other than for purposes of the definition of "order.")

**Fiscal effect: None**

**R.C.      125.01**

Same as the Executive.

**OBMCD71**      **Office of Internal Audit****R.C.      126.48**

Provides that records or documents received by the Office of Internal Audit for the purpose of conducting internal audits of state agencies that are otherwise exempt from disclosure under state or federal law are not public records.

Clarifies that an internal audit report or work paper that meets the definition of an infrastructure record, as defined under continuing law by R.C. 149.433, is exempt from disclosure as a public record.

**Fiscal effect: None**

**R.C.      126.48**

Same as the Executive.

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



## Executive

## In House Finance

## OBMCD65

## Audit costs

## Section: 229.20

Requires all costs associated with single audit schedules or financial statements prepared in conformance with generally accepted accounting principles for the state to be paid from ISA Fund 1050 appropriation item 042603, Financial Management.

Requires costs associated with the audit of the Auditor of State to be paid from GRF appropriation item 042321, Budget Development and Implementation.

## Section: 229.20

Same as the Executive.

## OBMCD66

## Shared services center

## Section: 229.20

Requires GRF appropriation item 042425, Shared Services Development, and ISA item 042620, Shared Services Operating, to be used by the Director of OBM to support the Shared Services program pursuant to division (D) of section 126.21 of the Revised Code.

Requires the Director of OBM to 1) include the recovery of costs to operate the Shared Services program in the accounting and budgeting services payroll rate and through direct charges billed to agencies for services rendered using a methodology determined by the Director of OBM and 2) to deposit cost recovery revenues into ISA Fund 1050.

## Section: 229.20

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

## OBMCD67

## Internal audit

## Section: 229.20

Requires the Director of OBM to include the recovery of costs to operate the Internal Audit Program in the accounting and budgeting services payroll rate and through direct charges billed to agencies reviewed by the program using a methodology determined by the Director of OBM. Requires such cost recovery revenues to be deposited into Fund 1050.

## Section: 229.20

Same as the Executive.

## OBMCD68

## Forgery recovery

## Section: 229.20

Requires Fund 5EH0 appropriation item 042604, Forgery Recovery, to be used to reissue warrants that have been certified as forgeries by the rightful recipient as determined by the Bureau of Criminal Identification and Investigation and the Treasurer of State. Requires the Director of OBM to reissue a state warrant upon receipt of funds to cover the reissuance of the warrant. Appropriates any additional amounts needed to reissue warrants backed by receipt of funds.

## Section: 229.20

Same as the Executive.

Executive

In House Finance

**OBMCD7            Personal service expenses**

**Section:    503.10**

Requires any appropriation from which personal service expenses are paid to bear the employer's share of various costs, unless otherwise prohibited by law. Requires that these costs be determined in conformity with the appropriate sections of law and paid in accordance with procedures specified by OBM. Permits expenditures from appropriation item 070601, Public Audit Expense - Intra-State, to be exempted from this requirement.

**Section:    503.10**

Same as the Executive.

**OBMCD8            Satisfaction of judgments and settlements against the state**

**Section:    503.20**

Permits the use of certain appropriations to satisfy judgments, settlements, and administrative awards ordered or approved by the Court of Claims or by any other court of competent jurisdiction in connection with civil actions against the state.

**Section:    503.20**

Same as the Executive.

## Executive

## In House Finance

**OBMCD9 Capital project settlements****Section: 503.30**

Specifies an additional and supplemental procedure to provide for payments of judgments and settlements if the Director of OBM determines that sufficient unencumbered moneys do not exist in the particular appropriation to pay the amount of a final judgment rendered against the state or a state agency, including the settlement of a claim approved by a court, in an action upon and arising out of a contractual obligation for the construction or improvement of a capital facility if the costs under the contract were payable in whole or in part from a state capital projects appropriation.

**Section: 503.30**

Same as the Executive.

**OBMCD10 Re-issuance of voided warrants****Section: 503.40**

Provides funds for the reissuance of voided warrants under R.C. 126.37, when approved by OBM.

**Section: 503.40**

Same as the Executive.

**OBMCD11 Reappropriation of unexpended encumbered balances of operating appropriations****Section: 503.50**

Reappropriates on July 1 of the following fiscal year an unexpended balance of an operating appropriation or reappropriation that a state agency lawfully encumbered prior to the close of a fiscal year from the fund from which it was originally appropriated or reappropriated for various time periods based on the type of encumbrance.

**Section: 503.50**

Same as the Executive.

Executive

In House Finance

Requires any operating appropriations for which unexpended balances are reappropriated for an encumbrance for an item of special order manufacture not available on state contract or in the open market to be reported to the Controlling Board by the Director of OBM by December 31 each year. Requires the report on each such item to include the item, the cost of the item, and the name of the vendor. Requires the report to be updated on a quarterly basis for encumbrances remaining open.

Same as the Executive.

Specifies that a reappropriation made pursuant to this provision lapses upon the expiration of the reappropriation time periods referenced in this section and requires the Director of OBM to cancel the encumbrance of the unexpended reappropriation no later than the end of the weekend following the expiration of the reappropriation period.

Same as the Executive.

Specifies that a reappropriation made pursuant to this provision lapses upon the expiration of the reappropriation time periods referenced in this section and requires the Director of OBM to cancel the encumbrance of the unexpended reappropriation no later than the end of the weekend following the expiration of the reappropriation period.

Same as the Executive.

**OBMCD15**      **Correction of accounting errors**

**Section:    503.60**

Permits the Director of OBM to correct accounting errors committed by OBM staff, such as reestablishing encumbrances or appropriations cancelled in error during the cancellation of operating encumbrances in November and of nonoperating encumbrances in December.

**Section:    503.60**

Same as the Executive.

Executive

In House Finance

Permits the Director of OBM to correct accounting errors committed by the staff of a state agency or state institution of higher education, such as reestablishing prior year nonoperating encumbrances canceled or modified in error. Appropriates the reestablished encumbrance amounts.

Same as the Executive.

**OBMCD17      Temporary revenue holding**

**Section:    503.70**

Permits the Director of OBM to create funds in the state treasury for the purpose of temporarily holding revenue required to be credited to a fund in the state treasury, whose disposition is not immediately known at the time of receipt. Requires the Director to credit the revenue to the appropriate fund in the state treasury, once it is identified.

**Section:    503.70**

Same as the Executive.

**OBMCD18      Appropriations related to cash transfers and re-establishment of encumbrances**

**Section:    503.80**

Appropriates any cash transferred by the Director of OBM under R.C. 126.15 (for the purpose of making adjustments to capital or operating budgets) and any amounts necessary to re-establish appropriations or encumbrances under that section.

**Section:    503.80**

Same as the Executive.

## Executive

## In House Finance

**OBMCD19 Transfers of Third Frontier Appropriations****Section: 503.90**

Permits the Director of OBM to transfer appropriations between the Third Frontier Research and Development Fund (Fund 7011) and the Third Frontier Research and Development Taxable Bond Fund (Fund 7014) as necessary to maintain the exclusion from the calculation of gross income for federal income taxation purposes. Authorizes the Director of OBM to create new appropriation items within Fund 7014 and make transfers of appropriations to Fund 7014 for projects that were originally funded in Fund 7011.

**Section: 503.90**

Same as the Executive.

**OBMCD20 Income tax distribution to counties****Section: 503.100**

Appropriates from the GRF sufficient funds to make income tax distribution payments to counties required by R.C. 5747.03(B)(2).

**Section: 503.100**

Same as the Executive.

**OBMCD21 Expenditures and appropriation increases approved by the Controlling Board****Section: 503.110**

Appropriates for the period ending June 30, 2021, any money that the Controlling Board approves for expenditure or any appropriation increase approved by the Controlling Board.

**Section: 503.110**

Same as the Executive.

## Executive

## In House Finance

**OBMCD22 Funds received for use of Governor's residence****Section: 503.120**

Appropriates to appropriation item 100604, Governor's Residence Gift, any amount received by the Governor's residence Fund (Fund 4H20) for use of the residence pursuant to R.C. 107.40.

**Section: 503.120**

Same as the Executive.

**OBMCD23 General obligation debt service payments****Section: 504.10**

Specifies that certain appropriations of the main operating budget are for the purpose of paying debt service and financing costs on general obligation bonds or notes of the state. Appropriates additional amounts to fully fund those costs if additional amounts are necessary.

**Section: 504.10**

Same as the Executive.

**OBMCD24 Lease rental payments for debt service****Section: 504.20**

Specifies that certain appropriations of the bill are for the purpose of making lease rental payments pursuant to leases and agreements relating to bonds, notes, or other obligations of the state. Appropriates additional amounts to fully fund those costs if additional amounts are necessary.

**Section: 504.20**

Same as the Executive.



## Executive

## In House Finance

**OBMCD25      Authorization for Treasurer of State and OBM to effectuate certain debt service payments****Section:    504.30**

Requires OBM to process payments from general obligation and lease rental payment appropriation items during the FY 2020-FY 2021 biennium relating to bonds, notes, or other obligations of the state. Requires payments to be made upon certification by the Treasurer of State of the dates and the amounts due on those dates.

**Section:    504.30**

Same as the Executive.

**OBMCD26      Arbitrage rebate authorization****Section:    505.10**

Appropriates, from the funds designated by or pursuant to the applicable proceedings authorizing the issuance of state obligations, amounts computed at the time to represent the portion of investment income to be rebated or amounts in lieu of or in addition to any rebate amount to be paid to the federal government in order to maintain the exclusion from gross income for federal income tax purposes of interest on those state obligations under section 148(f) of the Internal Revenue Code. Requires OBM to approve and voucher rebate payments.

**Section:    505.10**

Same as the Executive.

## Executive

## In House Finance

**OBMCD27      Statewide indirect cost recovery****Section:    505.20**

Appropriates from available receipts amounts required for statewide indirect costs when the Director of OBM has determined that an appropriation made to a state agency for this purpose is insufficient.

**Section:    505.20**

Same as the Executive.

**OBMCD28      Transfers on behalf of the statewide indirect cost allocation plan****Section:    505.30**

Prohibits total transfers made from the GRF by the Director of OBM under these provisions from exceeding the amounts transferred into the GRF for the purpose of recovering statewide indirect costs under R.C. 126.12.

Allows an agency director to certify to the Director of OBM the amount of expenses not allowed to be included in the Statewide Indirect Cost Allocation Plan (SWICAP) under federal regulations, from any fund included in the SWICAP, prepared as required by R.C. 126.12.

Permits the Director of OBM, upon determining that no alternative source of funding is available to pay for such expenses, to transfer funds from the GRF to the fund for which the certification is made up to the amount of the certification. Requires the director of an agency receiving such funds to include a request for funding for such activities from an alternative source as part of the next budget submission.

**Section:    505.30**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

In House Finance

Allows the director of an agency to certify to the Director of OBM the amount of expenses paid in error from a fund included in the SWICAP. Allows the Director of OBM to transfer cash from the fund from which the expenditure should have been made into the fund from which the expenses were erroneously paid, up to the amount of the certification.	Same as the Executive.
Allows the director of an agency to certify to the Director of OBM the amount of expenses or revenues not allowed to be included in the SWICAP under federal regulations, for any fund included in the SWICAP, for which the federal government requires payment. Appropriates from the available receipts of such a fund, up to the amount of the certification, the amount required by the federal government if the Director of OBM determines that an appropriation made to a state agency is insufficient to make the payment.	Same as the Executive.

OBMCD33

Federal government interest requirements

<b>Section: 505.40</b>	<b>Section: 505.40</b>
Authorizes the Director of OBM to designate the funds that are to retain their own interest earnings in order to reduce the payment of adjustments to the federal government, as determined by the Statewide Indirect Cost Allocation Plan prepared pursuant to R.C. 126.12(A).	Same as the Executive.

## Executive

## In House Finance

**OBMCD34      Federal Cash Management Improvement Act****Section:    505.50**

Allows the Director of OBM to cancel and reestablish all or part of encumbrances in like amounts within the funds identified by the plan required to be prepared under R.C. 131.36 for compliance with the Federal Cash Management Improvement Act. Appropriates the amounts necessary to reestablish all or part of the encumbrances.

**Section:    505.50**

Same as the Executive.

**OBMCD35      Transfers to the GRF of interest earned****Section:    509.10**

Authorizes the Director of OBM to transfer to the GRF interest earned in any state fund, with the exception of funds that are restricted or protected by the Ohio Constitution, federal tax law, or the federal Cash Management Improvement Act.

**Section:    509.10**

Same as the Executive.

**OBMCD36      Cash transfers to the GRF from non-GRF funds****Section:    509.20**

Permits the Director of OBM to transfer up to \$100 million cash during the FY 2020-FY 2021 biennium from non-GRF funds that are not constitutionally restricted to the GRF.

**Section:    509.20**

Same as the Executive.

## Executive

## In House Finance

**OBMCD37 Medical marijuana control program repayments****Section: 509.50**

Requires the Director of Commerce and the Executive Director of the Board of Pharmacy to consult with the Director of OBM to determine a repayment schedule for the FY 2020-FY 2021 biennium to fully repay transfers on behalf of each agency from the Emergency Purposes/Contingency Fund (Fund 5KM0) to the Medicaid Marijuana Control Program Fund (Fund 5YS0). Specifies that such repayments are to be credited to the GRF.

**Section: 509.50**

Same as the Executive.

**OBMCD38 GRF transfer to Tourism Ohio Fund (Fund 5MJ0)****Section: 512.10**

Authorizes the Director of OBM, in each fiscal year, to transfer up to \$10,400,000 cash from the GRF to the Tourism Ohio Fund (Fund 5MJ0).

**Section: 512.10**

Same as the Executive.

**OBMCD39 GRF transfer to Statewide Treatment and Prevention Fund (Fund 4750)****Section: 512.20**

Authorizes the Director of OBM, in each fiscal year, to transfer up to \$5,000,000 cash from the GRF to the Statewide Treatment and Prevention Fund (Fund 4750).

**Section: 512.20**

Same as the Executive.

## Executive

## In House Finance

**OBMCD40      GRF transfer to Statewide Community Police Relations Fund (Fund 5RS0)****Section:    512.30**

Authorizes the Director of OBM, in FY 2020, to transfer up to \$2,200,000 cash from the GRF to the Statewide Community Police Relations Fund (Fund 5RS0).

**Section:    512.30**

Same as the Executive.

**OBMCD41      GRF transfer to Targeted Addiction Program Fund (Fund 5TZ0)****Section:    512.40**

Authorizes the Director of OBM, in each fiscal year, to transfer up to \$23,150,000 cash from the GRF to the Targeted Addiction Program Fund (Fund 5TZ0).

**Section:    512.40**

Same as the Executive.

**OBMCD42      GRF transfer to Persian Gulf, Afghanistan, Iraq Compensation Fund (Fund 7041)****Section:    512.50**

Authorizes the Director of OBM, at the request of the Director of Veterans Services, in FY 2021, to transfer up to \$500,000 cash from the GRF to the Persian Gulf, Afghanistan, Iraq Compensation Fund (Fund 7041).

**Section:    512.50**

Same as the Executive.

**OBMCD43      GRF transfer to Industry-Recognized Credentials Fund (Fund 5VK0)****Section:    512.60**

Authorizes the Director of OBM, in each fiscal year, to transfer up to \$15,000,000 cash from the GRF to the Industry-Recognized Credentials Fund (Fund 5VK0).

No provision.

## Executive

## In House Finance

**OBMCD72      GRF transfer to Textbook and Instructional Materials Grants Fund (Fund 5VQ0)**

No provision.

**Section:    512.65**

Authorizes the Director of OBM, in each fiscal year, to transfer up to \$3,000,000 cash from the GRF to the Textbook and Instructional Materials Grants Fund (Fund 5VQ0).

**OBMCD73      GRF transfer to Student Wellness and Success Fund (Fund 5VS0)**

No provision.

**Section:    512.70**

Authorizes the Director of OBM to transfer up to \$250,000,000 cash in FY 2020 and up to \$300,000,000 cash in FY 2021 from the GRF to the Student Wellness and Success Fund (Fund 5VS0).

**OBMCD44      FY 2019 GRF ending balance****Section:    513.10**

Requires the Director of OBM to determine the GRF surplus revenue that existed on June 30, 2019, and transfer cash, up to the actual surplus revenue amount, from the GRF as follows:

- (1) Up to \$10 million to the Targeted Addiction Program Fund (Fund 5TZ0)
- (2) Up to \$31 million to the Statewide Treatment and Prevention Fund (Fund 4750)
- (3) Up to \$100 million to the H2Ohio Fund (Fund 6H20)

**Section:    513.10**

Same as the Executive, but requires the first \$285 million of surplus revenue to remain in the GRF prior to any transfers and also makes the following transfer changes:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive, but reduces the amount to \$86,000,000.

## Executive

## In House Finance

(4) No provision.

(4) Up to \$20 million to the School Bus Purchase Fund (Fund 5VU0)

(5) Up to \$5 million to the Books from Birth Fund (Fund 5VJ0)

(5) Same as the Executive.

(6) Up to \$25 million to the State Park Fund (Fund 5120)

(6) Same as the Executive, but subjects the transfer to Controlling Board approval.

(7) Up to \$25 million to the Emergency Purposes Fund (Fund 5KM0)

(7) Same as the Executive.

(8) Up to \$25 million to the Disaster Services Fund (Fund 5E20)

(8) Same as the Executive.

(9) Up to \$2 million to the Ohio Public Health Priorities Fund (Fund L087)

(9) Same as the Executive.

(10) Up to \$19 million to the Tobacco Use Prevention Fund (Fund 5BX0)

(10) Same as the Executive.

(11) Up to \$6.9 million to the Economic Development Programs Fund (Fund 5JC0)

(11) Same as the Executive.

(13) No provision.

(12) An amount to the Budget Stabilization Fund (Fund 7013) to bring the balance of the fund to 8.5% of FY 2019 GRF revenue.

(13) Remaining surplus cash to the H2Ohio Fund (Fund 6H20)

(13) Same as the Executive.



## Executive

## In House Finance

**OBMCD56**      **FY 2020 and FY 2021 GRF ending balances****Section: 513.20**

Requires the Director of OBM to determine the GRF surplus revenue that existed on June 30, 2020, and transfer cash, on July 1, 2020, in an amount equal to the actual surplus revenue amount, from the GRF to the H2Ohio Fund (Fund 6H20).

Authorizes the Controlling Board, in FY 2021, to increase or establish appropriations from Fund 6H20 for certain state agencies or boards in amounts necessary to support the statewide water protection vision and strategy in that year.

Requires the Director of OBM to determine the GRF surplus revenue that existed on June 30, 2021, and transfer cash, on July 1, 2021, in an amount equal to the actual surplus revenue amount, from the GRF to the H2Ohio Fund (Fund 6H20).

**Section: 513.20**

Replaces the Executive provision with one that requires the whole amount of the GRF cash balance as of June 30, 2020 to remain in the GRF.

No provision.

**OBMCD58**      **Utility Radiological Safety Board assessments****Section: 514.10**

Specifies the maximum amounts, unless the agency and nuclear electric utility mutually agree to a higher amount by contract, that may be assessed against nuclear electric utilities under RC 4937.05 (B) (2) and deposited into the following funds:

\$97,610 in FY 2020 and \$101,130 in FY 2021 to the Utility Radiological Safety Fund (Fund 4E40) used by the Department of Agriculture;

\$1,300,000 in each of FY 2020 and FY 2021 to the Radiation Emergency Response Fund (Fund 6100) used by the Department

**Section: 514.10**

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

of Health;

\$276,500 in FY 2020 and \$278,500 in FY 2021 to the ER Radiological Safety Fund (Fund 6440) used by the Environmental Protection Agency; and

\$1,258,624 in each of FY 2020 and FY 2021 to the Emergency Response Plan Fund (Fund 6570) used by the Department of Public Safety.

Same as the Executive.

Same as the Executive.

## OBMCD63

## Cash transfers and abolishment of funds

## Section: 516.10

For purposes of abolishing various funds that are no longer needed, authorizes the Director of OBM to carry out necessary accounting procedures, including transferring the remaining cash balances from the funds that are to be abolished, canceling existing encumbrances, and reestablishing those encumbrances against appropriate funds.

Lists the agencies and funds to be abolished: the Department of Agriculture, the Air Quality Development Authority, the Bureau of Workers' Compensation, the Department of Commerce, the Department of Administrative Services, the Development Services Agency, the Department of Natural Resources, the Department of Health, the Department of Transportation, the Department of Public Safety, the Department of Rehabilitation and Correction, the Department of Youth Services, the Department of Education, the Environmental Protection Agency, the Department of Insurance, the Department of Job and Family Services, the Judiciary/Supreme Court, the Department of Medicaid, the Office of Budget and

## Section: 516.10

Same as the Executive.

Same as the Executive.

Executive

In House Finance

Management, the Public Defender Commission, the Department of Taxation, the Treasurer of State, the Department of Veteran's Service, the State Medical Board, the Opportunities for Ohioans with Disabilities Agency, the Secretary of State, and the State Board of Pharmacy.

## Executive

## In House Finance

## CSRCD5

## Capitol Square Review and Advisory Board buildings

No provision.

**R.C. 123.21**

Exempts buildings that are under the management and control of the Capitol Square Review and Advisory Board from being under the authority of the Ohio Facilities Construction Commission.

**Fiscal effect: Minimal.**

## CSRCD1

## Personal Services

**Section: 231.10**

Authorizes the Executive Director of the CSRAB to certify to the OBM Director an amount up to the unexpended, unencumbered balance of GRF appropriation item 874100, Personal Services, at the end of FY 2019 and FY 2020 to be reappropriated to FY 2020 and FY 2021, respectively, and reappropriates those amounts.

**Section: 231.10**

Same as the Executive.

## CSRCD2

## Maintenance and Equipment

**Section: 231.10**

Authorizes the Executive Director of CSRAB to certify to the OBM Director an amount up to the unexpended, unencumbered balance of GRF appropriation item 874320, Maintenance and Equipment, at the end of FY 2019 and FY 2020 to be reappropriated to FY 2020 and FY 2021, respectively, and reappropriates those amounts.

**Section: 231.10**

Same as the Executive.

Executive

In House Finance

CSRCD3

Underground Parking Garage Fund

Section: 231.10

Permits the Underground Parking Garage Fund (Fund 2080) to be used for personnel and operating costs related to the operations of the Statehouse and the Statehouse Underground Parking Garage.

Section: 231.10

Same as the Executive.

CSRCD4

House and Senate Parking Reimbursement

Section: 231.10

Requires the OBM Director to transfer \$500,000 cash in each fiscal year from the GRF to Fund 2080 for the reimbursement of House and Senate parking costs.

Section: 231.10

Same as the Executive.

## Executive

## In House Finance

**COMCD4 Building code services for political subdivisions****R.C. 121.083, 3781.10**

Authorizes the Superintendent of the Division of Industrial Compliance to administer and enforce the building code on behalf of political subdivisions or health districts, pursuant to contract.

**Fiscal effect: Presumably, in these cases COM's costs would be covered by the amount of payment agreed to in the contract. The payments would be deposited into the Industrial Compliance Operating Fund (Fund 5560).**

**R.C. 121.083, 3781.10**

Same as the Executive.

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

**COMCD2 Digital publication of notice of unclaimed funds****R.C. 169.06**

Allows notice of unclaimed funds to be published in digital format in addition to print as required under current law.

**Fiscal effect: None, as this codifies existing practice.**

**R.C. 169.06**

Same as the Executive.

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

**COMCD3 Multistate licensing system****R.C. 1181.23, 1321.73, 1349.43, 4712.02, 4727.03, and 4728.03**

Authorizes the Superintendent of Financial Institutions within COM to participate in a multistate licensing system for all license or registration types overseen by the Superintendent.

Authorizes the Superintendent to adopt rules to facilitate participation in the multistate licensing system. Allows those rules to add to, but not contradict, current licensing

**R.C. 1181.23, 1321.73, 1349.43, 4712.02, 4727.03, and 4728.03**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

requirements with regard to: (1) criminal history records, civil or administrative records, or credit history records, (2) the payment of fees, and (3) renewal or reporting dates.

**Fiscal effect:** The bill allows the Superintendent to set fees paid by licensees for the cost of using the multistate licensing system.

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

## COMCD21

## Mesh crib liners

No provision.

**R.C. 3713.022, 3713.99**

Removes a prohibition, scheduled to take effect April 6, 2020, on the manufacture, sale, delivery, or possession of mesh crib liners in the absence of safety standards promulgated by the U.S. Consumer Product Safety Commission. Removes the corresponding fine of not more than \$500 for violating the prohibition.

**Fiscal effect:** None.

## COMCD10

## Construction and Manufacturing Mentorship Program

**R.C. 4109.22, 4109.05, and 4109.99**

Creates the Construction and Manufacturing Mentorship Program to expose minors who are 16- or 17- years old to construction and manufacturing occupations in Ohio through temporary employment with an employer.

Requires an employer employing a minor under the Mentorship Program to (1) provide the minor with required training, (2) assign the minor a mentor who is liable for the minor during the minor's employment, (3) encourage the minor to participate in a career-technical education program approved by ODE after the minor's employment ends, if the minor is not participating in a

**R.C. 4109.22, 4109.05, and 4109.99**

Same as the Executive, but modifies the Mentorship Program to expose minors to only manufacturing occupations rather than both construction and manufacturing occupations and renames the initiative as the Manufacturing Mentorship Program.

Same as the Executive, but eliminates the requirement in (2) that the mentor be liable for the minor during the minor's employment, and modifies the employer's responsibility in (3) to simply encourage the minor's participation in a career-technical education program if not already enrolled in one.

Executive

In House Finance

career-technical education program when the minor begins employment, and (4) comply with all applicable state and federal laws and regulations relating to the employment of minors.

Requires the Director of Commerce to specify a list of tools that a minor employed under the Mentorship Program may operate during the minor's employment.

Prohibits an employer from either (1) permitting a minor from operating a tool described above unless the minor is employed under the Mentorship Program, or (2) permitting a minor who is employed under the Mentorship Program from operating a tool prohibited for use by minors of that age under federal and state law. Establishes a civil penalty of \$1,730 per violation for whoever violates these prohibitions.

Prohibits the Director from adopting any rule to prohibit a 16- or 17- year old minor employed by an employer under the Mentorship Program from being employed in a construction or manufacturing occupation if the minor's employment in the occupation is permitted under federal law.

No provision.

**Fiscal effect: Minimal costs for rulemaking and establishing employer guidelines for the new program.**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Exempts employers participating in the Mentorship Program from the bill's proposed requirement to provide training to a minor if the minor presents proof of completing the training during the six-month period immediately before beginning employment.

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



## Executive

## In House Finance

**COMCD9 Fire Marshal CDL exemption****R.C. 4506.03**

Exempts a qualified person who operates fire equipment for the State Fire Marshal from the requirement to hold a commercial driver's license.

**Fiscal effect:** Decreases expenses in the State Fire Marshal Fund (Fund 5460) to pay for commercial driver's license. A first commercial driver's license is \$42 and a renewal is \$44.75 and is deposited into the Public Safety – Highway Purposes Fund (Fund 5TM0) used by the Department of Public Safety.

**R.C. 4506.03**

Same as the Executive.

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

**COMCD8 Oil and gas land professionals - civil penalties****R.C. 4735.023, 4735.052**

Corrects and adds section references to ensure oil and gas land professionals are subject to COM's Division of Real Estate and Professional Licensing's civil enforcement authority.

**Fiscal effect:** Uncertain. Civil penalties are deposited into the Division of Real Estate Operating Fund (Fund 5490).

**R.C. 4735.023, 4735.052**

Same as the executive.

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

## Executive

## In House Finance

## COMCD20

## Real estate license fees

R.C. 4735.06, 4735.09, 4735.13, 4735.15, 4735.182,  
4735.27, and 4735.28

Increases the following fees under COM's Division of Real Estate and Professional Licensing: (1) real estate broker license application fee, from \$100 to \$135, (2) real estate salesperson license application fee, from \$60 to \$81, (3) transfer from broker license to salesperson license fee, from \$25 to \$34, (4) notice of intention by real estate broker to join business entity fee, from \$25 to \$34, (5) reactivation or transfer of a broker's license into or out of business entity fee, from \$25 to \$34, (6) reactivation or transfer of a salesperson license fee, from \$25 to \$34, (7) branch office license fee, from \$15 to \$20, (8) foreign real estate salesperson's license and renewal fee, from \$50 to \$68, (9) additional fee for an education course provider or course provider applicant whose fee payment was returned, from \$100 to \$135, (10) foreign real estate dealer examination fee, from \$75 to \$101, (11) foreign real estate salesperson examination fee, from \$50 to \$68, and (12) cap of foreign real estate dealer's fee for each sales person employed by the dealer, from \$150 to \$203.

Eliminates the annual renewal fee for real estate brokers and real estate salespersons and instead establishes a triennial renewal and late fee for these licenses as follows: (1) renewal of a three-year real estate broker's license for \$243, (2) renewal of a three-year real estate salesperson's license for \$182, (3) late renewal of three-year real estate broker's license for \$121.50, and (4) late renewal of three-year real estate salesperson's

R.C. 4735.06, 4735.09, 4735.13, 4735.15, 4735.182,  
4735.27, and 4735.28

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

license for \$91.

**Fiscal effect:** Increases revenue deposited into the Division of Real Estate Operating Fund (Fund 5490). As of April 3, 2019, the cash balance in Fund 5490 was \$1.7 million.

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

## COMCD5

## Real Estate Recovery Fund assessments and transfers

## R.C. 4735.12, Section 243.30

Replaces the current tiered assessments to fund the Real Estate Recovery Fund (Fund 5480) that the Real Estate Commission imposes on real estate broker and salesperson license renewals with a required \$10 assessment if the Fund falls below \$250,000.

Allows the OBM Director, upon the request of the COM Director and if the Fund 5480 cash balance exceeds \$250,000 during the biennium, to transfer cash from Fund 5480 to the Division of Real Estate Operating Fund (Fund 5490), such that the amount available in Fund 5480 is not less than \$250,000.

**Fiscal effect:** Eliminates the assessment deposited into Fund 5480 if the cash balance is over \$250,000. The March 2019 cash balance in Fund 5480 is \$1.2 million.

## R.C. 4735.12, Section 243.30

Same as the Executive.

Same as the Executive, but requires Controlling Board approval before cash is transferred from Fund 5480 to Fund 5490.

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

## COMCD6

## Real Estate Appraiser Recovery Fund transfers

## R.C. 4763.16, Section 243.30

Changes the COM Director's authority to request money be moved from the Real Estate Appraiser Operating Fund (Fund 6A40) to the Real Estate Appraiser Recovery Fund (Fund 4B20) if the cash balance in Fund 4B20 falls below \$500,000 to authority to make such a request if the cash balance in Fund 4B20 falls below \$200,000.

## R.C. 4763.16, Section 243.30

Same as the Executive.

## Executive

## In House Finance

Allows the OBM Director, upon the request of the COM Director and if the Fund 4B20 cash balance exceeds \$200,000 during the biennium, to transfer cash from Fund 4B20 to Fund 6A40, such that the amount available in Fund 4B20 is not less than \$200,000.

**Fiscal effect: Decreases the cash balance threshold in Fund 4B20 from below \$500,000 to below \$200,000 when revenue is transferred from Fund 6A40 to Fund 4B20. The cash balance in Fund 4B20 is \$1.0 million.**

Same as the Executive, but requires Controlling Board approval before cash is transferred from Fund 4B20 to 6A40.

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

## COMCD7

## Appraisers' removal from appraiser panels

**R.C. 4768.09**

Eliminates an exception that allows appraisers to be removed from an appraisal management company's appraiser panel without notice or an opportunity to respond during their first 30 days on the panel.

**Fiscal effect: None.**

**R.C. 4768.09**

Same as the Executive.

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

## COMCD11

## Unclaimed funds payments

**Section: 243.20**

Requires DPF Fund 5430 appropriation item 800625, Unclaimed Funds-Claims, to be used to pay claims under R.C. 169.08 and permits the COM Director to request that the OBM Director appropriate additional amounts if needed. Appropriates the additional amounts.

**Section: 243.20**

Same as the Executive.

## Executive

## In House Finance

**COMCD12      Division of Real Estate and Professional Licensing****Section:    243.20**

Requires DPF Fund 4B20 appropriation item 800631, Real Estate Appraisal Recovery, to be used to pay settlements, judgements, and court orders under R.C. 4763.16. Permits the COM Director to request that the OBM Director appropriate additional amounts if needed. Appropriates the additional amounts.

Requires DPF Fund 5480 appropriation item 800611, Real Estate Recovery, to be used to pay settlements, judgments, and court orders under R.C. 4735.12 and, as above, appropriates additional amounts for this purpose if necessary.

**Section:    243.20**

Same as the Executive.

Same as the Executive.

**COMCD13      Fire Department Grants****Section:    243.20**

(1) Requires that DPF Fund 5460 appropriation item 800639, Fire Department Grants, be used to make grants to volunteer fire departments, fire departments that serve one or more small municipalities or small townships, joint fire districts comprised of fire departments that primarily serve small municipalities or small townships, local units of government responsible for such fire departments, and local units of government responsible for the provision of fire protection services for small municipalities or small townships.

(2) Requires the grants to be used to purchase firefighting or rescue equipment or gear or similar items, to provide full or partial reimbursement for the documented costs of firefighter training, or, at the discretion of the State Fire Marshal, to cover

**Section:    243.20**

(1) Same as the Executive.

(2) Same as the Executive.

## Executive

## In House Finance

fire department costs for providing fire protection services in the grant recipient's jurisdiction.

(3) Earmarks up to \$1,000,000 in each fiscal year from DPF Fund 5460 appropriation item 800639, Fire Department Grants, to pay for the State Fire Marshal's costs of providing certain firefighter training classes at no cost to selected students, and allows the State Fire Marshal to establish the qualification and selection process for such classes.

(3) Same as the Executive.

(4) Earmarks up to \$3,000,000 in each fiscal year from DPF Fund 5460 appropriation item 800639, Fire Department Grants, to be used for Multi-Agency Radio Communication System (MARCS) grants. Establishes the criteria for the awarding of these grants, including authority for the State Fire Marshal to give a preference to grants that will enhance emergency communication networks in the geographic region that includes and is adjacent to the applicant's jurisdiction. Specifies that the awards may be up to \$50,000 annually per recipient.

(4) Same as the Executive.

(5) Limits grant awards for firefighter or rescue equipment or gear or fire department costs of providing fire protection services to \$15,000 per fiscal year, or up to \$25,000 per fiscal year if an eligible entity serves a jurisdiction in which the Governor declared a natural disaster during the preceding or current fiscal year in which the grant was awarded, and up to \$15,000 per fiscal year for full or partial reimbursement of the documented costs of firefighter training, which could be in addition to any grant funds awarded for equipment or fire protection services. Requires the State Fire Marshal to determine the total amounts to be allocated for each eligible purpose.

(5) Same as the Executive.

## Executive

## In House Finance

(6) Requires the State Fire Marshal to administer the grant program in accordance with rules adopted as part of the State Fire Code, which may further define eligible entities and establish criteria for the awarding and expenditure of grant funds.

(6) Same as the Executive.

(7) Permits any appropriations in excess of the amount allocated for the grants to be used to administer the grant program.

(7) Same as the Executive.

## COMCD22

## Industrial Compliance

No provision.

## Section: 243.20

Earmarks \$1,200,000 in each fiscal year from DPF Fund 5560 appropriation item 800615, Industrial Compliance, to be used for the Bureau of Wage and Hour Administration within the Division of Industrial Compliance.

## COMCD14

## Cash transfers to Division of Real Estate Operating Fund

## Section: 243.30

Allows the OBM Director, upon the request of the COM Director, to transfer up to \$500,000 in cash from the Real Estate Education and Research Fund (Fund 5470) to the Division of Real Estate Operating Fund (Fund 5490) during the biennium.

## Section: 243.30

Same as the Executive, but requires Controlling Board approval before cash is transferred from Fund 5470 to Fund 5490.

## Executive

## In House Finance

**COMCD16      Cash transfers to Small Government Fire Department Services Revolving Loan Fund****Section:    243.30**

Allows the OBM Director, upon the request of the COM Director, to transfer up to \$300,000 in cash from the State Fire Marshal Fund (Fund 5460) to the Small Government Fire Department Services Revolving Loan Fund (Fund 5F10) during the biennium.

**Section:    243.30**

Same as the Executive, but requires Controlling Board approval before cash is transferred from Fund 5460 to Fund 5F10.

**COMCD17      Cash transfers to Home Inspector Operating Fund and the Home Inspector Recovery Fund****Section:    243.30**

Allows the OBM Director, upon the request of the COM Director, to transfer up to \$500,000 in cash from the Division of Securities Fund (Fund 5500) as follows: up to \$490,000 in cash to the Home Inspector Operating Fund (Fund 5VC0) and up to \$10,000 in cash to the Home Inspector Recovery Fund (Fund 5VD0).

Requires the OBM Director, in consultation with the COM Director, to establish a repayment schedule to fully repay the cash transferred from the Divisions of Securities Fund (Fund 5500).

**Section:    243.30**

Same as the Executive, except requires Controlling Board approval before cash is transferred from Fund 5500 to Fund 5VC0 and Fund 5VD0.

Same as the Executive.



## Executive

## In House Finance

**CEBCD3                      Excess money terminology change****R.C.                      131.35**

Changes the terms "federal funds" and "nonfederal funds" to "federal revenue" and "nonfederal revenue" in the law authorizing the Controlling Board to make expenditure and appropriation changes for certain state funds.

**Fiscal effect: None.**

**R.C.                      131.35**

Same as the Executive.

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

**CEBCD1                      Federal share****Section:                247.20**

Requires the Controlling Board, in transferring appropriations to and from appropriation items that have federal shares identified in the bill, to add or subtract corresponding amounts of federal matching funds at the percentages indicated by the state and federal division of the appropriations in the bill, and appropriates such changes.

**Section:                247.20**

Same as the Executive.

**CEBCD2                      Disaster Services Fund****Section:                247.20**

(1) Requires the Controlling Board to use the Disaster Services Fund (Fund 5E20), pursuant to requests submitted by state agencies, to transfer cash used for the payment of state agency disaster relief program expenses for disasters having a written Governor's authorization, if the Director of Budget and Management determines that sufficient funds exist.

**Section:                247.20**

(1) Same as the Executive.

Executive

In House Finance

- (2) Permits the Department of Public Safety to request, and the Controlling Board to approve, cash transfers from Fund 5E20 to any fund used by the Department to provide for assistance to political subdivisions made necessary by natural disasters or emergencies. Permits such transfers to be requested and approved prior to the occurrence of any specific natural disasters or emergencies in order to facilitate the provision of timely assistance.

(3) Requires Public Safety's Emergency Management Agency (EMA) to use the cash to fund: (a) the State Disaster Relief Program for disasters that qualify for the program by written authorization of the Governor, and (b) the State Individual Assistance Program for disasters that have been declared by the federal Small Business Administration and that qualify for the program by written authorization from the Governor. Requires the EMA to publish and make available application packets for those two programs.
- (2) Same as the Executive.

(3) Same as the Executive.

Executive

In House Finance

COSCD1

License or registration exemption if researching or developing a cosmetic

No provision.

R.C.4713.16

Allows an individual to practice a branch of cosmetology without a license or registration if the individual does so for free for the purpose of researching or developing a cosmetic (i.e. a product applied to the human body for cleansing, beautifying, or altering the appearance).

Fiscal effect: Negligible.

Executive

In House Finance

CSWCD2                      Renewal schedule

**R.C.            4757.10, 4757.32, Section 747.20**  
Requires CSW to establish a schedule of deadlines for biennially renewing a license or certificate of registration issued under the Counselor, Social Worker, and Marriage and Family Therapist Law.  
**Fiscal effect: Potential one-time costs to establish a new schedule. If a new schedule is established, there could be a temporary change in the timing of revenues and expenditures that will resolve after the first licensing cycle is complete.**

**R.C.            4757.10, 4757.32, Section 747.20**  
Same as the Executive.  
  
**Fiscal effect: Same as the Executive.**

CSWCD4                      License display

**R.C.            4757.13**  
Eliminates a requirement that a counselor, social worker, or marriage and family therapist prominently display the person's license in a particular location and manner.  
**Fiscal effect: None.**

**R.C.            4757.13**  
Same as the Executive.  
  
**Fiscal effect: Same as the Executive.**

Executive

In House Finance

CSWCD1

Licensure of counselors

**R.C. 4757.18, 4757.22, 4757.23, 4757.25**

Permits an applicant for a professional clinical counselor's license or a professional counselor's licenses to have a degree from any counseling program accredited by the Council for Accreditation of Counseling and Related Education Programs (CACREP) rather than from specified CACREP programs as under current law or through a temporarily approved program under continuing law.

Requires an applicant for a professional clinical counselor's license or a professional counselor's license to participate in a clinical counseling internship rather than a counseling internship as required under current law.

Allows the Counselors Professional Standards Committee of the CSW Board to issue a license by endorsement to a person who does not have a graduate degree in counseling if the person is authorized to practice in another state and meets specified requirements.

**Fiscal effect: Potential minimal increase in costs to process additional licenses, which will be offset by a minimal gain in licensing revenues.**

**R.C. 4757.18, 4757.22, 4757.23, 4757.25**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

Executive

In House Finance

CSWCD3

Social work assistant continuing education

R.C.

4757.33

Reduces, from 30 to 15, the number of hours of continuing education that a person holding a certificate of registration as a social work assistant must complete as a condition of renewing the certificate of registration.

No provision.

Fiscal effect: None.

Executive

In House Finance

BDPCD2

Board of Deposit Expense Fund

Section: 257.10

Requires that after receiving certification of expenses from the Treasurer of State, the Director of Budget and Management transfer cash from the Investment Earnings Redistribution Fund (Fund 6080) to the Board of Deposit Expense Fund (Fund 4M20) to pay for any and all necessary expenses of the Board of Deposit or for banking charges and fees required for the operation of the State of Ohio Regular Account.

Section: 257.10

Same as the Executive.

## Executive

## In House Finance

**DEVCD33 Rural Industrial Park Loan Program**

No provision.

**R.C. 122.26, Section 259.40**

Reinstitutes the Rural Industrial Park Loan Fund (Fund 4Z60) to support the Rural Industrial Park Loan Program, which allows eligible applicants to apply for loans and loan guarantees for the development and improvement of industrial parks in rural areas of Ohio.

No provision.

Requires OBM to transfer \$10.0 million cash from the Facilities Establishment Fund (Fund 7037) to capitalize the Rural Industrial Park Loan Fund (Fund 4Z60) in FY 2020.

**Fiscal effect: The House budget appropriates \$10.0 million in FY 2020 to Fund 4Z60 line item 195647, Rural Industrial Park Loan, for loans under the Rural Industrial Park Loan Program. (Loans under the Rural Industrial Park Loan Program were last distributed in FY 2011.) There will be a corresponding loss of \$10.0 million in cash available in the Facilities Establishment Fund (Fund 7037).**

**DEVCD3 Coal Research and Development Program****Section: 259.20**

Requires GRF appropriation item 195402, Coal Research and Development Program, to be used for the operating expenses of the Community Services Division in support of the Ohio Coal Development Office.

**Section: 259.20**

Same as the Executive.



## Executive

## In House Finance

**DEVCD4            Minority Business Development****Section:    259.20**

Requires GRF appropriation item 195405, Minority Business Development, to support the activities of the Minority Business Development Division, including providing grants to local nonprofit organizations to support economic development activities that promote minority business development, in conjunction with local organizations funded through GRF appropriation item 195454, Small Business and Export Assistance.

**Section:    259.20**

Same as the Executive.

**DEVCD5            Business Development Services****Section:    259.20**

Requires GRF appropriation item 195415, Business Development Services, to be used for the operating expenses of the Office of Strategic Business Investments and the regional economic development offices.

**Section:    259.20**

Same as the Executive.

**DEVCD6            Redevelopment Assistance****Section:    259.20**

Requires GRF appropriation item 195426, Redevelopment Assistance, to be used to fund the costs of administering energy, redevelopment, and other revitalization programs that DSA may implement, and allows the line item to be used to match federal grant funding.

**Section:    259.20**

Same as the Executive.

## Executive

## In House Finance

**DEVCD7            Technology Programs and Grants****Section:    259.20**

Requires GRF appropriation item 195453, Technology Programs and Grants, to be used for operating expenses incurred in administering the Ohio Third Frontier Programs and other technology focused programs that DSA may implement.

No provision.

**Section:    259.20**

Same as the Executive.

Earmarks \$196,400 in each of FY 2020 and FY 2021 from the line item for the Edison Welding Institute, Inc., to support the Aerospace Maintenance Repair and Overhaul - Center of Excellence Project.

**DEVCD8            Small Business and Export Assistance****Section:    259.20**

Allows GRF appropriation item 195454, Small Business and Export Assistance, to be used to provide a range of business assistance, including grants to local organizations to support economic development activities that promote small business development, entrepreneurship, and exports of Ohio's goods and services, in conjunction with local organizations funded through GRF line item 195405, Minority Business Development.

Allows the line item to also be used to match grants from the U.S. Small Business Administration and other federal agencies.

**Section:    259.20**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

## DEVCD9

## Appalachia Assistance

## Section: 259.20

(1) Allows GRF appropriation item 195455, Appalachia Assistance, to be used for (A) the administrative costs of planning and liaison activities for the Governor's Office of Appalachia; (B) financial assistance to projects in Ohio's Appalachian counties; (C) support of the four local development districts; (D) payment of dues for the Appalachian Regional Commission; and (E) match of federal funding received from the Appalachian Regional Commission.

(2) Requires that programs funded through the appropriation item be identified and recommended by the local development districts and approved by the Governor's Office of Appalachia.

(3) Requires DSA to conduct compliance and regulatory review of the programs recommended by the local development districts, and allows moneys allocated under the appropriation item to be used to fund projects including, but not limited to, those designated by the local development districts as community investment and rapid response projects.

(4) Earmarks the following amounts from the line item to support four local development districts in each fiscal year: (A) \$170,000 to Ohio Valley Regional Development Commission, (B) \$170,000 to Ohio Mid-Eastern Government Association, (C) \$170,000 to Buckeye Hills - Hocking Valley Regional Development District, and (D) \$70,000 to Eastgate Regional Council of Governments. Requires the districts receiving this funding to use the funds for the implementation and

## Section: 259.20

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

## Executive

## In House Finance

administration of programs and duties under RC 107.21.

(5) Earmarks up to \$4.0 million per year from the line item for the GRIT Project, to pay for operational costs and to provide virtual job training, virtual job centers, and related training and services consistent with the mission of the Project for high school students and adults residing in Adams, Brown, Highland, Pike, or Scioto counties.

(5) Same as the Executive.

## DEVCD10

## CDBG Operating Match

## Section: 259.20

Requires GRF appropriation item 195497, CDBG Operating Match, to be used as matching state funds for federal assistance received from the U.S. Department of Housing and Urban Development according to the requirements of the Community Development Block Grant Program.

## Section: 259.20

Same as the Executive.

## DEVCD11

## BSD Federal Programs Match

## Section: 259.20

Requires GRF appropriation item 195499, BSD Federal Programs Match, to be used as matching funds for grants from the U.S. Department of Commerce, National Institute of Standards and Technology (NIST) Manufacturing Extension Partnership Program and Defense Logistics Agency Procurement Technical Assistance Program, and other federal agencies. Allows the appropriation item to be used for operating expenses of the Business Services Division.

## Section: 259.20

Same as the Executive.

## Executive

## In House Finance

**DEVCD12            Industry Sector Partnerships****Section:    259.20**

Requires GRF appropriation item 1955533, Industry Sector Partnerships, to be used by DSA, in consultation with the Governor's Office of Workforce Transformation, to create and administer a grant program to support regional industry sector partnerships.

No provision.

Requires DSA, in consultation with the Office, to establish a system for evaluating and scoring grant applications received under the program. Specifies that priority shall be given to partnerships that demonstrate a plan to coordinate regional job training efforts and workforce solutions.

No provision.

**DEVCD34            iBELIEVE**

No provision.

**Section:    259.20**

Specifies that GRF line item 195501, iBELIEVE, be allocated to the iBELIEVE Foundation to provide opportunities for Appalachian youth to develop 21st century skills, including leadership, communication, and problem-solving for college access and retention.

**DEVCD35            Local Development Projects**

No provision.

**Section:    259.20**

Makes two earmarks from the appropriation to GRF line item 195503, Local Development Projects:

## Executive

## In House Finance

No provision.

(1) \$1,000,000 in FY 2020 to provide matching funding for the National Center for Defense Manufacturing and Machining in partnership with either the U.S. Department of Defense or the U.S. Department of Energy to further economic opportunity at America Makes, the National Additive Manufacturing Innovation Institute; and

No provision.

(2) \$15,000 in FY 2020 for the Jewish Foundation of Cincinnati to support workforce development costs involved with assisting in employment services for the financially indigent.

No provision.

Reappropriates the unexpended, unencumbered balance of the appropriation in FY 2020 for the same purpose in FY 2021.

## DEVCD13

## General Obligation bond debt service payments

## Section: 259.25

(1) Requires GRF appropriation item 195901, Coal Research and Development General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs in FY 2020 and FY 2021 for obligations issued to fund the Coal Research and Development Program.

(2) Requires GRF appropriation item 195905, Third Frontier Research and Development General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs in FY 2020 and FY 2021 for obligations issued to fund the Third Frontier Program.

(3) Requires GRF appropriation item 195912, Job Ready Site Development General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs in FY 2020 and

## Section: 259.25

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

## Executive

## In House Finance

FY 2021 for obligations issued to fund the Job Ready Site Program.

## DEVCD14

## Minority Business Bonding Program

## Section: 259.30

(1) Permits the Director of DSA, upon the recommendation of the Minority Development Financing Advisory Board, to pledge up to \$10 million in unclaimed funds in the FY 2020-FY 2021 biennium allocated to the Minority Business Bonding Program.

(2) Permits any transfer of unclaimed funds from the Unclaimed Funds Trust Fund (Fund 5430) to the Minority Bonding Fund (Fund 4490), but specifies that the transfer shall only occur after proceeds of the initial transfer of \$2.7 million authorized by the Controlling Board have been used for that purpose.

(3) Requires that any expenditures made to pay losses arising from the Minority Business Bonding Program be made from Fund 4490 appropriation item 195658, Minority Business Bonding Contingency in the Minority Business Bonding Fund, and appropriates such amounts.

## Section: 259.30

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

## DEVCD15

## Business Assistance Programs

## Section: 259.30

Requires Fund 4510 appropriation item 195649, Business Assistance Programs, to be used to cover the administrative expenses associated with the operation of loan incentives within the Office of Strategic Business Investments.

## Section: 259.30

Same as the Executive.

Executive

In House Finance

DEVCD16

State Special Projects Fund

Section: 259.30

Permits the State Special Projects Fund (Fund 4F20) to be used for the deposit of funds from private utility companies and other miscellaneous state funds, and allows funds to be used to match federal funding and to support programs of the Community Services Division.

Section: 259.30

Same as the Executive.

DEVCD17

Minority Business Enterprise Loan

Section: 259.30

Requires Minority Business Enterprise Loan Fund (Fund 4W10) line item 195646, Minority Business Enterprise Loan, to be used for awards under the Minority Business Enterprise Loan Program and to cover operating expenses of the Minority Business Enterprise Division. Requires all repayments from program to be credited to the Fund 4W10.

Section: 259.30

Same as the Executive.



Executive

In House Finance

DEVCD18

Advanced Energy Loan Programs

Section: 259.30

Requires Fund 5M50 appropriation item 195660, Advanced Energy Loan Programs, to be used to provide financial assistance to customers for eligible advanced energy projects for residential, commercial, and industrial businesses; local governments; educational institutions; nonprofits; and agriculture customers. Allows the line item to be used to match federal grant funding and to pay administrative costs of the program.

Section: 259.30

Same as the Executive.

DEVCD19

Industry-Recognized Credentials

Section: 259.30

Requires Fund 5VK0 line item 195555, Industry-Recognized Credentials, to be used to establish a financial assistance program to support students who are enrolled in a post-secondary education or training provider program that may be completed in less than one year and for which college credit, a certificate, or an industry-recognized credential is awarded. Allows DSA, in consultation with the Department of Higher Education, to adopt rules governing the administration and criteria for making awards under the new program.

No provision.

No provision.

Executive

In House Finance

DEVCD20

Volume Cap Administration

Section: 259.30

Requires Fund 6170 appropriation item 195654, Volume Cap Administration, to be used for expenses related to the administration of the Volume Cap Program, and specifies that revenues received by the Volume Cap Administration Fund (Fund 6170) shall consist of application fees, forfeited deposits, and interest earned from the custodial account held by the Treasurer of State.

Section: 259.30

Same as the Executive.

DEVCD21

Development Services Operations

Section: 259.40

Authorizes the Director of Development Services to assess DSA's divisions for the costs of central service operations, requires assessments to contain the characteristics of administrative ease and uniform application, and requires such payments to be credited to the Supportive Services Fund (Fund 1350) using an intrastate transfer voucher.

Section: 259.40

Same as the Executive.

## Executive

## In House Finance

**DEVCD22      Development Services Reimbursable Expenditures****Section:    259.40**

Requires Fund 6850 appropriation item 195636, Development Services Reimbursable Expenditures, to be used for reimbursable costs. Specifies that revenues to the General Reimbursement Fund (Fund 6850) consist of moneys charged for administrative costs that are not central service costs and repayment of loans, including the interest thereon, made from the Water and Sewer Fund (Fund 4440).

**Section:    259.40**

Same as the Executive.

**DEVCD23      Capital Access Loan Program****Section:    259.50**

Requires Fund 5590 appropriation item 195628, Capital Access Loan Program, to be used for operating, program, and administrative expenses of the Capital Access Loan Program, and requires program funds to be used to assist participating financial institutions in making program loans to eligible businesses that face barriers in accessing working capital and obtaining fixed-asset financing.

Allows the Director of OBM to transfer of up to \$1 million cash in each fiscal year from the Minority Business Enterprise Loan Fund (Fund 4W10) to the Capital Access Loan Fund (Fund 5590).

**Section:    259.50**

Same as the Executive, but requires loans financed with assistance under the program to be subject to Controlling Board approval.

Same as the Executive, but requires Controlling Board approval of the cash transfers.

## Executive

## In House Finance

**DEVCD24            Innovation Ohio****Section:    259.50**

Requires Fund 7009 appropriation item 195664, Innovation Ohio, to be used for Innovation Ohio Program loan guarantees and loans pursuant to RC 166.12 to 166.16.

**Section:    259.50**

Same as the Executive.

**DEVCD25            Research and Development****Section:    259.50**

Requires Fund 7010 appropriation item 195665, Research and Development, to be used for research and development purposes, including loans, pursuant to RC 166.17 to 166.21.

**Section:    259.50**

Same as the Executive.

**DEVCD26            Facilities Establishment****Section:    259.50**

(1) Specifies that Fund 7037 appropriation item 195615, Facilities Establishment, be used for the purposes of the Facilities Establishment Fund (Fund 7037) under Chapter 166. of the Revised Code.

(2) No provision.

**Section:    259.50**

(1) Same as the Executive.

(2) Earmarks up to \$5.2 million in FY 2020 from line item 195615 to offer a loan to The Ohio State University for the development and clinical evaluation of a non-opiate, non-addictive pharmaceutical treatment intervention's efficacy to reduce a physician's reliance upon and limit a patient's initial exposure to opioids. Provides that the loan be structured so that meeting benchmarks allows future forgiveness of the loan. (The Executive budget includes a similar earmark under GRF

Executive

In House Finance

(3) Allows the transfer of cash from Fund 7037, in the following amounts in each fiscal year: (A) up to \$3,500,000 to the Business Assistance Fund (Fund 4510), subject to Controlling Board approval; (B) up to \$2 million to the Minority Business Enterprise Loan Fund (Fund 4W10); and (C) up to \$2 million to the Capital Access Loan Fund (Fund 5S90).

appropriation item 651525, Medicaid Health Care Services, in the Department of Medicaid budget, see MCD4CD4)

(3) Same as the Executive, but also requires Capital Access Loans and the cash transfers in (B) and (C) to be subject to Controlling Board approval.

DEVCD27

Third Frontier Program operating costs

Section: 259.60

Requires appropriation items 195686 and 195620 to be used for Third Frontier Program operating expenses under RC 184.10 to 184.20.

Restricts expenses paid from line item 195686 to costs related to the administration of projects funded from the Third Frontier Research and Development Fund (Fund 7011), and expenses paid from line item 195620 to costs related the administration of projects funded from the Third Frontier Research & Development Taxable Bond Project Fund (Fund 7014).

Section: 259.60

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**DEVCD28      Third Frontier Program funding for research and development projects****Section:    259.60**

Requires appropriation items 195687 and 195692 to be used to fund selected projects, which may include the internship programs. Specifies that eligible costs are the costs of the projects to which the Third Frontier Research and Development Fund (Fund 7011) and the Research and Development Taxable Bond Project Fund (Fund 7014) are to be applied.

**Section:    259.60**

Same as the Executive.

**DEVCD29      Transfers of appropriations supporting the Third Frontier Program****Section:    259.60**

Permits OBM to approve written requests from DSA for the transfer of appropriations between appropriation items 195687 and 195692 based upon Third Frontier Program awards recommended by the Third Frontier Commission.

Authorizes DSA to request that OBM reappropriate any unexpended, unencumbered balance of the FY 2020 appropriations to line items 195687 and 195692 for the same purposes in FY 2021. Allows OBM to request additional information to evaluate the requests before making the cash transfers. Reappropriates the cash transfer amounts approved by the OBM in FY 2021.

**Section:    259.60**

Same as the Executive.

Same as the Executive.

Executive

In House Finance

DEVCD30

HEAP Weatherization

Section: 259.70

Allows up to 20% of the federal funds credited to the Home Energy Assistance Block Grant Fund (Fund 3K90) to be spent from appropriation item 195614, HEAP Weatherization, to be used to provide home weatherization services as determined by DSA.

Section: 259.70

Same as the Executive.

DEVCD31

Coordination of benefits

Section: 701.30

Allows DSA to collaborate with the Department of Job and Family Services to coordinate benefits available to eligible Ohioans. Requires the agencies to work to produce new efficiencies and prevent duplication of efforts by evaluating current procedures and working toward a goal of developing a single application for eligible customers.

Section: 701.30

Same as the Executive.

Executive

In House Finance

DEVCD32

Recovery housing pilot program

Section:

701.40

Requires DSA to work with the Department of Mental Health and Addiction Services (MHA) to develop a pilot program in partnership with rural Ohio counties hard hit by the opioid epidemic to enhance funding availability for recovery housing. Allows this partnership to include local OhioMeansJobs and Job and Family Services entities to develop workforce job training and employer participation for those individuals participating in recovery housing programs.

**Fiscal effect:** Additional operating costs to DSA and MHA to develop and implement the program, some of which may be absorbed into ongoing duties. DSA would incur the majority of these expenses.

Section:

701.40

Same as the Executive, but switches the roles of the two agencies operating the pilot program, so that MHA is the lead agency that must work with DSA to develop the pilot program.

**Fiscal effect:** Likely shifts more of the costs to MHA as the lead agency.



## Executive

## In House Finance

**DDDCD19 Central intake and referral system for home visiting programs****R.C. 3701.611**

Excludes services provided under Part C of the federal Individuals with Disabilities Education Act from the central intake and referral system used to refer families to those services as well as home visiting services.

**Fiscal effect: Potential increase in ODODD costs and a subsequent decrease in ODH costs related to the system.**

**R.C. 3701.611**

Same as the Executive.

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

**DDDCD18 Employment First Task Force****R.C. 5123.023**

Requires, rather than permits, the Director of ODODD to establish an Employment First Task Force to improve the coordination of the state's efforts to address the needs of individuals with developmental disabilities who seek community employment.

Removes the sunset provisions that would, on January 1, 2020, eliminate the Task Force.

**Fiscal effect: None, the Task Force is already established.**

**R.C. 5123.023**

Same as the Executive.

Same as the Executive.

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

## Executive

## In House Finance

**DDDCD24 Interagency Workgroup on Autism****R.C. 5123.0419**

Requires, rather than permits, the Director of ODODD to establish an Interagency Workgroup on Autism to improve the coordination of the state's efforts to address the service needs of individuals with autism spectrum disorders.

**Fiscal effect: None, the Interagency Workgroup is already established.**

**R.C. 5123.0419**

Same as the Executive.

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

**DDDCD21 Reimbursement for workgroup members' travel expenses****R.C. 5123.0424**

Permits the Director of ODODD to provide for reimbursement for travel expenses for a workgroup's official members who represent families or are advocates of individuals with developmental disabilities if certain conditions are met.

Provides that the amount of reimbursement cannot exceed the rates the Director of OBM establishes in rules for the travel expenses of officers, members, employees, and consultants of state agencies.

**Fiscal effect: Potential minimal increase for travel expenses.**

**R.C. 5123.0424**

Same as the Executive.

Same as the Executive.

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

**DDDCD29 Background checks for conditionally employed applicants****R.C. 5123.081**

Requires ODODD, or other hiring entity, to request a criminal records check before conditionally employing an applicant.

**Fiscal effect: None.**

**R.C. 5123.081**

Same as the Executive.

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

## Executive

## In House Finance

**DDDCD27      Citizen's Advisory Council membership****R.C.      5123.092, Section 751.10**

Reduces the membership of a citizen's advisory council appointed for an institution under ODODD's control to seven members from 13.

Increases the term of advisory council officers from one to three years. Permits a member to serve as an officer until no longer a council member in place of a provision limiting an officer to serving no more than two consecutive one-year terms.

Designates an institution's managing director as the individual responsible for nominating persons to fill council vacancies.

Eliminates a current law provision that permits a member's removal from the council based on several successive, unexcused absences from council meetings.

**Fiscal effect: Potential minimal decrease in travel reimbursements for fewer members.**

**R.C.      5123.092, Section 751.10**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**DDDCD22      Adjudication orders against supportive living certificates****R.C.      5123.166, 5123.0414**

Permits the Director of ODODD, for good cause, to suspend a supported living certificate holder's authority to expand or add supported living services.

Expands the Director of ODODD's authority to issue a summary suspension of a supported living certificate holder's authority to continue to provide supported living if there is a danger of immediate and serious harm or clear and convincing evidence

**R.C.      5123.166, 5123.0414**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

that the certificate holder engaged in certain conduct.

**Fiscal effect: No direct fiscal impact.**

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

**DDDCD26 Residential facility vacancy database****R.C. 5123.193**

Requires the Director of ODODD to establish and maintain on ODODD's website a searchable database of vacancies in licensed residential facilities, based on information provided by residential facility operators.

**Fiscal effect: Potential administrative and information technology costs.**

**R.C. 5123.193**

Same as the Executive.

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

**DDDCD32 Protection and advocacy system and client assistance program**

No provision.

**R.C. 5123.603**

Requires the Senate President and Speaker of the House of Representatives to establish every two years a joint committee to examine whether a new entity should be designated to serve as the state's advocacy and protection system and client assistance program.

No provision.

Requires the joint committee to submit to the Senate President, Speaker, and Governor a report containing its recommendations every two years.

**Fiscal effect: Potential increase in administrative costs.**

## Executive

## In House Finance

**DDDCD20 Specialized treatment units for minors****R.C. 5123.691**

Permits the managing officer of an institution, with the concurrence of the chief program director, to admit into a specialized treatment unit children ages 10-17 who are in behavior crisis and have serious behavioral challenges.

Requires a child's parent or legal guardian to enter into a memorandum of understanding with the county DD board and ODODD specifying each party's responsibilities and the duration of admission.

Limits the initial duration of admission to 180 days, but permits the child's parent or guardian to petition ODODD to extend admission to a maximum of one year.

**Fiscal effect: Potential increase in ICF/IID costs depending on the number of children impacted.**

**R.C. 5123.691**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**DDDCD23 County DD board projections and plans****R.C. 5126.054, 5126.053, 5123.046, 5126.056, 5166.22**

Requires each county DD board to annually submit to ODODD a five-year projection of revenues and expenditures.

Authorizes ODODD to conduct additional reviews to assess a county DD board's fiscal condition.

Requires each county DD board to develop an annual plan, instead of a three-calendar year plan, and generally limits the information in the annual plan to information regarding waiting lists and home and community-based services.

**R.C. 5126.054, 5126.053, 5123.046, 5126.056, 5166.22**

Same as the Executive.

Same as the Executive

Same as the Executive

## Executive

## In House Finance

**Fiscal effect: Potential administrative and information technology costs.**

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

**DDDCD28      Quality assurance reviews**

**R.C.      5126.15, 5126.055**

Eliminates a requirement that (1) county DD boards' service and support administrators perform quality assurance reviews as a distinct function of service and support administration and (2) a service and support administrator incorporate the results of those reviews into amendments of an individual's service plan.

**Fiscal effect: None.**

**R.C.      5126.15, 5126.055**

Same as the Executive.

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

**DDDCD25      Annual cost report audits**

**R.C.      5126.131**

Eliminates the requirement that ODODD audit the annual cost reports of all county DD boards and regional councils, and instead gives it discretion to conduct an audit.

**Fiscal effect: Potential savings.**

No provision.

**DDDCD33      County Developmental Disabilities Medicaid Reserve Fund**

No provision.

**R.C.      5705.091**

Allows county DD boards to request that the board of county commissioners establish a County Developmental Disabilities Medicaid Reserve Fund, which may be used for providing services to individuals with developmental disabilities, or to ensure the availability of adequate funds in the event a county property tax levy for developmental disabilities services fails.

## Executive

## In House Finance

Fiscal effect: Potential increase in revenues for county DD boards if they request the establishment of such a fund. Potential diversion of other county funds to this fund.

**DDDCD36 Special Olympics**

No provision.

**Section: 261.15**

Requires GRF appropriation item 320411, Special Olympics, be distributed to the Special Olympics of Ohio.

**DDDCD1 Developmental disabilities facilities lease-rental bond payments****Section: 261.20**

Requires ODODD to use GRF appropriation item 320415, Developmental Disabilities Facilities Lease Rental Bond Payments, to meet all payments pursuant to leases and agreements made under state law regarding capital facilities. 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.

**Section: 261.20**

Same as the Executive.

**DDDCD2 Screening and Early Identification****Section: 261.30**

Requires GRF appropriation item 322420, Screening and Early Identification, to be used, at the discretion of ODODD, for professional and program development related to early identification/screening and intervention for children with autism and other complex developmental disabilities and their families.

**Section: 261.30**

Same as the Executive.

## Executive

## In House Finance

DDDCD37

## Part C Early Intervention

No provision.

## Section: 261.35

Requires \$750,000 in each fiscal year from GRF appropriation item 322421, Part C Early Intervention, be used to contract with Ohio's sight centers in Cleveland, Cincinnati, and Northwest Ohio to provide early intervention services and family support for children under the age of three with blindness or low vision.

DDDCD3

## Family support services subsidy

## Section: 261.40

Permits GRF appropriation item 322451, Family Support Services, to be used for the following purposes:

(1) To provide a subsidy in quarterly installments to county DD boards for family support services provided under section 5126.11 of the Revised Code according to a formula developed by the ODODD Director in consultation with representatives of county DD boards; and

(2) To distribute funds to county DD boards for the purpose of addressing economic hardships and to promote efficiency of operations.

Specifies that a county DD board is not to use more than 7% of its subsidy for administrative costs.

## Section: 261.40

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.



## Executive

## In House Finance

## DDDCD4

## Employment First Initiative

## Section: 261.60

Requires that GRF appropriation item 322508, Employment First Initiative, be used to increase employment opportunities for individuals with DD through the existing Employment First Initiative.

Requires the ODODD Director in each fiscal year to transfer from GRF appropriation item 322508, to the Opportunities for Ohioans with Disabilities Agency (OOD), an amount agreed upon by the ODODD Director and the OOD Executive Director to support the Employment First Initiative and requires that the transfer be made via an intrastate transfer voucher.

Requires OOD to use the funds transferred as state matching funds to obtain available federal grant dollars for vocational rehabilitation services, and requires that any federal match dollars received by OOD be used for the initiative.

Requires the ODODD Director and the OOD Executive Director to enter into an interagency agreement that will specify the responsibilities of each agency under the initiative, and specifies that OOD must retain responsibility for eligibility determination, order of selection, plan approval, plan amendment, and release of vendor payments.

Requires that the remainder of GRF appropriation item 322508 be used to develop a long term, sustainable system that places individuals with DD in community employment.

## Section: 261.60

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

Fiscal effect: Potential gain in federal vocational rehabilitation (VR) dollars to OOD in each fiscal year depending upon the amount that is transferred to OOD.

Fiscal effect: Same as the Executive.

## DDDCD5

## Community Supports and Rental Assistance

## Section: 261.70

Allows the ODODD Director to use GRF appropriation item 322509, Community Supports and Rental Assistance, to provide funding to county DD boards for rental assistance to individuals with developmental disabilities receiving home and community-based services under certain circumstances and individuals with developmental disabilities who enroll in a Medicaid waiver component providing home and community-based services after receiving preadmission counseling.

Requires the ODODD Director to establish methodology for determining the amount and distribution of the funding to county DD boards for rental assistance.

## Section: 261.70

Same as the Executive.

Same as the Executive.

## DDDCD38

## Community Program Support

No provision.

## Section: 261.75

Requires new GRF appropriation item 322502, Community Program Support, be distributed to the Halom House, Inc.

## Executive

## In House Finance

## DDDCD6

## Medicaid Services

## Section: 261.80

Requires GRF appropriation item 653407, Medicaid Services, to be used for the following: (1) to fund home and community-based services; (2) to implement the requirements of the agreements settling the consent decrees in Sermak v. Manuel and Martin v. Strickland; (3) ICF/IID services; and (4) other programs identified by the ODODD Director.

## Section: 261.80

Same as the Executive.

## DDDCD7

## Operating and Services

## Section: 261.90

Requires \$100,000 in each fiscal year in DPF Fund 5GE0 appropriation item 320606, Central Office Operating Expenses, be provided to 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.

## DDDCD8

## Nonfederal match for active treatment services

## Section: 261.100

Requires that any funds received by ODODD from county DD boards for active treatment be deposited into the Developmental Disabilities Operating Fund (Fund 4890).

## Section: 261.100

Same as the Executive.

## Executive

## In House Finance

## DDDCD9

## System Transformation Supports

## Section: 261.110

Allows the ODODD Director to use DPF Fund 5QM0 appropriation item 320607, System Transformation Supports, to:

- (1) Purchase residential facility beds in order to reduce the number of beds certified for participation in Medicaid as ICF/IID beds; and
- (2) Fund other system transformation initiatives identified by the ODODD Director.

## Section: 261.110

Same as the Executive, but makes the following changes:

- (1) No provision.
- (2) Same as the Executive, but removes the word "other."

## DDDCD10

## Reduction of certified residential facility beds

## Section: 261.111

Allows the ODODD Director to purchase one or more residential facility beds for the purpose of reducing the number of beds that are certified for participation in Medicaid as ICF/IID beds.

Requires the ODODD Director to establish priorities for the purchase of beds which may include beds in a building in which a nursing facility is also located and beds located in a residential facility that has a licensed capacity of 16 or more beds.

Requires the purchase price of a bed to be the price the Director determines is reasonable based on the established

Provides that the purchase does not have to be done by competitive selection.

No provision.

No provision.

No provision.

No provision.

Executive

In House Finance

DDDCD11      Community Social Service Programs

Section:    261.120

Allows a portion of FED Fund 3250 appropriation item 322612, Community Social Service Programs, to be used by the Early Intervention Services Advisory Council for the following purposes, in addition to other necessary and allowed uses of funds:

- (1) Conduct forums and hearings;
  - (2) Reimburse council members for reasonable and necessary expenses, including child care expenses for parent representatives, for attending council meetings and performing council duties;
  - (3) Pay compensation to a council member if the member is not employed or must forfeit wages from other employment when performing official council business;
  - (4) Hire staff; and
  - (5) Obtain the services of professional, technical, and clerical personnel as necessary to carry out the performance of its lawful functions.
- Specifies that council members must otherwise serve without compensation or reimbursement.

Section:    261.120

Same as the Executive.

- (1) Same as the Executive.
  - (2) Same as the Executive.
  - (3) Same as the Executive.
  - (4) Same as the Executive.
  - (5) Same as the Executive.
- Same as the Executive.

## Executive

## In House Finance

**DDDCD12 County board share of waiver services****Section: 261.130**

Requires the ODODD Director to establish a methodology to be used in FY 2020 and FY 2021 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 ODODD Director to provide written notice of the amount owed by each county DD board for each quarter and also specify when the payment is due.

**Section: 261.130**

Same as the Executive.

Same as the Executive.

**DDDCD13 Withholding of funds owed ODODD****Section: 261.140**

Permits ODODD to withhold any amount due to a county DD board if the county DD board does not fully pay any amount owed to ODODD by the due date established by ODODD. Allows the ODODD Director to transfer cash to any other fund used by ODODD in an amount equal to the amount owed to ODODD that the county DD board did not pay. Specifies that transfers under this section must be made using an intrastate transfer voucher.

**Section: 261.140**

Same as the Executive.

## Executive

## In House Finance

**DDDCD14      Developmental center services****Section:    261.150**

Permits a developmental center to provide services to persons with 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.

**Section:    261.150**

Same as the Executive.

**DDDCD15      ODODD innovative pilot projects****Section:    261.160**

Permits the ODODD Director to authorize the continuation or implementation of innovative pilot projects that are likely to assist in promoting the objectives of state law governing ODODD and county DD boards.

No provision.

Requires the ODODD Director, before authorizing a pilot project, to consult with entities interested in the issue of developmental disabilities, including the Ohio Provider Resource Association, the Ohio Association of County Boards of Developmental Disabilities, the Ohio Health Care Association/Ohio Centers for Intellectual Disabilities, the Values and Faith Alliance, and ARC of Ohio.

No provision.

Specifies that the ODODD Director may not authorize a pilot project to be implemented in a manner that would cause the state to be out of compliance with any requirements for a program funded in whole or in part with federal funds.

No provision.

## Executive

## In House Finance

**DDDCD16      Nonfederal share of ICF/IID services****Section:    261.200**

Requires the ODODD Director to pay the nonfederal share of a claim for ICF services using subsidies otherwise allocated to county DD boards if (1) Medicaid covers the services, (2) the services are provided to a Medicaid recipient who is eligible for the services and who does not occupy a bed in the ICF that used to be included in the Medicaid-certified capacity of another ICF certified before June 1, 2003, (3) the services are provided by an ICF whose Medicaid certification was initiated or supported by a county DD board, and (4) the provider has a valid Medicaid provider agreement for the time the services are provided.

Requires the ODODD Director to use certain funds from GRF appropriation item 653407, Medicaid Services, to pay any claims.

**Section:    261.200**

Same as the Executive.

Same as the Executive.

**DDDCD17      Payment rates for homemaker/personal care services****Section:    261.210**

Provides for the Medicaid payment rate for each 15 minutes of routine homemaker/personal care services provided to a qualifying enrollee of the Individual Options (IO) Waiver Program to be, for 12 months, 52 cents higher than the Medicaid payment rate in effect on the day the services are provided for each 15 minutes of such services provided to an IO enrollee who is not a qualifying enrollee.

Specifies that portions of GRF appropriation item 653407, Medicaid Services, and FED Fund 3A40 appropriation item

**Section:    261.210**

Same as the Executive.

Same as the Executive.



## Executive

## In House Finance

653654, Medicaid Services, are to be used to pay the Medicaid payment rate determined for routine homemaker/personal care services provided to qualifying IO enrollees.

**Fiscal effect: This provision is a continuation of current policy. The fiscal impact depends on service utilization and the number of individuals who qualify for the increased rate.**

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

DDDCD39 Direct support professional rate increase

No provision.

**Section: 261.220**

Requires the Medicaid rate for homemaker/personal care services provided between January 1, 2020 and July 1, 2021, by direct support professionals under a ODODD-administered Medicaid waiver to be \$13 per hour.

**Fiscal effect: In the As Introduced version of the bill, appropriations supported a pay increase from \$11.12 to \$11.75 per hour beginning on January 1, 2020 and another pay increase to \$12.38 beginning on January 1, 2021. To support the change in the pay rate to \$13 per hour beginning on January 1, 2020, appropriations have been increased as follows: GRF appropriation item 653407, Medicaid Services, by \$21.2 million in FY 2020 and \$31.8 million in FY 2021 and FED Fund 3A40 appropriation item 653654, Medicaid Services, by \$36.3 million in FY 2020 and \$54.2 million in FY 2021.**

## Executive

## In House Finance

**DDDCD31      Adult day support and nonmedical transportation workgroup**

No provision.

**Section:    261.230**

Requires the Director of ODODD to establish a workgroup regarding adult day support and nonmedical transportation services provided under the Medicaid waivers administered by ODODD.

No provision.

Requires the workgroup to recommend changes to the payment system for the services.

No provision.

Prohibits ODODD from implementing payment changes until the workgroup submits its report.

**Fiscal effect: Potential minimal increase in administrative costs.**

**DDDCD30      Medicaid rates for ICF/IID services****Sections:    601.03, 601.04, 601.05**

Amends Section 261.168 of H.B. 49 of the 132nd G.A. to do the following:

(1) Provide that the mean FY 2020 and FY 2021 Medicaid rates for ICFs/IID in peer groups 1-B and 2-B as determined under an older formula after certain modifications are made cannot exceed \$290.10.

(2) Require ODODD to reduce the FY 2020 and FY 2021 Medicaid rates for ICFs/IID in peer groups 1-B and 2-B as determined under an older formula if the federal government requires that the ICF/IID franchise permit fee be reduced or

**Sections:    601.03, 601.04, 601.05**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Executive

In House Finance

Fiscal effect: This provision continues the current average per diem for ICFs/IID receiving payments under the old formula. A new ICF/IID formula was established in the last G.A., but the law allowed for the old reimbursement method with some modifications to be operated until July 1, 2021, so providers could receive payments under whichever method resulted in a higher payment. According to ODODD, few providers are reimbursed under the old formula.

Fiscal effect: Same as the Executive.

## Executive

## In House Finance

School Funding

## EDUCD39

## Student wellness and success funding

**R.C. 3317.0219, 3314.088, 3317.163, 3317.26, 3326.42**

Provides student wellness and success funding on a per-pupil basis to city, local, and exempted village school districts based on the number of students who were enrolled in the district in the preceding fiscal year.

Requires ODE to rank and group the districts into quintiles each fiscal year based on the percentage of children under 18 years old residing in each district with a family income below 185% of the Federal Poverty Guidelines, using the most recent five-year estimates published by the U.S. Census Bureau in the American Community Survey (the district's "poverty percentage").

Specifies the following per pupil amounts for FY 2020 based on a district's quintile (from highest poverty to lowest): (1) \$250 for districts in the highest quintile, (2) \$200 for districts in the second highest quintile, (3) \$110 for districts in the third highest quintile, (4) \$50 for districts in the fourth highest quintile, and (5) \$20 for districts in the fifth highest quintile.

Specifies the following per pupil amounts for FY 2021 based on a district's quintile (from highest poverty to lowest): (1) \$300 for districts in the highest quintile, (2) \$240 for districts in the second highest quintile, (3) \$130 for districts in the third highest quintile, (4) \$60 for districts in the fourth highest quintile, and (5) \$25 for districts in the fifth highest quintile.

**R.C. 3317.0219, 3314.088, 3317.163, 3317.26, 3326.42**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive, but increases the per pupil amounts for FY 2021 based on a district's quintile (from highest poverty to lowest) as follows: (1) \$360 for districts in the highest quintile, (2) \$290 for districts in the second highest quintile, (3) \$155 for districts in the third highest quintile, (4) \$70 for districts in the fourth highest quintile, and (5) \$30 for districts in the fifth highest quintile.

## Executive

## In House Finance

Provides an additional scaled amount of funding for districts not in the highest quintile according to a district's poverty percentage in relation to the range of poverty percentages within the quintile and the base per-pupil amounts of the quintiles.

Same as the Executive.

Provides student wellness and success funding, on a full-time equivalency basis, to joint vocational school districts (JVSDs), community schools other than e-schools, and STEM schools based on the per-pupil amount of this funding paid to each student's district of residence.

Same as the Executive.

Specifies that each school district, JVSD, community school other than an e-school, and STEM school will receive at least \$25,000 for FY 2020 and \$30,000 for FY 2021.

Same as the Executive, but increases the minimum amount for FY 2021 to \$36,000.

Provides each e-school with \$25,000 for FY 2020 and \$30,000 for FY 2021 in student wellness and success funding.

Same as the Executive, but increases the amount for FY 2021 to \$36,000.

No provision.

Provides an additional payment of student wellness and success enhancement funds to city, local, and exempted village school districts that received supplemental targeted assistance funding for fiscal year 2019, in an amount equal to the product of (1) \$50, for FY 2020, or \$75, for FY 2021, (2) the square of the quotient of the district's poverty percentage under the base payment described above for the fiscal year for which the calculation is made divided by 36%, and (3) the district's enrolled student count for the preceding fiscal year.

No provision.

Provides student wellness and success enhancement funds, on a full-time equivalency basis, to joint vocational school districts, community schools that are not e-schools, and STEM schools based on the per-pupil amount of student wellness and success

## Executive

## In House Finance

Requires student wellness and success funds to be used on any of the following: (1) mental health services, (2) services for homeless youth, (3) services for child welfare involved youth, (4) community liaisons, (5) physical health care services, (6) mentoring programs, (7) family engagement and support services, (8) City Connects programming, (9) professional development regarding the provision of trauma informed care, and (10) professional development regarding cultural competence.

Requires each district and school to develop a plan for utilizing the funding in coordination with one or more specified community organizations.

Requires each district and school to submit a report to ODE at the end of each fiscal year describing the initiatives on which the district's or school's student wellness and success funds were spent.

**Fiscal effect:** The bill earmarks \$250 million in FY 2020 and \$300 million in FY 2021 from GRF appropriation item 200550, Foundation Funding, to make the student wellness and success funds payments (see EDUCD12).

enhancement funding paid to each student's resident district (provided that district is eligible for enhancement funding), based on the students enrolled in the district or school in the preceding fiscal year.

Same as the Executive, but also applies the requirement to the enhancement funding described above.

Same as the Executive, but also applies the requirement to the enhancement funding described above.

Same as the Executive, but also applies the requirement to the enhancement funding described above.

**Fiscal effect:** Increases appropriations for the payments to a total of \$275 million in FY 2020 and \$400 million in FY 2021 and shifts appropriations for the payments from the GRF to a combination of DPF Fund 5VS0 appropriation item 200604, Student Wellness and Success, and SLF Fund 7017 appropriation item 200625, Student Wellness and Success (see EDUCD101 and EDUCD102).

Executive

In House Finance

EDUCD76      State aid adjustment for districts with TPP value changes

No provision.

**R.C.      3317.028, Section 733.10**

Eliminates the deduction from a school district’s state foundation aid of the difference between the district’s aid as originally computed with, generally, three-year average total taxable value and as recomputed with value from the preceding tax year. (Under current law, this deduction is made for each district that experiences an increase in public utility tangible personal property (PUTPP) value of more than 10% compared to its total taxable value in the second preceding tax year, which results in lower foundation aid when aid is recomputed.)

No provision.

Requires ODE to credit districts for funds deducted due to such valuation increases between tax years 2017 and 2018.

**Fiscal effect: Increases state expenditures and district revenues in FY 2020 because, under current law, the FY 2019 deductions would have been applied against payments made in FY 2020. ODE projects deductions in state aid totaling \$2.6 million due to valuation increases between TY 2017 and TY 2018 as part of the state aid recomputation for FY 2019.**

## Executive

## In House Finance

**EDUCD61            Operating funding for FY 2020 and FY 2021****Section:    265.215**

Suspends current law school funding payments made under Chapter 3317. of the Revised Code except for certain payments, including: (1) foundation aid to school districts (see EDUCD43) and JVSDs (see EDUCD44); (2) certain foundation aid adjustments; (3) special education transportation reimbursements, (4) auxiliary services, (5) nonpublic school administrative cost reimbursement; (6) payments to certain nuclear power plant districts; (7) preschool special education; (8) special education catastrophic cost reimbursements; and (9) special education for school-age children at county developmental disabilities boards and institutions.

Requires ODE to use the state share index or state share percentage computed for a district for FY 2019 for purposes of computing FY 2020 and FY 2021 payments for other than foundation aid for which the state share index or state share percentage is a factor.

Specifies that, for purposes of open enrollment, College Credit Plus, and any other payments for which the “formula amount” is used, the formula amount for FY 2020 and FY 2021 equals the formula amount for FY 2019 (\$6,020).

Specifies that the special education catastrophic cost threshold for FY 2020 and FY 2021 is \$27,375 for students in categories two through five special education ADM and \$32,850 for students in category six special education ADM.

**Section:    265.215**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.



## Executive

## In House Finance

Requires, for the purpose of making school funding payments, school districts and ESCs to continue reporting student enrollment data and the Tax Commissioner to continue to reporting property valuation and receipts for school districts, as prescribed by current law.

Same as the Executive.

**EDUCD43****Traditional school district funding****Sections: 265.220, 265.215**

Suspends the use of the current law foundation aid formula for city, local, and exempted village school districts for FY 2020 and FY 2021 and, instead, provides every school district with the same amount of foundation aid as the district received in FY 2019.

**Fiscal effect: Allocates an estimated \$8.07 billion in both FY 2020 and FY 2021 for foundation aid for traditional school districts (prior to any deductions and transfers).**

**Sections: 265.220, 265.215**

Same as the Executive.

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

**EDUCD44****Joint vocational school district funding****Sections: 265.225, 265.215**

Suspends the use of the current law foundation aid formula for JVSDs for FY 2020 and FY 2021 and, instead, provides every JVSD with the same amount of foundation aid as the district received in FY 2019.

**Fiscal effect: Allocates an estimated \$304.5 million in both FY 2020 and FY 2021 for foundation aid to JVSDs.**

**Sections: 265.225, 265.215**

Same as the Executive.

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

## Executive

## In House Finance

**EDUCD45            Community school funding****Section:    265.230**

Maintains the FY 2019 dollar amounts used to calculate per pupil deductions from school districts and transfers to community schools for FY 2020 and FY 2021.

Specifies that the per-pupil amounts deducted and paid to community schools for targeted assistance and economically disadvantaged funds, which are computed based on an amount calculated for the student's resident district, must be the same amounts deducted and paid for FY 2019.

Requires ODE to pay each community school graduation and third-grade reading bonuses equal to the school's payments for those bonuses for FY 2019.

**Fiscal effect: In FY 2019, transfers of state aid to community schools are estimated to be about \$847.7 million.**

**Section:    265.230**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**EDUCD46            STEM school funding****Section:    265.235**

Maintains the FY 2019 dollar amounts used to calculate per pupil deductions from school districts and transfers to STEM schools for FY 2020 and FY 2021.

Specifies that the per-pupil amounts deducted and paid to STEM schools for targeted assistance and economically disadvantaged funds, which are computed based on an amount calculated for the student's resident district, must be the same amounts deducted and paid for FY 2019.

**Section:    265.235**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

Requires ODE to pay each STEM school graduation and third-grade reading bonuses equal to the school's payments for those bonuses for FY 2019.

Same as the Executive.

**Fiscal effect: In FY 2019, transfers of state aid to STEM schools are estimated to be about \$24.2 million.**

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

## EDUCD58

## Educational service centers funding

**Section: 265.360**

Sets the per-pupil state payment amount in each fiscal year to \$26 for high-performing ESCs and \$24 for all other ESCs and, if necessary, requires ODE to prorate the payment amounts to fit the earmark for state payment of ESCs.

**Section: 265.360**

Same as the Executive.

Establishes a moratorium on additional school districts joining ESCs during FY 2020 and FY 2021.

Same as the Executive.

**Fiscal effect: The bill earmarks \$40 million in each fiscal year for state funding of ESCs (see EDUCD12).**

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

## EDUCD23

## Foundation and transitional aid funding reimbursement

**Section: 265.430**

Specifies that no school district for which a reduction was made in its reported formula ADM for FY 2005 based on community school enrollment reports and, accordingly, for which a reduction was made in its foundation or transitional aid funding for FY 2005, FY 2006, or FY 2007, has a legal right to reimbursement for that reduction in funding except as expressly provided in a final court judgment or a settlement agreement executed on or before June 1, 2009.

**Section: 265.430**

Same as the Executive.

## Executive

## In House Finance

Fiscal effect: None.

Fiscal effect: Same as the Executive.

EDUCD24

Flexible funding for families and children

Section: 265.440

Permits school districts, community schools, STEM schools, JVSs, ESCs, and county DD boards that receive state aid to transfer portions of their allocations to a flexible funding pool created by a county family and children first council to support the provision of services to families and children.

Fiscal effect: None.

Section: 265.440

Same as the Executive.

Scholarship Programs

EDUCD73

Cleveland Scholarship Program application periods

No provision.

R.C. 3313.978

Requires ODE, beginning with the 2020-2021 school year, to conduct a second application period for the Cleveland Scholarship Program.

No provision.

Permits ODE to forego a second application period if the scholarships awarded in the first application period use the entire amount appropriated by the General Assembly for the Cleveland Scholarship Program for that school year.

No provision.

Requires ODE, by May 31st of each school year, to determine whether funds remain available for the Cleveland Scholarship Program after the first application period.

**Fiscal effect: May increase ODE's administrative costs for the scholarship program.**

Executive

In House Finance

Community Schools

EDUCD93

Community school sponsor evaluations - frequency

No provision.

**R.C. 3314.016**

Requires that a community school sponsor with an overall rating of "effective" for at least three consecutive years be evaluated by ODE once every five years, instead of annually as under current law.

**Fiscal effect:** May decrease ODE's administrative workload to evaluate certain community school sponsors less frequently. As a point of reference, four sponsors were rated "effective" for three consecutive years in the sponsor ratings between the 2015-2016 and 2017-2018 school years. However, the number of sponsors rated "effective" has increased in recent years; 15 sponsors were rated "effective" in both the 2016-2017 and 2017-2018 school years.

EDUCD98

Community school sponsor evaluations - review of draft ratings

No provision.

**R.C. 3314.016**

Requires ODE, prior to the publication of the final ratings for community school sponsors, to permit each sponsor to review the information used by ODE to determine the sponsor's rating on the academic performance component and to request an adjustment to the sponsor's rating for that component, if it believes there is an error in ODE's evaluation. (Current law permits sponsors to review and request adjustments only on the "adherence to quality practices" and "compliance with laws and rules" components of the sponsor evaluation system.)

**Fiscal effect:** May increase ODE's administrative responsibilities.

Executive

In House Finance

EDUCD63      Dropout prevention and recovery community school report cards

No provision.

R.C.      3314.017

Changes the dropout prevention and recovery school report card measure of percentage of 12th grade students who have attained the designated passing score on all applicable high school assessments to the percentage who have attained the cumulative performance score on the end-of-course exams.

**Fiscal effect: May modify the number of schools rated as "exceeds standards," "meets standards," or "does not meet standards" on this measure of the report card. In general, the measure currently assesses the passage rates of students in the Class of 2017 or earlier on the Ohio Graduation Tests (OGTs) and of students in the Class of 2018 or later on all seven end-of-course (EOC) exams. For purposes of one of the state's three main graduation pathways, a student must earn a cumulative amount of 18 points on the EOC exams (a student earns between 1 and 5 points for each exam depending on performance level; a "proficient" (or passing) level earns 3 points). Under the bill, a student would be counted as meeting the measure if the student attains at least 18 points on the EOCs instead of at least 21 points on the EOCs or, depending on the student's class, passing the OGTs under current law.**

Executive

In House Finance

EDUCD92

Study committee on dropout prevention and recovery schools

No provision.	<div>R.C.3314.017</div> <div>Requires the State Board of Education to coordinate a committee comprising appointees from the Senate, the House of Representatives, the Governor's office, and the State Board to conduct a study of community schools that primarily serve students enrolled in dropout prevention and recovery programs that offer two or more of the following models: (1) blended learning, (2) portfolio learning, and (3) credit flexibility.</div>
No provision.	<div>Requires the State Board to submit the committee's recommendations to the General Assembly within six months after the bill's effective date.</div>
No provision.	<div>Prohibits ODE from issuing report cards for community schools in which a majority of students are enrolled in dropout prevention and recovery programs operated by those schools until the General Assembly enacts the committee's recommendations or takes other legislative action that addresses the classification, authorization, and report card ratings of such schools.</div> <div>Fiscal effect: Increases ODE's administrative workload to assist with coordinating the committee and conducting the study. May alter the number of dropout prevention and recovery community schools subject to closure, depending on the actions of the General Assembly.</div>

Executive

In House Finance

EDUCD87

Community school sponsor check of finding for recovery database

No provision.

R.C. 3314.02

Removes the requirement that community school sponsors must annually verify that no finding for recovery has been issued against any individual who proposes to create a community school or any member of the governing authority, the operator, or any employee of each community school.

**Fiscal effect: Minimal decrease in administrative workload for school districts and educational service centers that sponsor community schools and ODE's Office of School Sponsorship.**

EDUCD96

Classification of conversion community schools

No provision.

R.C. 3314.02

Re-classifies a "conversion" community school that later enters into a sponsorship contract with an entity that is not a school district or educational service center as a "start-up" community school.

**Fiscal effect: Subject to certain exceptions, conversion community school students are included in the sponsoring district's accountability calculations while start-up community school students are not included in a district's accountability calculations.**



Executive

In House Finance

EDUCD40            Community school mergers

R.C.            3314.0211

Permits two or more community schools to merge upon the adoption of a resolution by the governing authority of each school and requires the surviving community school to enter into a new contract with a sponsor. Generally prohibits the transfer of a sponsor's existing contract to the surviving community school.

Specifies that participating in a merger does not exempt a community school from the laws regarding permanent closure.

Requires ODE to issue a report card for the surviving community school and requires that the ratings of the surviving community school, whether issued before or after the merger, be used for the purposes of school closure for poor academic performance and other matters that depend on report card ratings or measures.

Prohibits a community school from merging if its sponsor has notified the school of the sponsor’s intent to terminate or not renew the sponsor contract or if the community school has met the criteria for involuntary closure for one of the last two years.

**Fiscal effect: Any costs for a community school to implement a merger are permissive.**

R.C.            3314.0211

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

Executive

In House Finance

EDUCD97      Payments to community school sponsors

No provision.

**R.C.      3314.089, 3314.03, 3314.08, 3314.085**

Specifies that, if a contract between a sponsor and the governing authority of a community school provides for the sponsor to receive a portion of the total funding calculated for the community school, ODE (rather than the community school governing authority) must annually pay the portion of the funds directly to the sponsor out of the school's state operating payments.

**Fiscal effect: Shifts the administrative workload of making sponsorship fee payments from community schools to ODE. Continuing law limits the payments to no more than 3% of the total amount of payments for operating expenses that the school receives from the state.**

EDUCD95      Community school assurances

No provision.

**R.C.      3314.19**

Requires each community school sponsor to provide a list of assurances specified in current law to ODE at least 10 business days prior to the opening of a school's first year of operation or, if the school is not an e-school and changes the building from which it operates, prior to the opening of the first year it operates from the new building. (Under current law, sponsors must provide this list of assurances annually to ODE not later than 10 business days prior to the opening of the school.)

Executive

In House Finance

**Fiscal effect: Decreases administrative costs for school districts and educational service centers that sponsor community schools and ODE's Office of School Sponsorship.**

EDUCD99

Annual e-school reports

No provision.

**R.C. 3314.21**

Requires each internet- or computer-based community school (e-school) to prepare and submit to ODE, in a time and manner prescribed by ODE, a report that contains information about all of the following: (1) classroom size, (2) student-teacher ratio per classroom, (3) the number of student-teacher meetings conducted in-person or by video conference, and (4) any other information determined necessary by ODE.

No provision.

Requires ODE to annually prepare and submit to the State Board of Education a report that contains the e-school reporting information received by ODE.

**Fiscal effect: Increases the administrative workload for e-schools and ODE.**

EDUCD79

E-school attendance and student absence policies

No provision.

**R.C. 3314.27**

Requires each internet- or computer-based community school (e-school) to do all of the following:

(1) No provision.

(1) Develop an individual learning plan for each student that enrolls in the school.

(2) No provision.

(2) Include in its attendance policy provisions for determining whether a student is considered enrolled in the school if the

## Executive

## In House Finance

	student (a) is participating in learning opportunities during at least 90% of school days or (b) is on pace for on-time completion of any course in which the student is enrolled. Specifies that a student is absent if one or both of those conditions are not met during any day in which the student fails to participate in learning activities.
(3) No provision.	(3) Notify a student's parent, guardian, or custodian when a student has been absent for 10 or more school days in a school year.
(4) No provision.	(4) Include in its policy guidance to employees in addressing student absences a tiered consequences procedure that includes student disenrollment for continued failure to comply with an individual learning plan.
(5) No provision.	(5) Provide a student's parent, guardian, or custodian with available alternative educational options when a student is disenrolled.
No provision.	Specifies that each e-school must continue to comply with any applicable current school attendance or community school law requirements that do not directly conflict with one or more of the requirements described above.
No provision.	Specifies that "learning opportunities" offered by an e-school include any of the following that a student is expected to complete, participate in, or attend during any given school day: (1) online logins to curriculum or programs, (2) offline activities, (3) assignments within a particular program, curriculum, or class, (4) testing, (5) in-person communication, (6) telephone or video conferences, and (7) e-mail, texts, phone calls, or other meetings.

Executive

In House Finance

Fiscal effect: Increases administrative costs for e-schools, particularly to develop the required individual learning plans. May affect state aid for e-schools and the student's resident district depending on the extent to which the attendance policies and individual learning plans change participation behavior. Currently, an e-school student's full-time equivalency for funding purposes is based on the number of documented hours of learning opportunities the student participates in and the total number of hours in the school's calendar.

EDUCD69

Community school closure criteria

No provision.

R.C. 3314.35, Conforming changes in 3302.03, 3313.413, 3314.016, 3314.017, 3314.03

Revises the community school closure criteria for schools that are not dropout prevention and recovery schools as follows:

Requires permanent closure for a school that offers up to third grade if, for the three most recent school years (instead of two of the three most recent school years, as under current law), the school received (1) a report card grade of "F" on the Improving Literacy in Grades K-3 measure or (2) an overall grade of "F".

Requires permanent closure for schools that serve any of grades 4 to 8 but does not serve a grade level higher than 9 if, for the three most recent school years, the school received (1) an "F" for the performance index score and (2) an "F" for the value-added progress dimension (current law requires permanent closure if, for two of the three most recent school years, the school met the criteria described in (1) and (2) above or received an overall "F" and an "F" for the value-added progress

No provision.

No provision.

## Executive

## In House Finance

No provision.

dimension).

Requires permanent closure for schools that serve any of grades 10 to 12 if, for the three most recent school years, the school received (1) an "F" for the performance index score and (2) did not meeting annual measurable objectives (AMO) targets (current law requires permanent closure if, for two of the three most recent school years, the school met the criteria in (1) and (2) above or received an overall grade of "F" and an "F" for the value-added progress dimension).

**Fiscal effect: May reduce the number of community schools subject to permanent closure.**

EDUCD86

Lists of community school closures and "challenged" school districts where community schools may be located

No provision.

**R.C. 3314.353**

Requires ODE, by August 31 of each year, to publish separate lists of the following:

No provision.

(1) Community schools that have become subject to permanent closure as required by law;

No provision.

(2) Community schools that are at risk of becoming subject to permanent closure for academic underperformance;

No provision.

(3) All "challenged" school districts in which new start-up community schools may be located.

**Fiscal effect: Increases ODE's administrative workload. Some of these lists are currently published by ODE, though the bill may require them to be published sooner than current practice.**

## Executive

## In House Finance

**EDUCD22      Community school operation from residential facilities****Section:    265.410**

Permits a community school that was open for operation as of May 1, 2005, to operate from certain institutions, foster homes, group homes, or other residential facilities.

**Fiscal effect: None.**

**Section:    265.410**

Same as the Executive.

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

**EDUCD25      E-school funding study****Section:    265.470**

Requires ODE to study and make recommendations on the feasibility of a new funding system for e-schools by December 31, 2019.

Requires ODE to consider models that are (1) based on competency and course completion and (2) used in other states, including Florida and New Hampshire.

**Fiscal effect: Increases ODE's administrative responsibilities.**

**Section:    265.470**

Same as the Executive.

Same as the Executive.

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

**Educator Provisions****EDUCD42      Properly certified teachers for community schools****R.C.        3314.03**

Eliminates the requirement that community school teachers providing instruction in core subject areas be “properly certified or licensed” to teach in the subject areas and grade levels in which they provide instruction.

**R.C.        3314.03**

Same as the Executive.

## Executive

## In House Finance

Eliminates the requirement that community school paraprofessionals employed by a program supported with federal Title I funds be “properly certified” in order to provide academic support in core subject areas.

**Fiscal effect: Provides community schools with additional flexibility in responding to certain staffing needs. Under continuing law, community school teachers and paraprofessionals must have a license, permit, or certification to provide instruction, but under the bill they would not be required to be “properly certified” in any specific subject areas or grade levels.**

Same as the Executive.

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

EDUCD100

Bright New Leaders for Ohio Schools Program

No provision.

No provision.

No provision.

**R.C. 3317.25, 3319.271 (repealed), and 3319.272**

Eliminates the provision of law that establishes the nonprofit corporation that initially created and implemented the Bright New Leaders for Ohio Schools Program.

Establishes the Ohio State University Fisher College of Business and College of Education and Human Ecology as the administrators for the Program.

Requires the State Board of Education to issue a professional administrator license for grades pre-kindergarten through 12 to individuals who successfully complete the Program, instead of an alternative principal or administrator license as under current law.

**Fiscal effect: Minimal, if any. The program receives \$1.5 million in each of FY 2020 and FY 2021 under the House bill (See EDUCD7).**



Executive

In House Finance

EDUCD94            Licenses for substitute teaching

No provision.

**R.C.            3319.074, 3319.226**  
Permits an individual who does not hold a degree in education or other subject area directly related to the class being taught to provide substitute instruction in a core subject area for an unlimited number of days, provided the individual: (1) holds a long-term substitute license issued prior to November 2, 2018; or (2) holds a substitute license issued on or after November 2, 2018, and satisfies the long-term substitute licensure criteria as it existed prior to November 2, 2018.

No provision.

Specifies that an individual who holds a license described in (1) or (2) above is a "properly certified or licensed teacher" who may provide instruction in a certain core subject area.

No provision.

Permits the provisional employment of an individual who does not yet hold a license but satisfies the former long-term substitute licensure criteria, provided an application for licensure has been submitted on or before the individual's first day of employment.

**Fiscal effect: May provide public schools with additional flexibility in responding to certain staffing needs for substitute teachers.**

Executive

In House Finance

EDUCD80

Alternative resident educator licenses

No provision.

R.C. 3319.26

Replaces the current option for an alternative resident educator license applicant to meet pedagogical training requirements through a teacher preparation program summer training institute offered by a nonprofit organization with the option to complete the preservice training provided to participants of a teacher preparation program approved by the Chancellor of Higher Education.

**Fiscal effect: Allows a nontraditional teacher candidate to complete a program operated by a for-profit organization to meet the pedagogical training requirement, increasing the options available to such candidates. May increase DHE's administrative workload to review and approve additional programs.**

## Executive

## In House Finance

Early Childhood

## EDUCD4

## Early Childhood Education

**Section: 265.20**

Continues the GRF-funded early childhood education program at school districts, JVSDs, ESCs, community schools sponsored by an exemplary sponsor, chartered nonpublic schools, and licensed childcare providers that meet at least the third highest tier of the "Step Up to Quality Program" established in R.C. 5104.29 for children who are at least four years old but not yet eligible for kindergarten, and whose families earn not more than 200% of the federal poverty guidelines. Permits providers that have remaining funding after awards are made for eligible four year-olds to seek approval from ODE to consider qualified three-year-olds eligible for funding.

Earmarks up to 2% of GRF appropriation item 200408, Early Childhood Education, to be used by ODE for program support and technical assistance.

Requires ODE to distribute the remainder to pay the costs of early childhood programs that serve eligible children, first to existing providers that received early childhood education funds in the previous fiscal year and the balance to new eligible providers or to existing providers to serve more eligible children or for purposes of program expansion, improvement, or special projects to promote quality and innovation.

Requires ODE to distribute new or remaining funds to serve more eligible children where there is a need, as determined by ODE, and specifies that such funds be distributed based on

**Section: 265.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

community economic disadvantage, limited access to high quality preschool or childcare services, and demonstration of high quality preschool services as determined by ODE using new metrics developed pursuant to Ohio's Race to the Top-Early Learning Challenge Grant.

Requires awards to providers be distributed on a per-pupil basis and that per-pupil funding be sufficient to provide eligible children with services for a standard early childhood schedule, defined as a minimum of 12.5 hours per week, for the minimum school year.

Same as the Executive.

Requires ODE to conduct an annual survey of each provider to determine whether the provider charges families tuition or fees, the amount the families are charged relative to family income levels, and the number of families and students charged.

Same as the Executive.

Specifies the following for participating programs: (1) prohibits development and administration costs from exceeding 15% of the cost of each program, (2) requires maintenance of fiscal records, (3) requires implementation of a corrective action plan, when needed, (4) requires certain qualifications for teachers, (5) requires alignment of curriculum to the early learning content standards, (6) requires documentation and reporting of child progress, (7) requires adherence to early learning program standards, (8) requires certain child or program assessments, (9) requires charging a fee, based on a sliding scale, to families who earn more than the 200% of the federal poverty guidelines, (10) requires participation in the Step Up to Quality program, (11) requires providers who are highly rated to comply with the requirements under the Step Up to Quality system, and (12) requires providers who are not highly rated to meet certain

Same as the Executive.

## Executive

## In House Finance

qualifications.

Requires eligible expenditures to be claimed each fiscal year to help meet the state's TANF maintenance of effort requirement and requires the Superintendent of Public Instruction and the Director of Job and Family Services to enter into an interagency agreement to fulfill this requirement including developing reporting guidelines for these expenditures.

Same as the Executive.

Requires ODE and the Department of Job and Family Services to continue to align the application process, program eligibility, funding, attendance policies, and attendance tracking for early childhood programs in both agencies.

Same as the Executive.

Requires ODE to provide an annual report regarding early childhood education programs and the early learning program standards.

Same as the Executive.

**Fiscal effect: The bill appropriates \$68.1 million in both FY 2020 and 2021 to GRF appropriation item 200408 for early childhood education programs, including an earmark of 2% for ODE's administrative costs.**

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

Other Education Provisions

EDUCD35

English learners

**R.C. 3301.0711, and various other sections**

Changes references of "limited English proficient student" to "English learner" to align with federal law.

**R.C. 3301.0711, and various other sections**

Same as the Executive.

**Fiscal effect: None apparent.**

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

## Executive

## In House Finance

## EDUCD65

## Chartered nonpublic school alternative assessments

No provision.

**R.C. 3301.0711**

Permits a chartered nonpublic school for which at least 65% of its total enrollment is comprised of students participating in state scholarship programs to administer an alternative assessment to the state achievement assessments for grades 3-8, as determined by ODE.

No provision.

Requires chartered nonpublic schools that must administer the state tests or that choose an alternative assessment under the bill to report the results of each assessment administered to students in grades 3 to 8 to ODE.

**Fiscal effect: May increase ODE's administrative costs.**

## EDUCD81

## Assessments for students with disabilities

No provision.

**R.C. 3301.0711**

Permits a chartered nonpublic school to develop a written plan to excuse a student with a disability from taking state assessments if the following apply:

No provision.

(1) The school, in consultation with the student's parents, determines that an assessment or alternative assessment with accommodations does not accurately assess the student's academic performance;

No provision.

(2) The plan includes an academic profile of the student's academic performance;

No provision.

(3) The plan is reviewed annually to determine if the student's needs continue to require excusal from taking the assessments.

Executive

In House Finance

Fiscal effect: None.

EDUCD71

Accredited nonpublic schools

	<b>R.C. 3301.165, conforming changes throughout Title 33 and other R.C. sections, Sections 130.12 and 130.13</b>
No provision.	Establishes a category of nonpublic schools called "accredited nonpublic schools" for nonpublic schools that are accredited by the Independent Schools Association of the Central States (ISACS). Requires the schools to comply with minimum education standards adopted by the State Board of Education, but prohibits the State Board from prescribing additional operating standards.
No provision.	Specifically exempts such schools from the state minimum high school curriculum and chartering requirements.
No provision.	Maintains current law exemptions from state achievement testing for non-scholarship high school students attending accredited nonpublic schools, including an exemption for scholarship students attending such schools from the testing requirements.
No provision.	Exempts such a school from the College Credit Plus (CCP) Program as long as students and parents are notified at enrollment that the school does not participate, but if a student enrolls in the school under an EdChoice Scholarship or Cleveland Scholarship, prohibits that student from being denied participation in the CCP Program solely due to the school's nonparticipation.

## Executive

## In House Finance

No provision.

Permits ODE to exercise limited oversight over the ISACS accreditation process of nonpublic schools, and permits ODE to revoke a school's designation if it fails to cooperate with ODE in its oversight.

No provision.

Requires a joint committee of the General Assembly to study the effects of the creation of accredited nonpublic schools and recommend expansion of the designation.

**Fiscal effect: Potential decrease in ODE's administrative workload if fewer nonpublic schools seek and obtain a state charter. ODE's website currently lists 37 ISACS-accredited chartered nonpublic schools in Ohio. Potential minimal administrative costs associated with the activities of the joint committee.**

EDUCD91

Report cards - use of value-added progress and performance index score grades

**R.C. 3302.021, 3302.03, 3302.038, conforming changes in 3301.52, 3302.042, 3302.12, 3310.03, 3314.02, 3314.034, 3314.35**

No provision.

Specifies that the calculation of the value-added progress dimension must use not more than one academic year's worth of growth data.

No provision.

Specifies that the higher of the performance index score or the value-added progress score be used for the overall grade on the state report card and for any sanction or penalty based on the measures. Prohibits the use of both measures for those purposes.

No provision.

Makes conforming changes to sanctions, penalties, and other qualifications in certain provisions of law affected by the performance index score and the value-added progress dimension measures, including Ed Choice scholarships, the



Executive

In House Finance

Columbus parent trigger pilot project, definition of a "challenged school district" for purposes of locating start-up community schools, eligibility for community schools to change sponsors, and community school closure.

**Fiscal effect: May reduce the number of districts and public school buildings that are subject to sanctions and penalties, which, in turn, may affect district and community school revenues and expenditures. As a point of reference for illustration purposes, for the 2017-2018 report cards, 41 school districts and 215 traditional district buildings with an overall grade of "D" or "F" received a "C" or higher on the performance index or overall value-added measures.**

EDUCD89

Issuance of preliminary data for report cards and community schools at risk of closure

**R.C. 3302.03, 3314.017, 3314.354**

No provision.

Requires ODE, by July 31 of each year, to submit both of the following:

No provision.

(1) Preliminary report card data for overall academic performance and for each separate performance measure for each school district, school building, and community school;

No provision.

(2) Preliminary data on community schools at risk of becoming subject to permanent closure.

**Fiscal effect: Increases ODE's administrative workload.**

Executive

In House Finance

EDUCD90

Report card grades and community school sponsor ratings - ODE failure to assign ratings by statutory deadline

No provision.	<div>R.C.3302.03, 3302.037, 3314.016</div> <div>Specifies that, if ODE fails to assign letter grades each year on the state report card for a school district or building by the deadline specified in current law (September 15th, or the preceding Friday if that day falls on a Saturday or Sunday), ODE must assign the school district or building the same grade for each measure that it was assigned for the previous school year or a "B" for each measure, whichever is the higher per measure.</div>
No provision.	<div>Requires that, if ODE fails to assign a rating for a community school sponsor by November 15th each year in accordance with current law, ODE must assign the sponsor the same rating for each component that it was assigned for the previous school year or an "effective" rating for all components, whichever is the higher per component rating.</div>
No provision.	<div>Specifies that, if ODE fails to assign report card ratings or sponsor ratings by the deadlines specified in current law, those ratings, as well as any from previous years, will not be considered in determining whether a school district, building, or sponsor is subject to sanctions or penalties, thereby creating a new starting point for determinations that are based on ratings over multiple years.</div>

## Executive

## In House Finance

**EDUCD88**      **Statutory changes to report cards - effect on penalties or sanctions**

No provision.

**R.C.      3302.037**

Specifies that, if any statutory change is made to the calculation or determination of grades or to the graded measures on the state report card, the report card ratings issued for the school year in which the change takes effect and any previous report card ratings are not considered when determining whether a school district or school is subject to penalties or sanctions. (Essentially, any change creates a new starting point for any determinations made based on report card ratings over multiple years.)

**Fiscal effect: May reduce the number of districts or schools subject to penalties or sanctions in a given year if changes are made to the report card, which may, in turn, affect school district revenues and expenditures and state expenditures for academic distress commissions.**

**EDUCD60**      **Interventions for low-performing school districts****R.C.      3302.11, 3301.28, 3302.111 (conforming changes in 3302.042, 3302.12, and 3302.17)**

Creates a tiered system of additional support for low-performing school districts as follows:

(1) Places a district that receives an overall grade of "F" in "substantial and intensive support" status. Requires the following for districts with this designation: (a) an ODE-conducted academic performance review and resource utilization analysis of the district; (b) an annual expectation and

No provision.

No provision.

## Executive

## In House Finance

support agreement between the district and ODE for as long as the district maintains the designation, which specifies the actions each party will take and the areas of support to be provided for the district by each party; (c) establishment of several advisory groups for the district, the members of which will be appointed by the state Superintendent.

(2) Requires the state Superintendent to select one of the following improvement interventions based on the needs and situation of the district if a district (a) receives overall grades of "F" on the report card for at least two consecutive years and has not complied with the expectation and support agreement or has not made sufficient academic improvement or (b) is subject to academic distress commission on the bill's effective date: (i) an assistive option, including the appointment of certain ODE employees to serve as district facilitators, district monitors, or school-level coaches, (ii) an improvement supervisor, (iii) a local superintendent supervisor, (iv) a new seven-member board appointed by the major of the municipality in which a majority of the district's territory is located, (v) school directors, (vi) contracted school management, (vii) an academic distress commission (see EDUCD62), or (viii) a chief executive officer appointed by the state Superintendent.

No provision.

Removes a district from "substantial and intensive support" status if the district receives an overall grade of "C" or above on the report card or upon the state Superintendent's determination based on the academic performance of the district and individual school buildings operated by the district and evidence of a district's capacity for sustainable improvement.

No provision.

Executive

In House Finance

Requires the Department to publish a list of approved, high-quality organizations that specialize in supporting academic achievement and performance improvement for use in school district improvement interventions.

**Fiscal effect:** May increase costs or workload for ODE to provide additional services, support, and intervention for low-performing school districts, as many of the improvement interventions would be administered by ODE employees. ODE currently manages what appears to be a somewhat similar differentiated accountability system pursuant to its plan under the federal Every Student Succeeds Act (ESSA). Ultimately, any fiscal effect will depend on the improvement interventions chosen by the state Superintendent.

No provision.

EDUCD66

School district territory transfer

No provision.

No provision.

No provision.

R.C. 3311.242

Permits electors residing in school district territory located within a township that is split between two or more school districts to petition for the transfer of territory to another adjacent school district.

Requires the proposal to be placed on the ballot at the next general, primary, or special election not less than 90 days after the proposal's certification if the board of elections certifies that the petition is signed by at least 10% of electors within the territory proposed to be transferred and voting in the last general election.

Requires, if the proposal is approved by at least a majority of voting electors residing within the territory proposed to be transferred, (1) the board of education of the district from which the territory is being transferred to notify the State Board

Executive

In House Finance

No provision.

of the results of the vote and (2) the board of trustees of the township to negotiate a formal agreement with the board of education of the district to which the territory is being transferred regarding the terms of proposal. Specifies that the district board is not required to enter into a formal agreement.

Stipulates that, after the map is filed with the county auditor, the transfer is complete and the legal title of the school property in the territory must be vested in the board of education of the district to which the territory is transferred.

No provision.

Requires the State Board to approve any formal agreement between the eligible township's board of trustees and the board of education gaining territory and provide written notification of the approval to both boards of education affected by the territory transfer.

No provision.

Stipulates that, upon receiving written notification from the State Board, the board of education of the district to which the territory is being transferred must file a map showing the boundaries of the territory transferred with the county auditor and requires the two district boards and township board of trustees to equitably divide funds and indebtedness between the districts.

**Fiscal effect: Some districts may gain territory and some may lose territory. May shift local tax revenues and indebtedness depending on whether a formal agreement is entered into and the terms of the agreement. May increase the costs incurred by some county boards of elections, particularly if a special election is needed. May increase the administrative costs of the affected district boards of education.**

Executive

In House Finance

EDUCD68      ESC eligibility to apply for grants on behalf of client districts and schools

No provision.

R.C.      3312.01

Permits, as part of a service agreement between an educational service center (ESC) and a school district or community school, an ESC to apply for state or federal grants on behalf of the client district or school and specifies that an ESC is considered a school district for the purposes of eligibility in applying for any state or federal grant.

EDUCD85      Sale or lease of unused school facilities

No provision.

R.C.      3313.411

Requires a school district to offer to sell or lease school facilities to community schools, STEM schools, and college-preparatory boarding schools in the district if the facilities were once used for school operations, but have not been used for those purposes for one year, rather than two years as under current law.

**Fiscal effect: May give community and STEM schools more opportunity to obtain space for operation. May reduce school district operating costs to maintain unused buildings.**

## Executive

## In House Finance

**EDUCD3 Computer coding as a foreign language****R.C. 3313.603**

Requires a school district or chartered nonpublic school that requires a foreign language as an additional requirement for high school graduation (beyond the minimum curriculum requirements) to accept one unit of computer coding instruction toward meeting that requirement. Specifies that additional coding courses applied toward the requirement must be sequential and progressively more difficult.

**Fiscal effect: Minimal.**

**R.C. 3313.603**

Same as the Executive.

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

**EDUCD67 Option to use show choir to fulfill physical education requirements**

No provision.

**R.C. 3313.603**

Permits school districts and chartered nonpublic schools to allow a student to use two full seasons of show choir to fulfill high school physical education requirements.

**Fiscal effect: None.**

**EDUCD74 Industry-recognized credential points modified by CTPD**

No provision.

**R.C. 3313.618, 3313.912, 3317.023**

Requires the business advisory committee of each career-technical planning district (CTPD) to determine and submit to the board of the lead district an appropriate point value for each industry-recognized credential that is (1) approved by the committee established by the Superintendent of Public Instruction and (2) offered by the CTPD.



Executive

In House Finance

No provision.	Permits a lead district board to approve the credential point value, and requires the board to submit a notice of the approved point value and a copy of the board meeting minutes to ODE. Specifies that the approval takes effect 30 calendar days after notice is provided.
No provision.	Permits the State Board of Education, by a two-thirds vote, to override a lead district board's approved credential point value. Specifies that the override takes effect immediately, unless the vote occurs after the effective date of the approval; in which case, the override takes effect the following school year.
No provision.	Specifies that an approved credential point value is only valid in the CTPD of the lead district board that approved it and that a lead district board may revoke any approved credential point value.
No provision.	<p>Permits a CTPD student to attain the industry-recognized credential points required to qualify for a high school diploma under continuing law using credential point values approved by the district board.</p> <p><b>Fiscal effect: May increase ODE's administrative costs to track locally-determined industry-recognized credential point values. Under current practice, ODE, in collaboration with the Governor's Office of Workforce Transformation, and a committee of industry professionals approves the list of industry-recognized credentials and point values that may be used to meet the state's industry credential and workforce readiness graduation pathway.</b></p>

Executive

In House Finance

EDUCD83      School breakfast programs

No provision.

**R.C.      3313.818, 3314.03, 3314.18, 3326.11, 3313.813**

Requires ODE to establish a program, under which higher-poverty public schools must offer breakfast to all enrolled students during the school day to be phased in over a three-year period, as described below. (This applies to schools operated by school districts, community schools (except e-schools), and STEM schools.)

No provision.

Requires, in the first school year after the bill's effective date, any public school in which at least 70% of students were eligible for free or reduced-price meals in the prior school year to participate in the program. Reduces the participation threshold to 60% in the second school year and to 50% in the third school year and each school year thereafter.

No provision.

Requires ODE to publish a list of qualifying public schools, to monitor participating schools, and to offer assistance in implementing and administering the program.

No provision.

Requires ODE to submit an annual report on the breakfast program to the General Assembly and the Governor and to publish on its website annual statistical reports specifying the number and percentage of students participating in breakfast programs disaggregated by district and individual schools.

Executive

In House Finance

Fiscal effect: As many as 1,500 schools may be required to serve breakfast under this program after it is fully phased in. Nearly all of these schools currently operate a school breakfast program (SBP) of one sort or another. If the bill leads to greater participation in SBPs, a public school's federal reimbursements as well its school food service costs will increase. These increases may be in the millions of dollars or more annually on a statewide basis depending on the level to which participation increases. Federal reimbursements for the SBP are passed through to public districts and schools from ODE. ODE will incur additional personnel costs to administer the program, provide technical support for schools and districts, and complete annual reports.

EDUCD75

International students in interscholastic athletics

No provision.

R.C.3313.5315

Permits any international student attending an elementary or secondary school in Ohio that holds an F-1 U.S. visa to participate in interscholastic athletics, regardless of whether the student's school began operating a dormitory prior to 2014 as specified for participation under current law.

Fiscal effect: None.

## Executive

## In House Finance

**EDUCD41 Behavioral prevention initiatives****R.C. 3313.6024, 3314.03, 3326.11, 3328.24**

Requires, beginning in the 2019-2020 school year, each school district, community school, STEM school, and college-preparatory boarding school to annually report to ODE the types of behavioral prevention programs, services, and supports being used to promote healthy behavior and decision-making by students, including: (1) curriculum and instruction provided during the school day, (2) programs and supports provided outside of the classroom or outside of the school day, (3) professional development for teachers, administrators, and other staff, (4) partnerships with community coalitions and organizations to provide prevention services and resources, (5) school efforts to engage parents and the community, and (6) activities designed to communicate with and learn from other schools or professionals with expertise in prevention education.

Permits ODE to use these reports as a factor in distribution of funding for prevention-focused behavioral initiatives.

**Fiscal effect: Potential increase in administrative costs for public districts and schools to report the information to ODE.**

**R.C. 3313.6024, 3314.03, 3326.11, 3328.24**

Same as the Executive.

Same as the Executive.

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

**EDUCD82 Prohibition on busing reductions**

No provision.

**R.C. 3327.015**

Prohibits a school district from reducing transportation it has opted to provide to students the district is not required to transport after the first day of the school year.

Executive

In House Finance

Fiscal effect: Eliminates the option for districts to reduce transportation costs during a school year.

EDUCD64 School bus driver medical examinations

No provision.

R.C. 3327.10

Permits the following to perform the annual medical examination for bus drivers as required by State Board of Education rules: (1) licensed chiropractors; (2) medical professionals listed on the National Registry of Certified Medical Examiners; and (3) medical professionals currently authorized to perform the exams under State Board of Education rules.

**Fiscal effect: None. Provides additional options to drivers whose examinations are subject to the rules of the State Board. School districts and ESCs pay the cost of the physical examinations. While a school district or ESC will need to verify that a medical professional is listed on the National Registry in cases where the professional is qualified under that new option, there appears to be no cost associated with this new duty.**

EDUCD36 Medicaid School Program Administrative Fund

R.C. 5162.64 (repealed)

Abolishes the Medicaid School Program Administrative Fund in the state treasury.

**Fiscal effect: None. According to OBM, this fund was never created in the state accounting system.**

R.C. 5162.64 (repealed)

Same as the Executive.

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

## Executive

## In House Finance

**EDUCD59      School district participation in National Assessment of Education Progress****Section:    265.380**

Expresses the General Assembly's intention that Ohio school districts participate in the administration of the National Assessment of Education Progress (NAEP). Requires each school and school district selected to participate.

**Fiscal effect: Minimal cost for districts chosen to participate. Federal funding is provided for coordination of the state's participation in NAEP.**

**Section:    265.380**

Same as the Executive.

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

**EDUCD57      Use of volunteers****Section:    265.420**

Authorizes ODE to use the services of volunteers to accomplish any of the purposes of ODE.

Authorizes the Superintendent of Public Instruction to reimburse volunteers for necessary expenses in accordance with state guidelines and to designate volunteers as state employees for the purposes of motor vehicle accident liability insurance and for indemnification from liability incurred in the performance of their duties.

**Fiscal effect: Potential cost savings for ODE if they can utilize volunteers for purposes which they would otherwise need to hire additional employees. This is a continuation of current law.**

**Section:    265.420**

Same as the Executive.

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

Executive

In House Finance

EDUCD31      Private treatment facility project

Section:    265.450

Establishes procedures by which Ohio youth who have been assigned to a participating residential treatment center are enrolled in an approved educational program in or near the facility.

Lists the participating residential treatment centers as (1) private residential treatment facilities that have contracted with the Department of Youth Services to provide services and which are paid through appropriation item 470401, RECLAIM Ohio, (2) Abraxas, in Shelby, (3) Paint Creek, in Bainbridge, and (4) F.I.R.S.T., in Mansfield.

Requires that the school district responsible for tuition for a residential child pay the tuition to the provider of the educational programs. Prohibits a district from including the youth in the district's average daily membership (ADM).

Requires that ODE track the utilization of funds and monitor the program for educational accountability.

**Fiscal effect: In addition to the tuition payment, the bill earmarks \$700,000 in each fiscal year from GRF appropriation item 200550, Foundation Funding, for the Private Treatment Facility Project.**

Section:    265.450

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

Executive

In House Finance

EDUCD32

Partnerships with business community

Section: 265.460

Specifically permits the Superintendent of Public Instruction to form partnerships with Ohio's business community to implement initiatives that connect students with the business community to increase student engagement and job readiness. If the Superintendent forms such a partnership, requires that the initiatives do all of the following:

- (1) Support the career connection learning strategies included in model curriculum developed by the State Board and workforce development entities.
- (2) Provide an opportunity for students to earn high school credit or to meet curriculum requirements in accordance with the State Board's plan on subject area competency.
- (3) Inform the development of student success plans for students who are at-risk of dropping out of school.

**Fiscal effect: Permissive increase in administrative responsibilities for ODE to form the partnerships and assist in the development of partnership initiatives. This is a continuation of current law.**

Section: 265.460

Same as the Executive.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.

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



## Executive

## In House Finance

## EDUCD84 FAFSA Completion Program

No provision.

**Section: 733.20**

Requires ODE to establish a program for FY 2020 and FY 2021 that awards grants to traditional and joint vocational school districts and educational service centers to support activities that encourage and assist high school seniors with completing the Free Application for Federal Student Aid (FAFSA).

No provision.

Specifies that if funds appropriated for the program are insufficient, ODE must prioritize awarding grants to lower wealth districts.

No provision.

Stipulates that ODE must adopt guidelines and procedures for the program, including requirements that districts work with a public or private community partner and that a proposal include at least one activity such as a training session or a fair that actively engages students.

**Fiscal effect: The bill earmarks \$75,000 in each fiscal year from GRF appropriation item 200321, Operating Expenses, to support the program (see EDUCD55).**

## EDUCD62 Academic distress commissions

**R.C. 3302.10**

No provision.

**Section: 733.30**

Prohibits the Superintendent of Public Instruction from establishing any new academic distress commissions between the bill's effective date and June 30, 2021.

Eliminates the requirement that the Superintendent of Public Instruction (the "state Superintendent") establish an academic distress commission (ADC) for a district with an overall grade of

No provision.

Executive

In House Finance

“F” on the report card for three consecutive years and, instead, authorizes it as an option for a school district improvement intervention (see EDUCD60).

Permits the state Superintendent to select a different improvement intervention for a school district currently subject to an ADC or to choose to continue with the ADC already in place.

No provision.

Removes the qualifications that allow a district to begin its transition out of being subject to an ADC and, instead, permits the state Superintendent to determine when a district may transition out of an ADC in accordance with the bill’s provisions on ending interventions (see EDUCD60).

No provision.

Changes the composition of an academic distress commission to the state Superintendent or the state Superintendent's designee and four members appointed by the state Superintendent, consisting of the following personnel from other school districts: a school district superintendent, a school board member, a treasurer, and a building principal (current law requires an ADC to be composed of (1) three members appointed by the state Superintendent, one of whom is a resident in the county in which a majority of the district’s territory is located, (2) one teacher appointed by the president of the district board, and (3) one member appointed by the mayor).

No provision.

Requires the district board of education to submit a candidate for chief executive officer (CEO) to the ADC for its approval instead of the ADC selecting and appointing the CEO without the input of the district board, as under current law.

No provision.

Executive

In House Finance

Changes or eliminates certain powers of the CEO, including the following: (1) requires personnel changes made by the CEO to be approved by the ADC, (2) removes the progressive addition of new powers for the CEO if a district continues to be subject to an ADC, (3) removes the ability of the CEO to implement innovative education programs, and (4) removes the ability of the CEO to reconstitute any school operated by the districts.

No provision.

Requires the CEO, when developing a district's academic improvement plan, to receive input from community stakeholders and the several advisory groups appointed by the state Superintendent (see EDUCD60). Requires the CEO to submit the academic improvement plan to the district board 150 days after appointment and requires the district board to suggest modifications and approve the plan (under current law, the CEO must submit the plan to the ADC within 90 days of appointment).

No provision.

Permits an ADC to suspend or override any decision of the district board or district administration that the ADC determines is inconsistent with the district's improvement plan.

No provision.

Maintains current law qualifying students residing in a district for which an ADC has been established for the Education Choice Scholarship Program.

No provision.

## Executive

## In House Finance

**Fiscal effect:** Generally provides district school boards with more authority in a district's improvement process. Ultimately, any fiscal effect will depend on the extent to which the state Superintendent retains current ADCs and establishes future ADCs (see EDUCD60). Currently, three districts have an established ADC: Youngstown City School District, Lorain City School District, and East Cleveland City School District. Under current law, ODE anticipates up to four additional districts becoming subject to an ADC over the next two years.

**Fiscal effect:** May lower state expenditures as the state pays the salary for each ADC's chief executive officer (CEO). Total compensation for each of the three existing ADC CEOs is estimated at \$305,000 for FY 2019 and is expected to increase to approximately \$352,000 in future years. School districts that would have become subject to an ADC under current law may have higher revenues and expenditures, as fewer students in the districts may qualify for scholarships under the traditional Educational Choice Scholarship Program. If a student receives a scholarship, the district does not incur the expense of educating the student and funding is deducted from the district's state aid. The bill also may have indirect fiscal effects on the operating costs of school districts that otherwise would be subject to an ADC, depending on the actions that the ADC's CEO would have taken had an ADC been established.

Appropriation Language

EDUCD55

Operating Expenses

**Section: 265.20**

No provision.

Specifies that a portion of GRF appropriation item 200321, Operating Expenses, be used by ODE to provide matching funds under 20 U.S.C. 2321, which pertains to federal career and technical education assistance to the states.

**Section: 265.20**

Earmarks up to \$75,000 in each fiscal year from GRF appropriation item 200321, Operating Expenses, for grants to traditional and joint vocational school districts and educational service centers under the Free Application for Federal Student Aid (FAFSA) Completion Program (see EDUCD84).

Same as the Executive.

## Executive

## In House Finance

**EDUCD56 Information Technology Development and Support****Section: 265.30**

Specifies that GRF appropriation item 200420, Information Technology Development and Support, be used to support the development and implementation of information technology solutions designed to improve the performance and services provided by ODE. Permits this appropriation to also be used to support data-driven decision-making and differentiated instruction and to communicate academic content standards and curriculum models through the Internet.

**Section: 265.30**

Same as the Executive.

**EDUCD13 School Management Assistance****Section: 265.50**

Specifies that GRF appropriation item 200422, School Management Assistance, be used by ODE to provide fiscal technical assistance and in-service education for school district management personnel and to administer, monitor, and implement the fiscal caution, fiscal watch and fiscal emergency provisions of the Revised Code.

**Section: 265.50**

Same as the Executive.

**EDUCD50 Policy Analysis****Section: 265.60**

Specifies the following regarding GRF appropriation item 200424, Policy Analysis:

**Section: 265.60**

Same as the Executive.

## Executive

## In House Finance

Requires it to be used to support a system of administrative, statistical, and legislative education information to be used for policy analysis.

Same as the Executive.

Permits a portion to be used to maintain a longitudinal database to assess the impact of policies and programs on Ohio's education and workforce development systems.

Same as the Executive.

Permits a portion to be used to develop and implement an evidence-based clearinghouse to support school improvement strategies as part of the Every Student Succeeds Act.

Same as the Executive.

Permits it to be used to purchase or contract for the development of software systems or contract for policy studies that will assist in the provision and analysis of policy-related information.

Same as the Executive.

## EDUCD5

## Ohio Educational Computer Network

## Section: 265.70

Specifies that GRF appropriation item 200426, Ohio Educational Computer Network, be used to maintain a system of information technology throughout Ohio and to provide technical assistance for such system. Makes the following earmarks:

## Section: 265.70

Same as the Executive.

(1) Up to \$9,686,658 in each fiscal year to support connection of all public school buildings and participating chartered nonpublic schools to the state's education network, to each other, and to the Internet.

(1) Same as the Executive.

(2) Up to \$4,843,329 in each fiscal year to support the activities of designated information technology centers and to monitor and support the quality of data submitted to ODE.

(2) Same as the Executive.

## Executive

## In House Finance

Specifies that the remainder of the appropriation be used to support a network of uniform and compatible computer-based information and instructional systems, the teacher student linkage/roster verification process, and the electronic sharing of student records and transcripts between entities.

Same as the Executive.

## EDUCD51

## Academic Standards

## Section: 265.80

Specifies that GRF appropriation item 200427, Academic Standards, be used to develop and communicate to school districts academic content standards and curriculum models and to develop professional development programs and other tools on the new content standards and model curriculum.

Requires ODE to utilize educational service centers in the development and delivery of professional development programs on content standards and model curriculum.

## Section: 265.80

Same as the Executive.

Same as the Executive.

## EDUCD52

## Student Assessment

## Section: 265.90

Earmarks up to \$2,760,000 in each fiscal year of GRF appropriation item 200437, Student Assessment, for costs associated with the state's early learning assessment work and diagnostic assessments.

No provision.

## Section: 265.90

Same as the Executive.

Earmarks up to \$543,168 in each fiscal year of GRF appropriation item 200437, Student Assessment, to reimburse a portion of the costs of Advanced Placement Tests for low-income students.

## Executive

## In House Finance

Specifies that the remainder of the appropriation be used to develop, field test, print, distribute, score, report results, and support other associated costs of required state assessments. Permits ODE to use the funds to update and develop certain diagnostic assessments for students in grades K-3.

Same as the Executive.

Authorizes the transfer in each fiscal year of unexpended and unencumbered GRF appropriations within ODE to GRF appropriation item 200437, Student Assessment, if the Superintendent of Public Instruction and the OBM Director determine that additional funds are needed to fully fund the assessments.

Same as the Executive.

## EDUCD53

## Accountability/Report Cards

## Section: 265.100

Permits a portion of GRF appropriation item 200439, Accountability/Report Cards, in each fiscal year to be used to train district and regional specialists and district educators in the use of the value-added progress dimension and data as it relates to improving student achievement. Requires a portion of this funding to be provided to educational service centers to support training and professional development.

## Section: 265.100

Same as the Executive.

Specifies that the remainder of the appropriation be used to incorporate a statewide value-added progress dimension into performance ratings for school districts and develop an accountability system that includes the preparation and distribution of school report cards, funding and expenditure accountability reports, the development and maintenance of teacher value-added reports, the teacher student linkage/roster

Same as the Executive.



## Executive

## In House Finance

verification process, and the performance management section of ODE's website.

**EDUCD6****Child Care Licensing****Section: 265.100**

Specifies that GRF appropriation item 200442, Child Care Licensing, be used by ODE to license and to inspect preschool and school-age child care programs.

**Section: 265.100**

Same as the Executive.

**EDUCD54****Education Management Information System****Section: 265.110**

Specifies that GRF appropriation item 200446, Education Management Information System, be used to improve the Education Management Information System (EMIS) and makes the following earmarks:

(1) Up to \$400,000 in each fiscal year to support grants to information technology centers to provide professional development opportunities to district and school personnel related to EMIS.

(2) Up to \$725,000 in each fiscal year to be distributed to information technology centers for costs related to processing, storing, and transferring data for the effective operation of EMIS.

Specifies that the remainder be used to develop and support data definitions and standards outlined in the EMIS guidelines, to implement recommendations of the EMIS Advisory Council and the Superintendent, to enhance data quality assurance

**Section: 265.110**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

practices, and to support responsibilities related to school report cards and value-added progress dimension calculations.

## EDUCD7

## Educator Preparation

## Section: 265.120

Makes the following earmarks of GRF appropriation item 200448, Educator Preparation:

- (1) Up to \$339,783 in each fiscal year for ODE to monitor and support Ohio's State System of Support under federal law.
- (2) Up to \$67,957 in each fiscal year to support the Educator Standards Board and various school reforms.
- (3) \$2,000,000 in each fiscal year to support Teach for America.
- (4) \$2,500,000 in each fiscal year for the Bright New Leaders for Ohio Schools Program.
- (5) \$200,000 in each fiscal year to support FASTER Saves Lives training for selected school staff.
- (6) \$1,000,000 in each fiscal year to support professional development grants to educational service centers to train educators and related personnel in models of prevention of risky or harmful behaviors.

## Section: 265.120

Same as the Executive, but makes the following changes:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive, but decreases the earmark to \$1,500,000 in each fiscal year and specifies that the Ohio State University Fisher College of Business and College of Education and Human Ecology administers the program (instead of a nonprofit corporation, as in the As Introduced bill (see EDUCD100)).
- (5) Same as the Executive.
- (6) Same as the Executive.

## Executive

## In House Finance

(7) Up to \$1,500,000 in FY 2020 for grants to support coursework and content testing fees for teachers to receive credentials to teach computer science.

(7) Same as the Executive.

(8) Up to \$3,000,000 in FY 2020 for grants to support graduate coursework for high school teachers to receive credentialing to teach College Credit Plus courses in a high school setting.

(8) Same as the Executive.

(9) No provision.

(9) Earmarks up to \$250,000 in each fiscal year to support the SmartOhio Financial Literacy Program at the University of Cincinnati.

(10) Permits the remainder to be used for implementation of teacher and principal evaluation systems, including incorporation of student growth as a metric in those systems, and teacher value-added reports.

(10) Same as the Executive.

Requires the recipients of grants awarded from this line item to use the awards within two years of receiving the funds.

Same as the Executive.

## EDUCD8

## Community Schools and Choice Programs

## Section: 265.130

Permits GRF appropriation item 200455, Community Schools and Choice Programs, to be used to operate school choice programs.

## Section: 265.130

Same as the Executive.

Permits a portion of the appropriation in each fiscal year to be used by ODE for developing and conducting training sessions for sponsors and prospective sponsors of community schools and other schools participating in school choice programs.

Same as the Executive.

## Executive

## In House Finance

## EDUCD9

## Education Technology Resources

## Section: 265.140

Makes the following earmarks to GRF appropriation item 200465, Education Technology Resources:

- (1) Up to \$2,500,000 in each fiscal year for the Union Catalog and InfoOhio Network.
- (2) Up to \$1,778,879 in each fiscal year to provide grants to educational television stations working with partner education technology centers to provide public schools with instructional resources and services. Specifies that priority be given to resources and services aligned with state academic content standards. Specifies that such resources and services be based upon the advice and approval of ODE, based on a formula developed in consultation with educational television stations and educational technology centers.
- (3) No provision.

Specifies that the remainder be used to support the training, technical support, guidance, and assistance with compliance reporting to school districts and public libraries applying for federal E-Rate funds; for oversight and guidance of school district technology plans; for support to district technology personnel; and for support of the development, maintenance, and operation of a network of computer-based information and instructional systems.

## Section: 265.140

Same as the Executive, but makes the following changes:

- (1) Same as the Executive.
- (2) Same as the Executive.

- (3) Earmarks \$200,000 in each fiscal year for the Ohio School Digital Literacy Program to support digital learning tools, digital resources, technical support, and professional development. Specifies the requirements of the Program.
- Same as the Executive.

Executive

In House Finance

EDUCD26

Industry-Recognized Credentials High School Students

Section: 265.145

Makes the following earmarks to GRF appropriation item 200478, Industry-Recognized Credentials High School Students:

(1) Up to \$8,000,000 in each fiscal year to support payments to public schools whose students earn an industry-recognized credential or receive a journeyman certification. Requires the educating entity to inform students in career-technical education courses that lead to an industry-recognized credential about the opportunity to earn the credentials. Requires ODE, the Department of Higher Education, and the Governor's Office of Workforce Transformation (OWT) to develop a reimbursement schedule. Requires the educating entity to pay for the cost of the credential. Specifies that the educating entity may claim reimbursement up to six months after the student has graduated from high school. Requires ODE to prorate the payments if the amount appropriated is

(2) Up to \$12,500,000 in each fiscal year to establish and operate the Innovative Workforce Incentive Program (IWIP), which will pay public schools \$1,250 for each qualifying credential earned by a student attending the school. Requires OWT to develop a list of credentials that qualify for the program. Requires ODE to prorate the payments if the amount appropriated is insufficient.

(3) Up to \$4,500,000 in each fiscal year for public schools to establish credentialing programs that qualify for IWIP. Requires ODE to prioritize senior-only credentialing programs in schools

Section: 265.145

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Executive

In House Finance

that currently do not operate such programs.

EDUCD2

Pupil Transportation

**Section: 265.150**  
Makes the following earmarks to GRF appropriation item 200502, Pupil Transportation:

(1) Up to \$838,930 in each fiscal year for training school bus drivers and enrolling them in the retained applicant fingerprint database.

(2) Up to \$60,469,220 in each fiscal year for special education transportation reimbursements to school districts and county DD boards (see EDUCD43).

Specifies that the remainder of the appropriation be used for pupil transportation formula payments (see EDUCD43).

Requires a school district, if a parent, guardian, or other person in charge of a pupil accepts the offer of payment in lieu of providing transportation, to pay that parent, guardian, or other person at least \$250 and not more than the amount determined by ODE as the average cost of pupil transportation for the previous school year. Permits the payment to be prorated if the time period involved is only a part of the school year.

**Section: 265.150**  
Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**EDUCD27      School Lunch Match****Section:    265.160**

Specifies that GRF appropriation item 200505, School Lunch Match, be used to provide matching funds to obtain federal funds for the school lunch program.

Permits any remaining appropriation to be used to partially reimburse school buildings required to have a school breakfast program.

**Section:    265.160**

Same as the Executive.

Same as the Executive.

**EDUCD10      Auxiliary Services****Section:    265.170**

Earmarks up to \$2,600,000 in each fiscal year of GRF appropriation item 200511, Auxiliary Services, for nonpublic school student participation in the College Credit Plus Program.

Specifies that the remainder of the appropriation be used for auxiliary services for chartered nonpublic schools.

**Section:    265.170**

Same as the Executive.

Same as the Executive.

**EDUCD11      Nonpublic Administrative Cost Reimbursement****Section:    265.180**

Specifies that GRF appropriation item 200532, Nonpublic Administrative Cost Reimbursement, be used to reimburse chartered nonpublic schools for their administrative costs associated with maintaining their state charter.

Permits the reimbursements to be up to \$405 per student, notwithstanding the statutory cap of \$360 per student.

**Section:    265.180**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

## EDUCD28

## Special Education Enhancements

## Section: 265.190

Makes the following earmarks to GRF appropriation item 200540, Special Education Enhancements:

- (1) Up to \$33,000,000 in each fiscal year to fund special education and related services for school-age children at county DD boards and state institutions.
- (2) Up to \$1,350,000 in each fiscal year for parent mentoring programs.
- (3) Up to \$3,000,000 in each fiscal year for school psychology interns.
- (4) \$3,250,000 in FY 2020 and \$3,500,000 in FY 2021 to be transferred to the Opportunities for Ohioans with Disabilities Agency via an intrastate transfer voucher. Requires the transferred funds to be used as state matching funds to draw down available federal funding for vocational rehabilitation services. Specifies that funding be used to hire vocational rehabilitation counselors to provide transition services for students with disabilities. Requires the agencies to enter into an interagency agreement to specify the responsibilities of each agency under the program.
- (5) Up to \$2,000,000 in each fiscal year to be used to build capacity to deliver a regional system of training, support, coordination, and direct service for secondary transition services for students with disabilities beginning at age 14.

## Section: 265.190

Same as the Executive.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.

- (5) Same as the Executive.



## Executive

## In House Finance

Specifies that the remainder of the appropriation be used to distribute preschool special education funding for school districts and state institutions (see EDUCD43). Requires funded entities to adhere to Ohio's early learning program standards, to participate in the Step Up to Quality program, to document child progress using research-based indicators, and to report results annually.

Same as the Executive.

## EDUCD29

## Career-Technical Education Enhancements

## Section: 265.200

Makes the following earmarks to GRF appropriation item 200545, Career-Technical Education Enhancements:

- (1) Up to \$2,563,568 in each fiscal year to fund secondary career-technical education at correctional institutions, the School for the Deaf, and the State School for the Blind. Notwithstanding the statutory unit funding formula and specifies that the funding be distributed using a grant-based methodology.
- (2) Up to \$2,686,474 in each fiscal year to fund competitive expansion grants to tech prep consortia.
- (3) Up to \$3,000,850 in each fiscal year to support existing High Schools That Work (HSTW) sites, develop and support new sites, fund technical assistance, and support regional centers and middle school programs.
- (4) Up to \$600,000 in each fiscal year to fund the Agriculture 5th Quarter Project.

## Section: 265.200

Same as the Executive, but makes the following changes:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.

## Executive

## In House Finance

(5) Up to \$550,000 in each fiscal year to support career planning and reporting through the OhioMeansJobs website.

(6) No provision.

(7) No provision.

(5) Same as the Executive.

(6) Earmarks \$100,000 in each fiscal year to support Jobs for Ohio's Graduates.

(7) Earmarks \$150,000 in each fiscal year for the Ohio ProStart school restaurant program.

## EDUCD12

## Foundation Funding

## Section: 265.210

Makes the following earmarks to GRF appropriation item 200550, Foundation Funding:

(1) Up to \$40,000,000 in each fiscal year for additional state aid to school districts, JVSDs, and community and STEM schools for special education students exceeding certain specified catastrophic cost thresholds (see EDUCD61).

(2) Up to \$3,800,000 in each fiscal year to fund gifted education units at ESCs. Specifies that the distribution of gifted education funds to ESCs is based on the unit methodology used prior to FY 2010.

(3) Up to \$40,000,000 in each fiscal year to fund the state reimbursement of ESCs (see EDUCD58).

(4) Up to \$3,500,000 in each fiscal year to be distributed to ESCs through a grant process for school improvement initiatives and for the provision of technical assistance to schools and districts as required by federal law.

## Section: 265.210

Same as the Executive, but makes the following changes:

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

## Executive

## In House Finance

(5) Up to \$7,000,000 in each fiscal year for payments to guarantee that a school district that lost at least 50% of its public utility tangible personal property (TPP) value between tax year (TY) 2016 and TY 2017 due to nuclear power plant devaluation receives at least 97% of the district's average total resources per pupil from FY 2015 to FY 2018.

(5) Same as the Executive.

(6) Up to \$26,400,000 in each fiscal year to support school choice programs.

(6) Same as the Executive.

(7) Up to \$17,600,000 in each fiscal year of the foundation program funds allocated to the Cleveland Municipal School District (MSD) for the Cleveland school choice program. Earmarks, of that amount, up to \$1,000,000 in each fiscal year for the district to provide tutorial assistance.

(7) Same as the Executive.

(8) Up to \$1,500,000 in each fiscal year for home-instructed students to participate in the College Credit Plus Program.

(8) Same as the Executive.

(9) An amount to fund foundation aid payments for JVSDs (see EDUCD44).

(9) Same as the Executive.

(10) Up to \$700,000 in each fiscal year for the private treatment facility project (see EDUCD31).

(10) Same as the Executive.

(11) An amount to pay college-preparatory boarding schools the per pupil boarding amount.

(11) Same as the Executive.

(12) A portion in each fiscal year to pay community schools and STEM schools the amount calculated for the graduation and third-grade reading bonuses (see EDUCD45 and EDUCD46).

(12) Same as the Executive.

(13) Up to \$1,172,000 in FY 2020 and up to \$1,760,000 in FY 2021 for duties and activities related to the establishment of

(13) Same as the Executive.

## Executive

## In House Finance

academic distress commissions. Permits a portion of the funds to be used by ODE to provide support and assistance to an academic distress commission and the districts subject to an academic distress commission.

(14) Up to \$250,000,000 in FY 2020 and up to \$300,000,000 in FY 2021 for student success and wellness funds to school districts, JVSDs, and community and STEM schools (see EDUCD39).

(15) Up to \$350,000 in FY 2020 for ODE to conduct return on investment studies on services funded with student wellness and success funds and to provide technical assistance to districts on implementing services.

Specifies that the remainder be used to distribute to city, local, and exempted village school districts the amounts calculated for foundation aid (see EDUCD43).

Specifies that GRF appropriation items 200502, Pupil Transportation, 200540, Special Education Enhancements, and 200550, Foundation Funding, other than specific set-asides, are to fund state formula aid obligations. Provides that ODE seek approval from the OBM Director to transfer funds among these items, or other GRF appropriation items in which there are excess appropriation, in order to meet these obligations.

Authorizes the payment of school operating funds in amounts substantially equal to those made in the prior year until the new school funding formulas take effect.

(14) No provision. (Funding for this purpose is provided under DPF Fund 5VS0 appropriation item 200604, Student Wellness and Success, and SLF Fund 7017 appropriation item 200625, Student Wellness and Success (see EDUCD101 and EDUCD102)).

(15) Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**EDUCD48      Literacy Improvement****Section:    265.240**

Specifies that GRF appropriation item 200566, Literacy Improvement, be used by ODE to support early literacy activities to align state, local, and federal efforts to order to bolster all students' reading success. Requires funds to be distributed to ESCs to establish and support regional literacy professional development teams.

Permits a portion of the funds to be used by ODE for program administration, monitoring, technical assistance, support, research, and evaluation related to early literacy activities.

**Section:    265.240**

Same as the Executive.

Same as the Executive.

**EDUCD49      Adult Education Programs****Section:    265.250**

Specifies that GRF appropriation item 200572, Adult Education Programs, be used to make payments to institutions participating in the Adult Diploma Pilot Program; to make payments under the 22+ Adult High School Program to participating school districts, community schools, community and technical colleges and university branches for students ages 22 and above who enroll to earn a high school diploma; and to reimburse career-technical planning districts (CTPDs) for the vouchers provided to students who take an approved high school equivalency exam for the first time.

Requires CTPDs to reimburse individuals taking a nationally recognized high school equivalency examination approved by ODE for the first time for application or examination fees in

**Section:    265.250**

Same as the Executive, but specifically earmarks up to \$6,400,000 for the 22+ Adult High School Program and specifies that a portion of the appropriation be used to make payments for the other programs supported by the line item.

Same as the Executive.

Executive

In House Finance

excess of \$40, up to a maximum reimbursement of \$80.  
Requires each CTPD to designate a site or sites where individuals may register and take an approved examination and to offer career counseling services for each individual that registers for the examination. Permits any remaining funds in each fiscal year to be reimbursed to the Department of Youth Services and the Department of Rehabilitation and Correction for individuals in these facilities who have taken the approved examination for the first time. Prohibits the amounts reimbursed for these individuals from exceeding the per-individual amounts reimbursed to other individuals for the approved examination.

Permits any unexpended funds in each fiscal year for the Adult Diploma and 22+ Adult High School programs to be encumbered by ODE and remain available for payment within two years of the fiscal year in which the funds were originally appropriated, in accordance with guidelines established by the Superintendent of Public Instruction.

Permits a portion of the appropriation to be used for program administration, technical assistance, support, research, and evaluation of adult education programs including high school equivalency examinations approved by ODE.

Same as the Executive.

Same as the Executive.

Executive

In House Finance

EDUCD14

EdChoice Expansion

Section:

265.260

Specifies that GRF appropriation item 200573, EdChoice Expansion, be used to pay for EdChoice scholarships for students from families with incomes below 200% of the federal poverty level regardless of the performance of the school the student would otherwise attend. Limits the number of scholarships awarded under the income-based program from exceeding the number that can be funded with the appropriation.

Section:

265.260

Same as the Executive.

EDUCD1

Half-Mill Maintenance Equalization

Section:

265.260

Specifies that GRF appropriation item 200574, Half-Mill Maintenance Equalization, be used to make payments under the Half-Mill Maintenance Equalization Program, which provides payments to equalize school districts who receive below average per-pupil tax revenues from the one-half mill levy required of districts to help pay for maintenance costs of new or renovated buildings financed through the Classroom Facilities Assistance Program.

Section:

265.260

Same as the Executive.

Executive

In House Finance

**EDUCD37            Innovative Shared Services at Schools**

**Section:    265.260**

Specifies that GRF appropriation item 200598, Innovative Shared Services at Schools, be used to make competitive grants to city, local, and exempted village school districts, JVSDs, community schools, STEM schools, and educational consortia in accordance with the Innovative Shared Services at Schools Program (see EDUCD38).

**Section:    265.260**

Same as the Executive.

**EDUCD78            Adaptive Sports Program**

No provision.

**Section:    265.260**

Specifies that funds from GRF appropriation item 200576, Adaptive Sports Program, be used in collaboration with the Adaptive Sports Program of Ohio to fund adaptive sports programs in school districts across the state.

**EDUCD38            Innovative Shared Services at Schools Program**

**Section:    265.270**

Creates the Innovative Shared Services at Schools Program to make competitive grants to city, local, and exempted village school districts, JVSDs, community schools, STEM schools, and educational consortia for projects that demonstrate increased efficiency and effectiveness, sustainability, and scalability through a shared services delivery model.

**Section:    265.270**

Same as the Executive.



## Executive

## In House Finance

Establishes a five-member governing board to award the grants. Requires ODE to provide administrative support to the board and that no member be compensated for their service. Requires the board to select advisors with fiscal and education expertise to evaluate grant proposals. Requires the board to issue an annual report concerning the program.

Same as the Executive.

Specifies the required components for each grant application and agreement as well as procedures and certain criteria to be used by the board in awarding the grants.

Same as the Executive.

Generally limits grants to no more than \$100,000 in each fiscal year. Permits grant recipients to use these funds for grant-related expenses for no more than two years from the date of the award.

Same as the Executive.

Permits ODE, at the discretion of the board, to use a portion of the appropriation to administer the grant program.

Same as the Executive.

**Fiscal effect: The bill appropriates \$1.0 million in each fiscal year from GRF appropriation item 200598, Innovative Shared Services at Schools, for the grants.**

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

## EDUCD30

## Medicaid in Schools Program

**Section: 265.280**

Specifies that GRF appropriation item 657401, Medicaid in Schools Program, be used to support the Medicaid in Schools Program.

**Section: 265.280**

Same as the Executive.

## Executive

## In House Finance

**EDUCD16 Teacher Certification and Licensure****Section: 265.300**

Specifies that DPF Fund 4L20 appropriation item 200681, Teacher Certification and Licensure, be used in each fiscal year to administer and support teacher certification and licensure activities. Permits a portion to be used for implementation of teacher and principal evaluation systems.

**Section: 265.300**

Same as the Executive.

**EDUCD18 School District Solvency Assistance****Section: 265.320**

Specifies that funds in DPF Fund 5H30 appropriation item 200687, School District Solvency Assistance, be used to provide assistance and grants to school districts to enable them to remain solvent. Requires that assistance and grants be subject to the approval of the Controlling Board.

Requires the Superintendent of Public Instruction to determine the allocations for (1) the School District Shared Resource Account to make advances to districts that must be repaid and (2) the Catastrophic Expenditures Account, used to make grants to school districts that need be repaid only if the district receives third party reimbursement funding.

Permits the OBM Director to make cash transfers into the School District Solvency Assistance Fund (Fund 5H30) in each fiscal year from the GRF or any funds used by ODE to maintain sufficient cash balances in the fund. Appropriates any funds so transferred. Requires the Director to notify the Controlling Board of any such transfers.

**Section: 265.320**

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

Permits, if the cash balance of Fund 5H30 is insufficient to pay solvency assistance, and with approval of the Controlling Board, the transfer of cash from the Lottery Profits Education Reserve Fund (Fund 7018) to Fund 5H30 to provide assistance and grants. Appropriates any funds so transferred to Fund 5H30 appropriation item 200670, School District Solvency Assistance - Lottery.

Same as the Executive.

## EDUCD102

## Student Wellness and Success

No provision.

**Section: 265.323**

Specifies that DPF Fund 5VS0 appropriation item 200604, Student Wellness and Success, be used to provide student wellness and success funds to school districts, JVSDs, and community and STEM schools (see EDUCD39).

## EDUCD47

## School Climate Grants

**Section: 265.325**

Specifies that GRF appropriation item 200602, School Climate Grants, be used to provide competitive grants to eligible city, local, exempted village school districts, and community schools to implement positive behavior intervention and supports frameworks, evidence- or research-based social and emotional learning initiatives, or both, in school buildings serving any of grades K-3.

Requires the Superintendent to prescribe a grant application form, establish procedures for consideration and approval, determine the amount of awards, and administer and award the

**Section: 265.325**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

grants.

Requires the Superintendent to award the grants in the following order of priority: (1) to applicants whose proposal serves buildings with a higher percentage of economically disadvantaged students than the statewide average; (2) to applicants whose proposal serves buildings with high suspension rates; and (3) to the remaining applicants in the order in which their applications were received. Requires the Superintendent to prioritize grants within the priority levels to applicants who have not previously received a grant if appropriated amounts are not sufficient to provide grants to all eligible applicants.

Same as the Executive.

Limits grants to \$5,000 per eligible school building and up to a maximum of \$50,000 per eligible applicant. Permits grant recipients to use awarded funds for grant-related expenses for no more than two years.

Same as the Executive.

## EDUCD15

## Foundation Funding

**Section: 265.330**

Specifies that SLF Fund 7017 appropriation item 200612, Foundation Funding, be used in conjunction with GRF appropriation item 200550, Foundation Funding, to provide formula aid payments to school districts.

Requires ODE, with the approval of the OBM Director, to determine the monthly distribution schedules of items 200550 and 200612.

**Section: 265.330**

Same as the Executive.

Same as the Executive.

Executive

In House Finance

EDUCD101      Student Wellness and Success

No provision.

Section:    265.332

Specifies that SLF Fund 7017 appropriation item 200625, Student Wellness and Success, be used to provide student wellness and success funds to school districts, JVSDs, and community and STEM schools (see EDUCD39).

EDUCD20      Quality Community Schools Support

Section:    265.335

Specifies that SLF Fund 7017 appropriation item 200631, Quality Community Schools Support, be used by ODE to make payments to community schools that are designated as Community Schools of Quality.

Specifies that a Community School of Quality receives per-pupil funding of \$1,750 for students who are identified as economically disadvantaged and \$1,000 for students not identified as economically disadvantaged. Requires, generally, that the payments be based on the number of students enrolled in the community school for the prior fiscal year.

Qualifies a community school as a Community School of Quality if the school satisfies at least one of the following conditions:

(1) The school’s sponsor is rated “exemplary” or “effective” on sponsor’s most recent evaluation, the school’s two most recent performance index scores are higher than the school district in which school is located, the school’s most recent overall grade for value added is “A” or “B” or the school is in its first or second

Section:    265.335

Same as the Executive.

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

## Executive

## In House Finance

year of operation and did not receive a value-added grade, and at least 50% of enrolled students are economically disadvantaged.

(2) The school's sponsor is rated "exemplary" or "effective" on sponsor's most recent evaluation, the school is in its first year of operation, and the school replicating the operational and instructional model used by a school of quality designated under condition (1).

(3) The school's sponsor is rated "exemplary" or "effective" on sponsor's most recent evaluation, the school contracts with an operator that operates schools in other states, and one of the operator's schools received funding through the Federal Charter School Program or the Charter School Growth Fund.

(4) The school's sponsor is rated "exemplary" or "effective" on sponsor's most recent evaluation, the school contracts with an operator that operates schools in other states, one of the operator's out-of-state schools performed better than the school district in which the in-state school is located as determined by ODE, at least 50% of enrolled students are economically disadvantaged, the operator is in good standing in all states, and ODE has determined the operator does not have financial viability issues preventing it from effectively operating a community school in Ohio.

Specifies that schools will maintain the designation for two fiscal years following the fiscal year that the school initially received the designation.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

## EDUCD17

## Community School Facilities

## Section: 265.340

Specifies that SLF Fund 7017 appropriation item 200684, Community School Facilities, be used to pay brick-and-mortar community and STEM schools an amount equal to \$200 per pupil and internet- and computer-based community schools an amount equal to \$25 per pupil in each fiscal year for facilities-related costs.

Requires ODE to prorate payments if the amount appropriated is insufficient.

## Section: 265.340

Same as the Executive.

Same as the Executive.

## EDUCD19

## Lottery Profits Education Reserve Fund

## Section: 265.350

Creates the Lottery Profits Education Reserve Fund (Fund 7018), a continuation of current law. Permits the OBM Director to transfer cash from Fund 7018 to the Lottery Profits Education Fund (Fund 7017) in both fiscal years. Requires the Lottery Commission Director to certify on July 15, 2019, the amount by which lottery profits exceeded \$1,093,630,000 in FY 2019 and on July 15, 2020, the amount by which lottery profits exceeded \$1,126,000,000 in FY 2020, to the OBM Director. Permits the OBM Director to transfer cash in excess of the amounts necessary to support appropriations in Fund 7017 to Fund 7018.

## Section: 265.350

Same as the Executive.

## Executive

## In House Finance

**EDUCD21      Community school SBH subsidy****Section:    265.390**

Continues the subsidy payment in current law for certain community schools that serve students with severe behavioral disabilities (SBH). Specifies that the amount of the subsidy is not deducted from the students' resident school district.

**Section:    265.390**

Same as the Executive.

**EDUCD34      Earmark accountability****Section:    265.400**

Authorizes the Superintendent of Public Instruction to request an annual accountability report from any entity that receives a budget earmark under ODE's budget.

Requires that the report be submitted to ODE and House and Senate committees primarily concerned with education funding to the list of recipients.

Prohibits the provision of funds to an earmarked entity for a fiscal year until its report for the prior fiscal year has been submitted, if the entity received an earmark.

**Section:    265.400**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**EDUCD33      Prioritize unused federal funds****Section:    265.490**

Directs ODE to use any unused portion of the Title IV, Part A federal block grant funds to pay for the cost of Advanced Placement (AP) or International Baccalaureate (IB) exams for low-income students.

**Section:    265.490**

Same as the Executive.



Executive

In House Finance

Fiscal effect: Federal law permits ODE to set aside up to 5% of the block grant award for state activities, including reimbursement of AP and IB test fees for economically disadvantaged students. These funds are appropriated in Fund 3H10 appropriation item 200634, Student Support and Academic Enrichment.

Fiscal effect: Same as the Executive.

Executive

In House Finance

FUNCD1

Embalmer, funeral director, crematory and facility authorization fees

<div>R.C.4717.07, 4717.03, 4717.05, 4717.41</div> <div>Increases the following fees charged by the Board: (1) application and biennial renewal of an embalmer's or funeral director's license from \$150 to \$200; (2) application and biennial renewal to operate an embalming facility or funeral home from \$350 to \$400; (3) application and biennial renewal to operate a crematory facility from \$350 to \$400; and (4) application and biennial renewal of a crematory operator permit from \$100 to \$150.</div> <div>Replaces the current two-step process for obtaining an embalmer's or funeral director's license, the registration (\$25) and a certificate of apprenticeship (\$10), with one certificate, a \$35 certificate of apprenticeship.</div> <div>Fiscal effect: Increases licensing revenues deposited into the Occupational and Professional Licensing Fund (Fund 4K90). Increases will depend on the total number of licensees. FUN currently has 6,763 total licensees.</div>	<div>R.C.4717.07, 4717.03, 4717.05, 4717.41</div> <div>Same as the Executive.</div> <div>Same as the Executive.</div> <div>Fiscal effect: Same as the Executive.</div>
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## Executive

## In House Finance

**PAYCD1          Payroll Deduction Fund****Section:    271.20**

Requires that Payroll Deduction Fund (Fund 1240) appropriation item 995673, Payroll Deductions, be used to make payments pursuant to R.C. 125.21 for withheld taxes, the employee's retirement contributions, and voluntary deductions. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section:    271.20**

Same as the Executive.

**PAYCD2          Accrued Leave Liability Fund****Section:    271.20**

Requires that Accrued Leave Liability Fund (Fund 8060) appropriation item 995666, Accrued Leave Fund, be used to make payments pursuant to RC 125.211 for accrued vacation, sick, and personal leave to employees leaving state employment, as well as to existing employees for annual sick and personal leave conversion. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section:    271.20**

Same as the Executive.

## Executive

## In House Finance

**PAYCD3 State Employee Disability Leave Benefit Fund****Section: 271.20**

Requires that State Employee Disability Leave Benefit Fund (Fund 8070) appropriation item 995667, Disability Fund, be used to make payments pursuant to RC 124.83 for state employee disability benefits. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section: 271.20**

Same as the Executive.

**PAYCD4 State Employee Health Benefit Fund****Section: 271.20**

Requires that State Employee Health Benefit Fund (Fund 8080) appropriation item 995668, State Employee Health Benefit Fund, be used to make payments pursuant to RC 124.87 for medical, mental health, prescription, dental, and vision coverage provided to state employees. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section: 271.20**

Same as the Executive.

**PAYCD5 Dependent Care Spending Fund****Section: 271.20**

Requires that Dependent Care Spending Fund (Fund 8090) appropriation item, 995669, Dependent Care Spending Account, be used to make payments pursuant to RC 124.822 for state employees enrolled in the Dependent Care Spending Account Program. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section: 271.20**

Same as the Executive.

Executive

In House Finance

PAYCD6                      Life Insurance Investment Fund

**Section:    271.20**  
Requires that Life Insurance Investment Fund (Fund 8100) appropriation item 995670, Life Insurance Investment Fund, be used to pay for the costs of the state's life insurance benefit program that provides coverage for exempt state employees pursuant to RC 125.212. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section:    271.20**  
Same as the Executive.

PAYCD7                      Parental Leave Benefit Fund

**Section:    271.20**  
Requires that Parental Leave Benefit Fund (Fund 8110) appropriation item 995671, Parental Leave Benefit Fund, be used to make payments to employees eligible for parental leave benefits pursuant to RC 124.37. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section:    271.20**  
Same as the Executive.

Executive

In House Finance

**PAYCD8                      Health Care Spending Account Fund**

**Section:    271.20**

Requires that Health Care Spending Account Fund (Fund 8130) appropriation item 995672, Health Care Spending Account, be used to make payments pursuant to RC 124.821 for state employees' participation in a flexible spending account for non-reimbursed health care expenses. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section:    271.20**

Same as the Executive.

## Executive

## In House Finance

**EPACD7                      Local air pollution control authority****R.C.                      3704.01, 3704.111**

Modifies the list of local agencies that qualify as a local air pollution control authority under the law governing air pollution control by eliminating the Mahoning-Trumbull Air Pollution Control Authority, City of Youngstown.

**Fiscal effect: None. The Mahoning-Trumbull Air Pollution Control Authority ceased operations as of September 30, 2018, therefore the elimination will not affect the distribution of available funding for local air pollution control authorities.**

**R.C.                      3704.01, 3704.111**

Same as the Executive.

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

**EPACD5                      Best available technology requirements for air contaminants****R.C.                      3704.03**

(1) Eliminates the requirement that the Director of Environmental Protection establish the best available technology (BAT) methods in rules and instead requires the BAT method for an air contaminant source to be established in the permit to install (PTI) issued for the source.

(2) Specifies that the methods apply only to air contaminants or precursors of air contaminants for which a National Ambient Air Quality Standard has been established under the federal Clean Air Act.

(3) Alters one of the four current BAT methods by allowing BAT requirements in a permit issued for an air contaminant source to be expressed as a "rolling 12-month summation of the allowable emissions" rather than as "monthly allowable emissions averaged over a 12-month rolling period."

(1) No provision.

(2) No provision.

(3) No provision.

## Executive

## In House Finance

(4) Clarifies that certain air contaminant sources having the potential to emit ten tons or more of nitrogen oxide per year must meet any applicable reasonably available technology rule in effect as of December 22, 2007.

**Fiscal effect: None.**

(4) No provision.

## EPACD6

## Extension of E-Check

**R.C. 3704.14**

Authorizes the extension of the motor vehicle inspection and maintenance program (E-Check) in Ohio counties where this program is federally mandated by doing the following:

(1) Authorizing the Director of Environmental Protection to request the Director of Administrative Services to extend the contract (with the contractor that conducts the program) beginning on June 30, 2019, for a period of up to 24 months through June 30, 2021.

(2) Requiring the Director of Environmental Protection, prior to the expiration of the contract extension above, to request the Director of Administrative Services to enter into a contract (with a vendor to operate a decentralized program) through June 30, 2023, with an option to renew the contract for a period of up to 24 months through June 30, 2025.

**Fiscal effect: This program is a requirement that was developed as part of the federally approved State Implementation Plan (SIP) and compliance with the federal Clean Air Act so as to avoid the loss of federal grant money and possible sanctions. These sanctions include requiring offsets from facilities building in nonattainment areas and the loss of federal highway funds.**

**R.C. 3704.14**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

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



## Executive

## In House Finance

## EPACD4

## Asbestos training certification changes

R.C. 3710.01, 3710.04, 3710.05, 3710.051, 3710.06,  
3710.07, 3710.08, 3710.12

Makes the following changes to the law governing asbestos abatement, which is administered by Ohio EPA:

- (1) Expands the scope of activities that are subject to regulation by applying the law to activities involving more than 3 linear or square feet of asbestos-containing material, rather than more than 50 linear or square feet as in current law.
- (2) Adds the maintenance of asbestos-containing materials as one of the activities subject to regulation.
- (3) Adds the operation of asbestos-containing materials as one of the activities subject to regulation.
- (4) Authorizes the Ohio EPA to take certain enforcement actions against a contractor licensee or certificate holder if either is violating or threatening to violate specified federal regulations adopted under the Federal Toxic Substances Control Act.
- (5) Requires the Ohio EPA to deny a contractor license application if the applicant or any of the applicant's officers or employees has been found liable in a civil proceeding under any state or federal environmental law. (Currently, denial is limited to felony convictions.)
- (6) Eliminates the Ohio EPA Director's authority to approve, on a case-by-case basis, alternatives to the existing worker protection requirements for a project conducted by a public entity.

R.C. 3710.01, 3710.04, 3710.05, 3710.051, 3710.06,  
3710.07, 3710.08, 3710.12

Same as the Executive, but makes the following changes:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive, but changes "operation" to "operations."
- (4) Same as the Executive, but adds a reference to the Asbestos Hazard Emergency Response Act, which amended the Federal Toxic Substance Control Act.
- (5) Same as the Executive.
- (6) Same as the Executive.

Executive

In House Finance

- (7) Adds both of the following to the list of activities that require a person to be certified as an asbestos hazard evaluation specialist: (a) inspections, and (b) assessments of suspect asbestos containing materials.
- (8) Adds the oversight of an asbestos hazard abatement activity to the list of activities that require certification as an asbestos hazard abatement project designer.
- (9) Eliminates, with regard to the certification of an asbestos hazard abatement air-monitoring technician (responsible for environmental monitoring or work area clearance air sampling), the exemption from certification that applies to industrial hygienists-in-training since the American Board of Industrial Hygiene no longer certifies those hygienists.
- (10) Requires a contractor to notify the Ohio EPA Director at least ten working days, rather than at least ten days as under current law, before beginning an asbestos hazard abatement project. (The change makes Ohio law consistent with federal law.)
- Fiscal effect: The net annual fiscal effect on the Ohio EPA's existing asbestos program revenues and expenditures is uncertain.**

- (7) Same as the Executive.
- (8) Same as the Executive.
- (9) Same as the Executive.
- (10) Same as the Executive.
- Fiscal effect: Same as the Executive.**

Executive

In House Finance

EPACD8

Open dumping

R.C.

3734.01

Specifies that “open dumping” under the law governing solid and infectious waste includes both of the following: (a) depositing solid wastes or treated infectious wastes into an abandoned building or structure at a site that is not licensed as a solid waste facility, and (b) depositing untreated infectious wastes into any abandoned building or structure.	No provision.
<b>Fiscal effect: The intent of this language is to clarify existing law, which may reduce the amount of time and resources expended on these matters and potentially generate some form of savings.</b>	

## Executive

## In House Finance

## EPACD15

## Post-use polymers and recoverable feedstocks

(1) No provision.

**R.C. 3734.01**

(1) Excludes post-use polymers and recoverable feedstocks from the laws governing solid waste disposal if all of the following apply: (a) the post-use polymers or recoverable feedstocks are stored for a period of less than 90 days, (b) the post-use polymers or recoverable feedstocks remain retrievable and substantially unchanged physically and chemically, (c) the storage of post-use polymers or recoverable feedstocks does not cause a nuisance, (d) the storage of post-use polymers or recoverable feedstocks does not pose a threat from vectors (e.g., insects or vermin), (e) the storage of post-use polymers or recoverable feedstocks does not adversely impact public health, safety, or the environment, and (f) prior to the end of the 90-day or less storage period, the post-use polymers or recoverable feedstocks are converted using gasification or pyrolysis.

(2) No provision.

(2) Specifies that a post-use polymer is a plastic polymer to which both of the following apply: (a) it is derived from any source and is not being used for its original intended purpose, and (b) its use or intended use is to manufacture crude oil, fuels, other raw materials, intermediate products, or final products using pyrolysis or gasification.

(3) No provision.

(3) Specifies that a recoverable feedstock is one or more of the following materials, derived from nonrecycled waste, that have been processed for use as a feedstock in a gasification facility: (a) post-use polymers, or (b) materials for which the U.S. Environmental Protection Agency has made a nonwaste determination or has otherwise determined are not solid waste.

## Executive

## In House Finance

(4) No provision.

(4) Specifies that pyrolysis is a process through which post-use polymers are heated in the absence of oxygen until melted and thermally decomposed, and are then cooled, condensed, and converted into certain fuels and other materials.

(5) No provision.

(5) Specifies that gasification is a process through which recoverable feedstocks are heated and converted into a fuel-gas mixture in an oxygen-deficient atmosphere, and the mixture is converted into certain fuels or other specified materials.

**Fiscal effect: Uncertain.**

## EPACD1

## Extension of sunset of fees on the transfer or disposal of solid wastes

## R.C. 3734.57

Extends for two years, from June 30, 2020 to June 30, 2022, the sunset of fees levied on the transfer or disposal of solid wastes. (A total of \$4.75 in state fees is levied on each ton of solid waste disposed of or transferred in Ohio and then used for administering the hazardous waste (90¢), solid waste (75¢), and other OEPA programs (\$2.85), and for soil and water conservation districts (25¢)).

**Fiscal effect: The fee extensions will continue annual revenues totaling \$64.5 million credited for the Ohio EPA's use as follows: \$40.9 million for the Environmental Protection Fund (Fund 5BC0), \$10.4 million for the Solid Waste Fund (Fund 4K30), \$10.2 million for the Hazardous Waste Clean-Up Fund (Fund 5050), and \$3.0 million for the Hazardous Waste Facility Management Fund (Fund 5030). Additionally, \$3.5 million credited annually to the Soil and Water Conservation District Assistance Fund (Fund 5BV0) and used by the Department of Agriculture is retained.**

## R.C. 3734.57

Same as the Executive.

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

## Executive

## In House Finance

## EPACD9

## Removal of additional wastes at scrap tire sites

## R.C. 3734.85

(1) Specifically authorizes the Director of Ohio EPA, when issuing a scrap tire removal order to a property owner, to also require the owner to remove any additional solid waste or construction and demolition debris (C&DD) unlawfully disposed of at the property. (Under current law, the Director may issue a scrap tire removal order when the Director determines that a scrap tire accumulation constitutes a danger to the public health or safety or to the environment.)

(1) No provision.

(2) Authorizes generally the Ohio EPA, when performing a removal action, to remove, transport, and dispose of any additional solid wastes or C&DD unlawfully disposed of at a scrap tire site if one or more of the following apply: (a) the property owner consents to the removal in writing, or (b) the Director, in the removal order, required the removal of the additional wastes.

(2) No provision.

(3) Specifies that a person who receives a removal order is liable to the Ohio EPA Director for the removal, storage, processing, disposal, or transportation costs associated with additional solid waste or C&DD. Permits the Director to record these costs, in the office of the county recorder where the property is located, as a lien against the property (under current law, the costs associated only with the removal of scrap tires may be so recorded).

(3) No provision.

(4) Clarifies that in a civil action for removal costs (and only removal costs) associated with scrap tires, a landowner may

(4) No provision.

## Executive

## In House Finance

recover costs from a responsible party in an amount equal to the portion of costs that the court determines is attributable to the responsible party. (Current law implies that the landowner may recover all costs from one responsible party even if there are multiple responsible parties.)

**Fiscal effect: None, as these provisions clarify existing law.**

**EPACD2                      Extension of sunset on fees on the sale of tires****R.C.                      3734.901**

Extends for two years, from June 30, 2020 to June 30, 2022, the sunset of both: (1) a base fee of 50¢ per tire levied on the sale of tires to assist in the cleanup of scrap tires, and (2) an additional fee of 50¢ per tire levied to assist soil and water conservation districts.

**Fiscal effect: The fee extensions preserve annual revenues totaling \$3.8 million for the Scrap Tire Management Fund (Fund 4R50) used by the Ohio EPA, and \$3.8 million for the Soil and Water Conservation District Assistance Fund (Fund 5BV0) used by the Department of Agriculture.**

**R.C.                      3734.901**

Same as the Executive.

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

**EPACD3                      Extension of various fees under laws governing air pollution control, water pollution control, and safe drinking water****R.C.                      3745.11**

Extends, for two years, all of the following:

(1) The sunset of the annual emissions fees for synthetic minor facilities.

**R.C.                      3745.11**

Same as the Executive.

(1) Same as the Executive.

## Executive

## In House Finance

(2) The sunset of the annual discharge fees for holders of National Pollutant Discharge Elimination System (NPDES) permits issued under the Water Pollution Control Law.

(2) Same as the Executive.

(3) The levying of higher fees, and the decrease of those fees at the end of the two years, for applications for plan approvals for wastewater treatment works.

(3) Same as the Executive.

(4) The sunset of annual license fees for public water system licenses.

(4) Same as the Executive.

(5) The levying of higher fees, and the decrease of those fees at the end of the two years, for plan approvals for public water supply systems.

(5) Same as the Executive.

(6) The levying of higher fees, and the decrease of those fees at the end of the two years, for state certification of laboratories and laboratory personnel for purposes of the Safe Drinking Water Law.

(6) Same as the Executive.

(7) The levying of higher fees, and the decrease of those fees at the end of the two years, for applications to take examinations for certification as operators of water supply systems or wastewater systems.

(7) Same as the Executive.

(8) The levying of higher fees, and the decrease of those fees at the end of the two years, for applications for permits, variances, and plan approvals under the Water Pollution Control Law and the Safe Drinking Water Laws.

(8) Same as the Executive.

**Fiscal effect: The fee extensions will continue annual revenues totaling \$14.8 million and credited for the Ohio EPA's use as follows: \$8.3 million for the Surface Water Protection Fund (Fund 4K40), \$6.1 million for the Drinking Water Protection Fund (Fund 4K50), and \$375,000 for the Clean Air - Non Title V Fund (Fund 4K20).**

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



## Executive

## In House Finance

## EPACD13

## H2Ohio Fund

## Section: 227.20

(1) Requires DPF Fund 6H20 appropriation item 715695, H2Ohio, to be used by the Ohio Environmental Protection Agency to support watershed planning, scientific research, and data collection.

(2) Permits appropriation item 715695 to be used to fund waterway improvement and protection of all state waterways in support of water quality priorities and management in accordance with R.C. 126.60.

(3) Permits the Director of the Environmental Protection Agency to certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of appropriation item 715695, at the end of FY 2020 to be reappropriated in FY 2021 to the same appropriation item. Appropriates the certified amount for FY 2021.

## Section: 227.20

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

## EPACD10

## Areawide planning agencies

## Section: 277.20

Permits the Director of Environmental Protection to award grants from DPF Fund 5BC0 appropriation item 715687, Areawide Planning Agencies, to areawide planning agencies engaged in areawide water quality management and planning activities in accordance with the nonpoint source pollution control provisions of the federal Clean Water Act.

## Section: 277.20

Same as the Executive.

## Executive

## In House Finance

**EPACD11            Cash transfer to the Marsh Restoration Fund****Section:    277.20**

(1) Permits the Director of Budget and Management, in consultation with the Director of Environmental Protection, on July 1, 2019, or as soon as possible thereafter, to transfer up to \$12,000,000 from the Surface Water Improvement Fund (Fund 5Y30) to the Marsh Restoration Fund (Fund 5VA0). Creates Fund 5VA0 in the state treasury. Specifies that all moneys credited to Fund 5VA0 are to be used for the remediation and restoration of the Mentor Marsh site in Mentor, Ohio.

(2) Permits the Director of Budget and Management, in consultation with the Director of Environmental Protection, on July 1, 2019, or as soon as possible thereafter, to transfer up to \$1,000,000 from the Site Specific Cleanup Fund (Fund 5410) to Fund 5VA0.

**Section:    277.20**

(1) Same as the Executive.

(2) Same as the Executive.

**EPACD14            Drinking and Ground Water**

No provision.

**Section:    277.20**

Requires \$500,000 of DPF Fund 5BC0 appropriation item 715673, Drinking and Ground Water, in FY 2020 to be used to support a study, including the acquisition of necessary equipment, to determine an estimate of storage capacity and maximum annual yield of the Michindoh Aquifer.

**Fiscal effect: The House budget increases the appropriation for line item 715673 by \$500,000 in FY 2020.**

Executive

In House Finance

EXPCD1                      State Fair Reserve Fund

Section:    285.10

Authorizes the General Manager of the Expositions Commission, in consultation with the OBM Director, to submit a request to the Controlling Board to use available amounts in the State Fair Reserve Fund (Fund 6400) if revenues derived from the 2019 or 2020 Ohio State Fair are unexpectedly low.

Authorizes the OBM Director, in consultation with the EXP General Manager, in each fiscal year to determine if the Ohio Expositions Fund (Fund 5060) has a cash balance in excess of the anticipated operating costs of EXP in that fiscal year. Allows the OBM Director to transfer up to the excess cash from Fund 5060 to Fund 6400 in each fiscal year.

**Fiscal effect: EXP last tapped Fund 6400 in 2002. The profit from the 2018 State Fair was approximately \$487,000. In FY 2018, Fund 5060 expenditures amounted to nearly \$15.3 million while \$14.5 million was deposited into the fund.**

Section:    285.10

Same as the Executive.

Same as the Executive.

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

## Executive

## In House Finance

**FCCCD10 Ohio Facilities Construction Commission executive director powers****R.C. 123.21**

Eliminates a provision of law requiring the Executive Director of OFCC to exercise all powers the Commission possesses.

**Fiscal effect: None. Under continuing law, the Executive Director supervises the Commission's operations, employs and fixes the compensation of its employees, and performs other duties delegated by the Commission.**

**R.C. 123.21**

Same as the Executive.

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

**FCCCD11 Local share and funding priority of facilities projects for certain school districts**

No provision.

No provision.

No provision.

No provision.

**R.C. 3318.037, 3318.036**

Specifies that a city, local, or exempted village school district retains its percentile ranking that was determined at the time the district entered into its initial agreement under the Expedited Local Partnership Program (ELPP) if the district satisfies all of the following conditions:

- (1) The district intends to build new classroom facilities on land originally owned by a state community college with the intention of collaboratively working with the state community college on workforce development programs and curriculum;
- (2) The district has previously participated in ELPP but did not construct any new facilities as part of that Program;
- (3) The district reapplies for ELPP between January 1, 2019, and July 1, 2020, and subsequently enters into a new agreement for that Program.

## Executive

## In House Finance

No provision.

Specifies that (1) the Ohio Facilities Construction Commission must give first priority for funding for a Classroom Facilities Assistance Program (CFAP) project to districts that satisfy the conditions described above as such funds become available and (2) those districts' portions of the basic project cost of CFAP projects must be the same percentage of the basic project cost as under their initial agreements under ELPP.

No provision.

Specifies that the Commission must give first priority for CFAP projects to a city, local, or exempted village school district that intends to build a new school building on land originally owned by a state community college with the intention of collaboratively working with the state community college on workforce development programs and curriculum. Permits the Commission to reduce such a district's portion of the total cost of the project by up to 25 percentage points and up to an additional 10 percentage points, provided the district's portion is at least 5%.

**Fiscal effect: Eligible school districts may be offered facilities funding sooner under the bill's provisions, potentially delaying the offer of funding for others. In addition, the local share of an eligible school district may be lower and the state share higher.**

## FCCCD1

## Cultural Facilities Lease Rental Bond Payments

## Section: 287.20

Requires GRF appropriation item 230401, Cultural Facilities Lease Rental Bond Payments, to be used to meet all of OFCC's required payments during the FY 2020-FY 2021 biennium under the primary leases and agreements for cultural sports facilities.

## Section: 287.20

Same as the Executive.

## Executive

## In House Finance

**FCCCD2 Common Schools General Obligation Bond Debt Service****Section: 287.20**

Requires that GRF appropriation item 230908, Common Schools General Obligation Bond Debt Service, be used to pay all required debt service and related financing costs during the FY 2020-FY 2021 biennium.

**Section: 287.20**

Same as the Executive.

**FCCCD3 Community project administration****Section: 287.30**

Requires that GRF appropriation item 230458, State Construction Management Services, be used by OFCC to administer Cultural and Sports Facilities Building Fund (Fund 7030) projects.

**Section: 287.30**

Same as the Executive.

**FCCCD12 School Bus Purchase**

No provision.

No provision.

**Section: 287.30**

Specifies that Fund 5VU0 appropriation item 230646, School Bus Purchase, be used by OFCC to assist school districts in purchasing school buses in accordance with the new program described below.

Requires OFCC, in partnership with the departments of Administrative Services (DAS) and Public Safety (DPS), to develop a program to provide school bus purchase assistance in a manner comparable to the method in which school facilities assistance is provided under the Classroom Facilities Assistance Program.

## Executive

## In House Finance

No provision.

Requires OFCC, DAS, and DPS to submit a report to the General Assembly by January 31, 2020 that describes how the program will operate.

## FCCCD4

## School facilities encumbrances and reappropriation

**Section: 287.30**

Authorizes the Director of OBM, at the request of the Executive Director of OFCC, to cancel encumbrances for school district projects from a previous biennium if the district has not raised its local share of project costs within 13 months of Controlling Board approval. Requires the Executive Director to certify the amounts of the canceled encumbrances on a quarterly basis. Appropriates the amounts of the canceled encumbrances to the Classroom Facilities Assistance Program.

**Section: 287.30**

Same as the Executive.

Executive

In House Finance

**FCCCD5                    Capital donations fund certifications and appropriations**

**Section:    287.40**

Requires the Executive Director of OFCC to certify to the Director of OBM the amount of cash receipts and related investment income, irrevocable letters of credit from a bank, or certification of the availability of funds that have been received from a county or a municipal corporation for deposit into the Capital Donations Fund (Fund 5A10) and that are related to an anticipated project and appropriates these amounts to appropriation item C37146, Capital Donations. Requires the Executive Director to make a written agreement with the participating entity on the necessary cash flows required for the anticipated construction or equipment acquisition project.

**Section:    287.40**

Same as the Executive.

**FCCCD6                    Amendment to project agreement for maintenance levy**

**Section:    287.50**

Requires OFCC to amend the project agreement between OFCC and a school district that is participating in the Accelerated Urban Initiative (AUI) if FCC determines it is necessary to do so in order to comply with the change in maintenance levy requirements enacted by H.B. 1 of the 128th G.A.

**Section:    287.50**

Same as the Executive.



Executive

In House Finance

Fiscal effect: H.B. 1 of the 128th General Assembly changed the maintenance levy requirements for the six AUI districts (Akron, Cincinnati, Cleveland, Columbus, Dayton, and Toledo) to run for 23 years from the date the initial segment is undertaken, instead of extending for 23 years after the district's last segment was undertaken (the six AUI projects are broken into individual segments). For the districts that have not changed their agreements yet, the H.B. 1 change would reduce the number of years for which the districts would have to levy the required 1/2 mill property tax for maintenance. Currently, projects for Cleveland, Columbus, and Akron are incomplete. Presumably, these AUI districts would use other funds to meet their building maintenance needs if the original project agreements were amended.

Fiscal effect: Same as the Executive.

FCCCD7 Disbursement determination

Section: 287.60

Authorize OFCC to determine the amount of funding available for disbursement in a given fiscal year for any Classroom Facilities Assistance Program project in order to keep aggregate state capital spending within approved limits. Authorizes OFCC to take actions including, but not limited to, determining the schedule for design or bidding of approved projects, to ensure appropriate and supportable cash flow.

Fiscal effect: The provision may give OFCC more flexibility in spending state funds on projects.

Section: 287.60

Same as the Executive.

Fiscal effect: Same as the Executive.

## Executive

## In House Finance

**FCCCD8 Assistance to joint vocational school district****Section: 287.70**

Requires OFCC to provide assistance to at least one JVSD each fiscal year for the acquisition of classroom facilities.

**Fiscal effect: OFCC already has the authority to spend up to 2% of its annual capital appropriations on JVSD projects. If OFCC were to reach the 2% limit, this provision requires OFCC to provide assistance to at least one JVSD each fiscal year.**

**Section: 287.70**

Same as the Executive.

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

**FCCCD9 Returned or recovered funds****Section: 287.80**

Requires that any state-source surplus project construction funds or interest earnings returned to the state and any funds recovered from settlements with or judgments against parties relating to their involvement in a classroom facilities project be deposited into the fund for which the project's capital appropriations were made.

Permits, in FY 2020, the Executive Director of OFCC to request the Director of OBM to authorize expenditures from those funds and specified appropriation items in excess of the amounts appropriated in amounts equal to the returned or recovered funds. If approved, appropriates the returned and recovered funds and requires the funds to be used for the Classroom Facilities Assistance Program or the Vocational Facilities Assistance Program.

**Section: 287.80**

Same as the Executive.

Same as the Executive.

Executive

In House Finance

GOVCD2

Public health emergency declarations

R.C.

107.20

Requires the Governor to declare by executive order a public health emergency if either (1) an event occurred or is occurring in any part of the state resulting in significant injury or harm to the public health; or (2) there is an imminent threat of substantial injury or harm to the public health, and one or more political subdivisions lack the resources or capabilities to protect public health and safety.

No provision.

Requires an emergency order to remain in effect until the earliest of the following: (1) the Governor determines the emergency conditions no longer exist; (2) the General Assembly suspends the operation of the executive order by adopting a concurrent resolution; or (3) 30 days have elapsed since the Governor issued the order. Permits the Governor to issue another executive order if thirty days have elapsed and the General Assembly has not suspended the operation of the executive order but the emergency conditions are still present.

No provision.

Requires the Governor to rescind the executive order as soon as possible after the General Assembly adopts a concurrent resolution suspending the executive order’s operation.

No provision.

Requires the Governor, on declaring a public health emergency, to do all of the following: (1) take action and give direction to state and local law enforcement agencies as may be reasonable and necessary to secure compliance with an emergency order; (2) establish offices in state agencies and appoint personnel to carry out an order; and (3) direct state agency personnel to take

No provision.

Executive

In House Finance

actions as necessary to address the emergency.

Permits the Governor, on declaring a public health emergency, to do all of the following: (1) issue executive orders and direct state agencies to adopt rules relating to the emergency; (2) assume control of emergency management operations; (3) delegate duties as necessary; (4) authorize a health care practitioner in another jurisdiction to provide health care services during an emergency; (5) use any available resources of state government or political subdivisions as necessary; (6) order the Director of OBM to transfer cash from any fund not otherwise restricted to the Controlling Board Emergency Purposes/Contingency Fund (Fund 5KM0) to assist in emergency efforts; and (7) limit, alter, or suspend (except as provided under federal law) any provisions of a collective bargaining agreement or transfer state agency personnel or functions for the purpose of facilitating emergency services.

**Fiscal effect: May alter state agency expenditures if state agency personnel or functions are transferred to other agencies. May reduce balances in non-restricted funds if the Governor orders the Director of OBM to transfer such funds to assist in emergency efforts. Any fiscal effects would depend on the individual circumstances of the emergency.**

No provision.

Executive

In House Finance

GOVCD1

Government Relations

Section: 289.10

Permits the Office of the Governor to charge an executive branch agency via intrastate transfer voucher for costs incurred to represent Ohio's interests to federal, state, and local governments and to cover membership dues related to Ohio's participation in national and regional associations. Requires that these amounts be deposited into the Governmental Relations Fund (Fund 5AK0).

Section: 289.10

Same as the Executive.

Executive

In House Finance

DOHCD1

Fetal-infant mortality review boards

R.C.

121.22, 3701.049, 3707.70-3707.77

Authorizes local boards of health to establish fetal-infant mortality review boards to review fetal and infant deaths within the board's jurisdiction.

No provision.

Specifies a review board's membership, purposes, and responsibilities.

No provision.

Specifies that investigatory materials that a review board possesses are confidential, and that review board meetings are not subject to Ohio's Open Meetings Law.

No provision.

Specifies that entities that submit investigatory materials to a review board, as well as review board members, are immune from civil liability in connection with their responsibilities.

No provision.

Requires the Director of ODH to adopt rules associated with the establishment and operation of fetal-infant mortality review boards.

No provision.

**Fiscal effect: ODH may experience an increase in administrative costs to adopt rules. If a review board is established, the local board of health could experience an increase in costs to operate the review board.**

Executive

In House Finance

DOHCD2

Pregnancy-Associated Mortality Review Board

R.C.

121.22, 3738.01-3738.09

Authorizes ODH to establish a Pregnancy-Associated Mortality Review (PAMR) Board to identify and review all pregnancy-associated deaths in Ohio for the purpose of reducing the incidence of those deaths.	No provision.
Prohibits the PAMR Board from reviewing deaths under investigation or prosecution unless the prosecuting attorney agrees.	No provision.
Describes PAMR Board membership, including specifying that the ODH Director must make a good faith effort to select members who represent all regions of the state and multiple areas of expertise and constituencies concerned with the care of pregnant and postpartum women. Describes the Board's operations and requires the PAMR Board to meet at the call of the board's chairperson. Specifies the PAMR Board's responsibilities. Requires the PAMR Board to prepare a triennial report and specifies the information that is to be included.	No provision.
Requires certain entities that provided services to a woman whose death is being reviewed by the PAMR Board to submit a copy of any record it possesses that the Board requests. Specifies that information the PAMR Board possesses is confidential and that meetings are exempt from the Open Meetings Law.	No provision.
Specifies that those who submit information to the PAMR Board, as well as PAMR Board members, are immune from civil liability in connection with their responsibilities.	No provision.

## Executive

## In House Finance

Authorizes the Director of ODH to adopt rules concerning how the PAMR Board conducts pregnancy-associated death reviews.

No provision.

**Fiscal effect: If a PAMR Board is established, ODH may experience an increase in costs to operate the Board and to provide meeting space, staff services, and other technical assistance. ODH may also experience an increase in administrative costs to adopt rules.**

## DOHCD29

## Drug overdose fatality review committees

**R.C. 121.22, 307.631-307.639, 3701.0410, 4731.22**

Authorizes the establishment of county or regional drug overdose fatality review committees to review drug overdose and opioid-involved deaths occurring within the county or region.

No provision.

Requires each review committee that is established to collect certain information concerning drug overdose or opioid-involved deaths, review the information, and submit annual reports to ODH. Specifies committee membership and states that committee meetings are not subject to the Open Meetings Law.

No provision.

Requires specified individuals or entities that provided services to a person whose death is reviewed by a committee to submit summary sheets of information to the committee.

No provision.

Grants immunity from civil liability to committee members and any individual or entity providing information to a committee.

No provision.

Provides that records presented to a review committee, statements made by committee members, committee work products, and data submitted to the Department, other than

No provision.



## Executive

## In House Finance

annual reports, are confidential.

Requires ODH to adopt rules establishing procedures for a committee to follow in conducting reviews of overdose deaths.

No provision.

**Fiscal effect: Local boards of health could experience administrative costs if board establishes a review committee. ODH may realize an increase in administrative costs to adopt rules and for the collection of review committee reports.**

## DOHCD35

## Public Health Priorities Fund

**R.C. 183.18, 183.33, Section 291.20**

Changes the name of Ohio's Public Health Priorities Trust Fund to Ohio's Public Health Priorities Fund, eliminates the purposes for which money credited to the Fund must be used, and instead requires the Director of ODH to use the money to conduct public health awareness and educational campaigns, to address pressing public health issues, to implement innovative public health programs and prevention strategies, and to improve the population health of Ohio.

**R.C. 183.18, 183.33, Section 291.20**

Same as the Executive.

Eliminates the prohibition on transferring or appropriating money from the General Revenue Fund to the Fund.

Same as the Executive.

Requires DPF Fund L087 appropriation item 440669, Public Health Priorities, to be used to conduct public health awareness and education campaigns, initiate innovative programming and prevention strategies, and other work related to advancing positive changes in population health in Ohio.

Same as the Executive.

Allows ODH to distribute grants, contracts, or subsidy for these purposes, including, but not limited to, supporting public-

Same as the Executive.

## Executive

## In House Finance

private partnerships to address pressing public health issues.

**Fiscal effect: The Fund will be supported by a \$2.0 million transfer from the GRF in FY 2020.**

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

## DOHCD8

## Examination fees

## R.C. 3701.044

Requires ODH to post on its website examination fee amounts, including any changes to those fees, when entities other than ODH administer certain examinations on the Department's behalf and collect and retain fees for the examinations.

**Fiscal effect: Minimal increase in administrative costs.**

## R.C. 3701.044

Same as the Executive.

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

## DOHCD30

## Occupational disease reporting

## R.C. 3701.25, 3701.26, 3701.27 (repealed), conforming changes in 3701.571, 3701.99, 3742.03, 3742.04

Eliminates the requirement that physicians report suspected occupational diseases and ailments to the Director of ODH.

**Fiscal effect: Minimal decrease in costs regarding the collection of reports.**

## R.C. 3701.25, 3701.26, 3701.27 (repealed), conforming changes in 3701.571, 3701.99, 3742.03, 3742.04

Same as the Executive.

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

## DOHCD39

## Commission on Infant Mortality

No provision.

## R.C. 3701.68

Requires the Governor or the Governor's designee to serve on the Commission on Infant Mortality instead of the Executive Director of the Office of Health Transformation or the Executive Director's designee.

## Executive

## In House Finance

No provision.

Allows the co-chairpersons of the Commission, upon mutual agreement, to appoint additional members to the Commission.

**Fiscal effect: None.**

**DOHCD44**

**Infant mortality programs**

No provision.

**R.C. 3701.95**

Eliminates the requirement that a government program provide training to program participants in order to be identified by the Director of ODH as a program that has the goal of reducing infant mortality or the goal of reducing disparities among pregnant women who belong to racial or ethnic minorities.

**DOHCD7**

**Diabetes action plan**

**R.C. 3701.139**

Lengthens the reporting cycle for the Director of ODH to submit to the General Assembly a report detailing the prevalence of diabetes to three years (from two).

**Fiscal effect: Decrease in costs related to the completion and submission of the report to the General Assembly due to the expanded time frame.**

**R.C. 3701.139**

Same as the Executive.

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

**DOHCD6**

**Ohio Cancer Incidence Surveillance System Advisory Board**

**R.C. 3701.264 (repealed)**

Abolishes the Ohio Cancer Incidence Surveillance System Advisory Board, but maintains the Surveillance System within ODH.

**R.C. 3701.264 (repealed)**

Same as the Executive.

## Executive

## In House Finance

Fiscal effect: None.

Fiscal effect: Same as the Executive.

DOHCD28

Process for screening newborns for Krabbe disease

R.C. 3701.501

Repeals the law limiting the required screening of newborns for Krabbe disease to a process known as "first tier testing," or screening accomplished by measuring galactocerebrosidase activity.

Fiscal effect: None.

R.C. 3701.501

Same as the Executive.

Fiscal effect: Same as the Executive.

DOHCD9

Providers of medical services under the Breast and Cervical Cancer Project

R.C. 3701.601

Adds the following providers to those eligible to receive from the Breast and Cervical Cancer Project Income Tax Contribution Fund payments for services: free clinics, mammography services providers, radiology services providers, and rural health centers.

**Fiscal effect: Expanding the number of providers could result in an increase in services provided.**

R.C. 3701.601

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

In House Finance

DOHCD42

Central intake and referral system for home visiting programs

No provision.

R.C.3701.611

Requires that the central intake and referral system used to refer families to home visiting services must include referrals to home visiting programs that use home visiting contractors who provide services within a community HUB that fully or substantially complies with the pathways community HUB certification standards developed by the pathways community HUB institute.

Fiscal effect: Potential administrative costs.

DOHCD43

Ohio Home Visiting Consortium

No provision.

R.C.3701.612

Includes as members on the Home Visiting Consortium (1) a home visiting contractor who provides services within one or more pathways community HUB through a contract, grant, or other agreement with the Commission on Minority Health and (2) an individual who receives home visiting services through such a contractor.

Fiscal effect: None.

## Executive

## In House Finance

**DOHCD37      Standard pregnancy risk assessment form****R.C.      3701.953**

Requires the Director of the Governor's Children's Initiative to convene a workgroup by January 1, 2020, to develop a standard, electronic pregnancy risk assessment form and to identify the processes and technology systems necessary for obstetric care providers, other persons, and government entities to comply with the required use of the form.

No provision.

Specifies the workgroup's membership.

No provision.

Requires an obstetric care provider, beginning January 1, 2021, to complete a pregnancy risk assessment form for each obstetric patient at the patient's first visit designated for prenatal care and to submit the form through the designated state interface.

No provision.

Requires a person or government entity that has or has had a relationship with a patient to accept a completed pregnancy risk assessment form as valid authorization for the disclosure of that patient's protected health information.

No provision.

Prohibits information in the form from being used for discriminatory or unauthorized purposes and from being further disclosed by the authorized recipients.

No provision.

## Executive

## In House Finance

Fiscal effect: Increase in administrative costs for the development of the form and for other workgroup duties. Potential increase in administrative costs for practitioners to fill out and submit the form. Potential increase in costs for case management services and a subsequent decrease in costs if women are referred to services that support healthy birth outcomes.

**DOHCD48      Facility fee prohibition**

No provision.

No provision.

**R.C.      3702.21**

Prohibits hospitals and other health care facilities, as well as physician offices, from charging a facility fee that is in addition to any fee for professional services.

Exempts trauma centers from this prohibition.

**Fiscal effect: This provision will decrease revenues for public hospitals and other public facilities. There could be a decrease in expenditures for public health programs that reimburse for services provided in these facilities.**

**DOHCD3      Ambulatory surgical facility licensure****R.C.      3702.30, conforming changes in 111.15, 2317.54, 3702.12, 3702.13, 3711.12**

Modifies the criteria used in determining whether a facility must be licensed as an ambulatory surgical facility, as follows:

(1) Requires licensure of a facility located within a building in which inpatient care is provided, if the facility is not operated by the entity that operates the remainder of the building;

**R.C.      3702.30, conforming changes in 111.15, 2317.54, 3702.12, 3702.13, 3711.12**

Same as the Executive.

(1) Same as the Executive.

## Executive

## In House Finance

(2) Bases the licensure requirement for all facilities, both in separate buildings and within inpatient care buildings, on whether surgical services are provided to patients who do not require hospitalization and who receive services for not more than 24 hours; and

(3) Eliminates licensure criteria involving consideration of anesthesia services, certification to participate in Medicare, or receipt of facility fees.

**Fiscal effect: Minimal.**

(2) Same as the Executive.

(3) Same as the Executive.

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

**DOHCD4****No intent to affect health care facility payments****R.C. 3702.30**

Expresses the General Assembly's intent to not have licensure requirements or exemptions affect any third-party payments that may be available for the following types of health care facilities: ambulatory surgical facilities, freestanding dialysis centers, freestanding inpatient rehabilitation facilities, freestanding birthing centers, freestanding radiation therapy centers, and freestanding or mobile diagnostic imaging centers.

**Fiscal effect: None.**

**R.C. 3702.30**

Same as the Executive.

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

**DOHCD10****Dental Hygiene Resource Shortage Area Fund****R.C. 3702.967**

Eliminates the Dental Hygiene Resource Shortage Area Fund and specifies that donations to that fund for the benefit of the Dental Hygienist Loan Repayment Program instead be paid to the Dental Hygienist Loan Repayment Fund.

**R.C. 3702.967**

Same as the Executive.



## Executive

## In House Finance

Fiscal effect: None.

Fiscal effect: Same as the Executive.

DOHCD36

ODM access to social security numbers accompanying vital statistics records

R.C. 3705.07, 3705.09, 3705.10

Requires ODH's Office of Vital Statistics to make available to ODM, for the purpose of medical assistance eligibility determinations, social security numbers that accompany birth certificates or death certificates.

Fiscal effect: Potential minimal increase in administrative costs.

R.C. 3705.07, 3705.09, 3705.10

Same as the Executive.

Fiscal effect: Same as the Executive.

DOHCD51

Nursing facility survey and certification issues

No provision.

R.C. 3721.022, 3721.027, 5165.69

Establishes requirements regarding reviews of deficiencies found in the survey and certification processes for skilled nursing facilities and nursing facilities.

No provision.

Requires the Director of ODH to establish a program that addresses various training and education issues related to skilled nursing facilities and nursing facilities.

No provision.

Eliminates a requirement that ODH, within ten working days and in accordance with procedures and criteria to be established by ODH and the Department of Aging, investigate any unresolved complaint that the Office of the State Long-Term Care Ombudsman has investigated and found to be valid.

No provision.

Requires ODH to investigate an allegation that a nursing facility or skilled nursing facility has violated a federal Medicare or Medicaid regulation in accordance with federal requirements and time frames that ODH is to establish.

## Executive

## In House Finance

No provision.

Eliminates from statute the provisions that are to be included in a nursing facility's plan of correction that must be submitted when the facility receives a statement of deficiencies.

DOHCD53

License requirements for nursing homes

No provision.

**R.C. 3721.026**

Establishes additional license requirements for a nursing home for which the operation has been assigned or transferred to a different person.

**Fiscal effect: ODH may experience an increase in costs to review additional required documentation prior to issuing a license to operate.**

DOHCD52

Nursing home advance care planning and overhead paging requirements

No provision.

**R.C. 3721.072 (repealed)**

Eliminates a requirement that nursing homes participate in advance care planning with each resident or their sponsors.

No provision.

Eliminates a requirement that each nursing home prohibit the use of overhead paging except for matters of urgent public safety or urgent clinical operations.

**Fiscal effect: None.**

## Executive

## In House Finance

**DOHCD5            Training centers for nursing home employees****R.C.            3721.41, 3721.42 (both repealed)**

Repeals the law requiring ODH to establish and supervise centers for training nursing home employees and to contract with other entities to operate those centers.

**Fiscal effect: None.**

**R.C.            3721.41, 3721.42 (both repealed)**

Same as the Executive.

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

**DOHCD40            Radon mitigation specialists**

No provision.

**R.C.            3723.081**

Prohibits the Director of ODH from requiring a licensed radon mitigation specialist to be physically present for supervision purposes when radon mitigation is performed, but allows the Director to require such a specialist to be physically present immediately before and after radon mitigation is performed.

**Fiscal effect: None.**

**DOHCD41            Freestanding emergency departments**

No provision.

**R.C.            3727.49**

Requires a freestanding emergency department to provide certain notices regarding the facility's participation in provider networks established by health benefit plans.

No provision.

Prohibits a freestanding emergency department from charging a facility fee.

No provision.

Requires a freestanding emergency department to use its national provider identifier on all claims for payment for health care services or goods.

## Executive

## In House Finance

No provision.

Permits the Director of ODH to seek an injunction to enforce the abovementioned provisions.

**Fiscal effect: ODH may experience some enforcement or investigation costs. If facility fees are no longer charged, there could be savings to public health programs. If any public hospitals operate a freestanding emergency department, there would be a loss of revenue.**

DOHCD31

Establishment and regulation of body art program

**R.C. 3730.01, 3730.02-3730.13, 3730.99, conforming changes in 3701.83, 3709.09, 3709.092, Section 737.20**

Creates the umbrella term "body artist" for the practice of physical body adornment, including tattooing and body piercing, but not ear piercing performed with an ear piercing gun.

No provision.

Establishes that beginning June 30, 2020, a body artist who wishes to perform body art services must obtain a registration from the Director of ODH. Establishes a fee of \$250 for registration.

No provision.

Provides that a business offering body art services must obtain a license from a licensor, replacing the approval required from the board of health under existing law.

No provision.

Establishes the licensor as (1) the board of health of a city or general health district, (2) the authority having the duties of a board of health in any city, or (3) the Director of ODH, or (4) any authorized representative of any of these entities or of the Director of ODH.

No provision.

## Executive

## In House Finance

Provides that the money received for licenses by the licensor must be placed in a Body Art Fund and used for enforcement of the body art program.

No provision.

Requires that prior to the issuance of an initial license and annually thereafter, the licensor inspect each body art business in their jurisdiction to determine whether the business is in compliance with the body art laws and regulations.

No provision.

Prohibits a person from constructing, installing, renovating, or otherwise substantially altering a body art business without first obtaining approval from the licensor.

No provision.

Permits the board of health to suspend or revoke a body art business license at any time if the board determines the business is being operated in violation of the Body Art Law.

No provision.

Requires the Director of ODH to adopt rules for body art businesses and body artists and the regulation of the body art program.

No provision.

Permits the Director of ODH to survey each board of health that licenses body art businesses to determine if the board of health is in substantial compliance with the body art program.

No provision.

Requires the Director of ODH, if the Director determines that the board of health is not in compliance with the body art program, to perform the duties of the licensor in that jurisdiction.

No provision.

Requires that a parent, guardian, or custodian of a minor who desires to authorize a business to perform body art on a minor to provide documentation that they are the parent, guardian, or custodian.

No provision.

## Executive

## In House Finance

**Fiscal effect:** ODH has budgeted \$500,000 in DPF ALI 440647, Fee Supported Programs, for the establishment of the program and anticipates hiring approximately four employees. Registration and licensure fees will help to support the program. Annual registration for a body artist will be \$250. Local boards of health that become licensors may experience an increase in costs for enforcement/inspection; however, license fees may be collected by the board and deposited in a body art fund.

## DOHCD32

## Enforcement of order to vacate

## R.C. 3742.18, 3742.40

Requires the Director of ODH or a board of health to issue an order that prohibits the owner or manager of a residential unit, child-care facility, or school from using the property for any purpose under the following circumstances:

- (1) The owner or manager has failed to comply with a lead hazard control order; and
- (2) The residential unit, child-care facility, or school has not passed a lead hazard clearance examination.

Authorizes the Director or a board of health to request a prosecuting attorney, city director of law, village solicitor, or similar chief legal officer to commence a civil action for injunctive and other equitable relief against any person who violates an order.

**Fiscal effect:** Potential increase in lead hazard enforcement costs for ODH or local boards of health. Potential increase in costs for local courts if cases are brought forward.

## R.C. 3742.18, 3742.40

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

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

## Executive

## In House Finance

**DOHCD33**      **Child lead poisoning advisory council****R.C. 3742.32**

Updates the names of two associations represented on the advisory council, which is a council that assists in the ongoing development and implementation of the Child Lead Poisoning Prevention Program.

Adds the following four members to the advisory council: a representative from Ohio Realtors, a representative of the Ohio Housing Finance Agency, a physician knowledgeable in the field of lead poisoning prevention, and a representative of the public.

**Fiscal effect: None.**

**R.C. 3742.32**

Same as the Executive.

Same as the Executive.

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

**DOHCD45**      **Solemn Covenant of the States for curing diseases**

No provision.

No provision.

No provision.

No provision.

**R.C. 3799.01**

Enacts into law the Solemn Covenant of the States, an interstate compact intended to award prizes for curing diseases.

Provides that upon enactment by two states the Compact becomes effective and binding and upon enactment by six states the governing Solemn Covenant of States Commission is established.

Grants the Commission the power to review treatments for the cure of ten major diseases specified by the Commission, to award prizes for successful cures, and to make the treatments widely available for use.

Requires the prize amount for each cure to be equal to (1) the most recent estimated total five-year savings in public health

Executive

In House Finance

	expenses for the disease in all compacting states, (2) money donated by others intended for the prize, and (3) any other factors the Commission finds appropriate.
No provision.	Requires the prize winner to transfer the patent and all related intellectual property for a treatment to the Commission in exchange for the prize.
No provision.	Requires the Commission, upon acceptance of a cure, to obtain a loan that is equal to the most recently calculated total estimated five-year public health expenses for the disease in all compacting states.
No provision.	Requires each compacting state to annually pay its actual one-year savings in public health expenses for the disease for which a cure has been accepted, until it has fulfilled its prize responsibility.
No provision.	Grants the Commission the power to establish a budget and make expenditures, borrow money, establish annual dues, and allocate dues, donations, and other funds towards prize amounts.  <b>Fiscal effect: If a Compact were established and Ohio were part of the Compact, the state would pay the annual dues established. If a prize is awarded, the state would be required to annually pay its actual one-year savings in public health expenses until it fulfilled its responsibility. The amount would depend on the disease cured and the public health expenditures related to the disease. However, the state could realize an offsetting reduction in expenditures for providing services to manage the disease or its symptoms.</b>



## Executive

## In House Finance

**DOHCD27            Sanitarian and sanitarian in training law**

**R.C.            4736.01, 4736.02, 4736.03, 4736.07-4736.09,  
4736.11, 4736.13-4736.15, 4736.17, 4736.18 (all  
renumbered in R.C. 3722.), 4736.05-4736.06  
(repealed), 4736.10 (repealed), 4736.12 (repealed),  
and Section 747.10**

Recodifies Chapter 4736. of the Revised Code, the law governing sanitarians and sanitarians in training, in Chapter 3722. of the Revised Code and reorganizes that law.

No provision.

Removes all statutorily imposed registration, registration renewal, and examination fees for sanitarians and sanitarians in training, and instead requires the Director of ODH to adopt rules that establish the fees. Specifies that any sanitarian or sanitarian in training fee imposed under R.C. 4736.12 as that section existed on January 1, 2019 must remain in effect until the Director of DOH adopts rules establishing new fees.

No provision.

Removes the following laws from the list of laws requiring enforcement and regulation by a sanitarian or sanitarian in training: garbage scavengers, sanitary plants, youth sports organizations and concussion protocols, rabies control, naloxone protocols, and blood borne infectious disease prevention programs.

No provision.

Requires a Department of Agriculture employee who administers and enforces the laws governing food processing establishments and a board of health employee who administers and enforces the laws governing tattooing and body piercing or rabies from dog bites to register as a sanitarian or sanitarian in training.

No provision.

## Executive

## In House Finance

Specifies that the Director of ODH may appoint Sanitarian Advisory Board members without having to get the advice and consent of the Senate as is required in current law.

No provision.

Prohibits a person who is not a registered sanitarian in training from representing oneself as a registered sanitarian in training.

No provision.

Eliminates provisions of law that require the Director of ODH to do the following:

No provision.

(1) Annually prepare a list of the names and address of every person registered as a sanitarian and sanitarian in training and a list of every person whose registration has been suspended or revoked within the previous year;

(1) No provision.

(2) Be responsible for preparing the sanitarian and sanitarian in training registration examination;

(2) No provision.

(3) Provide, annually and when requested, to each registered sanitarian a list of courses approved by the Director of ODH as satisfying the continuing education program; and

(3) No provision.

(4) Designate a serial number for each certificate of registration.

(4) No provision.

Requires, instead of authorizes, the Director of ODH to administer an examination for a sanitarian in training applicant and requires registered sanitarians in training to complete an annual continuing education program.

No provision.

Removes a provision of law that prohibits the examination from disclosing the name of the applicant.

No provision.

Specifies that the Director may use materials prepared by recognized examination entities, rather than examination

No provision.

## Executive

## In House Finance

agencies.

Decreases, from one year to sixty days, the amount of time a sanitarian applicant or sanitarian in training applicant may renew a certificate to practice prior to the date of expiration.

No provision.

Requires the Director to issue certificates of registration to practice in January and July of each year.

No provision.

**Fiscal effect: None. ODH expects that the fees established in rules will be the same as the fees currently in statute.**

## DOHCD26

## Radiation technicians

**R.C. 4773.01, 4773.011, 4773.061, 4773.08**

Makes all of the following changes with respect to the law governing the regulation of radiation technology professionals by ODH:

No provision.

(1) Modifies the definitions of a general x-ray machine operator, radiation therapy technologist, and radiographer to include references to radiation-generating equipment;

(1) No provision.

(2) Specifies that a radiation therapy technologist includes a radiation therapist;

(2) No provision.

(3) Authorizes nuclear medicine technologists and radiation therapy technologists who are certified in computed tomography (CT) to perform CT procedures; and

(3) No provision.

(4) Requires the Director of ODH to adopt rules establishing standards for the performance of CT procedures and for the approval of national certifying organizations that certify nuclear medicine and radiation therapy technologists in CT.

(4) No provision.

## Executive

## In House Finance

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**Fiscal effect:** ODH may experience a minimal increase in administrative costs to adopt rules.

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**DOHCD11      Mothers and Children Safety Net Services****Section:    291.20**

Allows up to \$200,000 in each fiscal year in GRF appropriation item 440416, Mothers and Children Safety Net Services, to be used to assist families with hearing impaired children under 21 years of age in purchasing hearing aids and hearing assistive technology.

Requires the Director of ODH to adopt rules governing the distribution of these funds including rules that do both of the following: (1) establish eligibility criteria to include families with incomes at or below 400% of the federal poverty guidelines; and (2) develop a sliding scale of disbursements based on family income.

**Section:    291.20**

Same as the Executive.

Same as the Executive.

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**DOHCD12      HIV/AIDS Prevention and Treatment****Section:    291.20**

Requires GRF appropriation item 440444, AIDS Prevention and Treatment, to be used to administer educational and other prevention initiatives.

**Section:    291.20**

Same as the Executive.

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Executive

In House Finance

DOHCD13

Infant Vitality

Section: 291.20

No provision.

Requires GRF appropriation item 440474, Infant Vitality, to be used to fund a multi-pronged population health approach to address infant mortality.

Specifies that this approach may include the following: increasing awareness; supporting data collection; analysis and interpretation to inform decision-making and ensure accountability; targeting resources where the need is greatest; and implementing quality improvement science and programming that is evidence-based or based on emerging practices.

Specifies that measurable interventions may include activities related to safe sleep, community engagement, Centering Pregnancy, newborn screening, safe birth spacing, gestational diabetes, smoking cessation, breastfeeding, care coordination, and progesterone.

Section: 291.20

Earmarks \$125,000 in each fiscal year from GRF appropriation item 440474, Infant Vitality, to be provided to Produce Perks Midwest, Inc. for the Prescription Produce Intervention for Maternal Health Program to improve maternal health, nutrition, and infant mortality rates in Ohio.

Same as the Executive, but requires this for the remainder of the appropriation item.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**DOHCD14      Emergency Preparedness and Response****Section:    291.20**

Requires GRF appropriation item 440477, Emergency Preparedness and Response, to be used to support public health emergency preparedness and response efforts at the state level or at a regional sub-level within the state.

Allows appropriation item 440477 to also be used to support data infrastructure projects.

**Section:    291.20**

Same as the Executive.

Same as the Executive.

**DOHCD15      Targeted Health Care Services - Over 21****Section:    291.20**

Requires GRF appropriation item 440507, Targeted Health Care Services - Over 21, to be used to administer the Cystic Fibrosis Program and to implement the Hemophilia Insurance Premium Payment Program.

Requires ODH to expend \$100,000 in each fiscal year to implement the Hemophilia Insurance Premium Payment Program.

Requires GRF appropriation item 440507 to also be used to provide essential medications and to pay the copayments for drugs approved by ODH and covered by Medicare Part D that are dispensed to participants in the Cystic Fibrosis Program.

Requires ODH to expend all funds in appropriation item 440507.

**Section:    291.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

## DOHCD17

## Fee Supported Programs

## Section: 291.20

Requires \$2,160,000 in each fiscal year from DPF Fund 4700 appropriation item 440647, Fee Supported Programs, to be used to distribute subsidies to local health departments on a per capita basis.

Requires \$1,500,000 in each fiscal year from appropriation item 440647 to be used to distribute subsidies to local health departments accredited through the Public Health Accreditation Board on a per capita basis.

## Section: 291.20

Same as the Executive.

Same as the Executive.

## DOHCD18

## Medically Handicapped Children Audit Fund

## Section: 291.20

Specifies that the Medically Handicapped Children Audit Fund (Fund 4770) is to receive revenue from audits of hospitals and recoveries from third-party payers. Permits moneys in the fund to be used for payment of audit settlements and for costs directly related to obtaining recoveries from third-party payers and for encouraging Medically Handicapped Children's Program recipients to apply for third-party benefits.

Permits moneys in the fund to also be used for payments for diagnostic and treatment services on behalf of medically handicapped children and Ohio residents who are 21 or over and who are suffering from cystic fibrosis or hemophilia.

Permits moneys to also be used for administrative expenses incurred in operating the Medically Handicapped Children's

## Section: 291.20

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

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Program.

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**DOHCD19****Genetics Services****Section: 291.20**

Requires DPF Fund 4D60 appropriation item 440608, Genetics Services, to be used to administer programs authorized by R.C. 3701.501 and 3701.502. Requires that the funds cannot be used to counsel or refer for abortion, except in the case of a medical emergency.

**Section: 291.20**

Same as the Executive.

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**DOHCD20****Tobacco Use Prevention, Cessation, and Enforcement****Section: 291.20**

Requires \$250,000 in each fiscal year from DPF Fund 5BX0 appropriation item 440656, Tobacco Use, Prevention, Cessation, and Enforcement, to be distributed to boards of health for the Baby and Me Tobacco Free Program. Requires the Director to determine how the funds are to be distributed, but must prioritize awards to boards that serve women who reside in communities that have the highest infant mortality rates in this state, as identified under R.C. 3701.142.

Requires the remainder of the appropriation item to be used to administer tobacco use prevention and cessation activities and programs and to enforce the Ohio Smoke-Free Workplace Act (See DOHCD24 for the Moms Quit for Two Grant Program earmark).

**Section: 291.20**

Same as the Executive.

Same as the Executive, but also requires the remainder to be used to administer compliance checks, retailer education, and programs related to legal age restrictions.



## Executive

## In House Finance

**DOHCD21      Toxicology Screenings****Section:    291.20**

Requires DPF Fund 5TZ0 appropriation item 440621, Toxicology Screenings, to be used to reimburse county coroners in counties in which the coroner has performed toxicology screenings on victims of a drug overdose.

Requires the Director of ODH to transfer the funds to the counties in proportion to the numbers of toxicology screenings performed per county.

**Section:    291.20**

Same as the Executive.

Same as the Executive.

**DOHCD22      Medically Handicapped Children - County Assessments****Section:    291.20**

Requires DPF Fund 6660 appropriation item 440607, Medically Handicapped Children – County Assessments, to be used to make payments for expenses associated with the Bureau for Children with Medical Handicaps.

**Section:    291.20**

Same as the Executive.

**DOHCD23      Cash transfer to Emergency Preparedness and Response Fund****Section:    291.20**

Allows the Director of ODH, if the Director determines that there are insufficient funds in GRF appropriation item 440477, Emergency Preparedness and Response, to certify to the Director of OBM an amount necessary to address public health emergency preparedness and response activities.

**Section:    291.20**

Same as the Executive.

## Executive

## In House Finance

Requires the Director of OBM, upon certification, to transfer up to \$500,000 cash in each fiscal year from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the Emergency Preparedness and Response Fund (Fund 5UA0). Appropriates the transferred amount.

Same as the Executive.

Same as the Executive.

## DOHCD46

## Lupus Awareness

No provision.

**Section: 291.20**

Requires GRF appropriation item 440481, Lupus Awareness, to be distributed to the Lupus Foundation of America, Greater Ohio Chapter, Inc. to operate a lupus education and awareness program.

## DOHCD49

## Free Clinic Safety Net Services

No provision.

**Section: 291.20**

Requires GRF appropriation item 440431, Free Clinic Safety Net Services, to be provided to the Ohio Association of Free Clinics.

No provision.

Allows these funds to be used to reimburse free clinics for health care services provided, as well as for administrative services, information technology costs, infrastructure repair, or other clinic necessities.

Executive

In House Finance

DOHCD50

Chronic Disease, Injury Prevention and Drug Overdose

No provision.

Section: 291.20

Requires \$250,000 in each fiscal year from GRF appropriation item 440482, Chronic Disease, Injury Prevention and Drug Overdose, to be provided to People Working Cooperatively for the Whole Home Innovation Center to adopt strategies to help Ohioans remain in their homes.

DOHCD24

Moms Quit for Two Grant Program

Sections: 291.30, 291.20

Creates the "Moms Quit for Two Grant Program," which is to provide grants to private, nonprofit entities or government entities that demonstrate the ability to deliver evidence-based tobacco cessation interventions to pregnant women and women living with children who reside in communities with high infant mortality, as determined by ODH.

Specifies that funds awarded shall not be used to provide tobacco cessation interventions to women who are eligible for Medicaid.

Requires \$750,000 in each fiscal year from DPF Fund 5BX0 appropriation item 440656, Tobacco Use Prevention, Cessation, and Enforcement, to be used to award grants for the Moms Quit for Two Grant Program.

Sections: 291.30, 291.20

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

## DOHCD25

## WIC vendor contracts

## Section: 291.40

Requires ODH, during FY 2020 and FY 2021, to process and review a Women, Infants, and Children (WIC) vendor contract application not later than 45 days after receipt of the application if the applicant is a WIC-contracted vendor at the time of application and meets all of the following requirements: (1) submits a complete WIC vendor application with all required documents and information; (2) passes the required unannounced preauthorization visit within 45 days of submitting a complete application; and (3) completes the required in-person training within 45 days of submitting the complete application.

Requires ODH to deny an application for the contract if an applicant fails to meet any of the requirements.

Specifies that, after an application has been denied, the applicant may reapply for a contract to act as a WIC vendor during the contracting cycle that is applicable to the applicant's WIC region.

## Section: 291.40

Same as the Executive.

Same as the Executive.

Same as the Executive.

## DOHCD38

## Lupus awareness

## Section: 291.50

Requires the Director of ODH to enter into an agreement with the Commission on Minority Health to operate a Lupus Education and Awareness Program.

No provision.

Executive

In House Finance

DOHCD34

Financial assistance for professionals providing substance use disorder treatment and services

Sections: 737.10, 737.11

Authorizes the ODH to do both of the following on or after July 1, 2019:

- (1) Establish a loan repayment program for professionals who provide treatment and other related services to individuals with substance use disorders; and

(2) Establish a program under which physicians providing medication-assisted treatment (MAT) in health resource shortage areas may receive financial assistance.

**Fiscal effect:** ODH has budgeted approximately \$1.1 million over the FY 2020-FY 2021 biennium for the new loan repayment program and for physicians providing MAT in health resource shortage areas.

Sections: 737.10, 737.11

Same as the Executive.

- (1) Same as the Executive.

(2) Same as the Executive.

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

## Executive

## In House Finance

**BORCD67**      **Debt certification timeline for state institutions of higher education.**

No provision.

**R.C.      132.02**

Modifies when a state institution of higher education must certify to the Attorney General, for the purposes of debt collection, any amounts payable to the institution by a student by replacing a requirement that the certification happen within the later of 45 days after the amount is due or the 10th day of the next academic semester, quarter, or session, with a requirement that the certification happen no earlier than that time and no later than 15 days after that time.

**Fiscal effect: The provision extends the timeline for state institutions to certify any outstanding debt to the Attorney General.**

**BORCD66**      **Eligibility for competency-based education programs**

No provision.

**R.C.      1713.032, 3333.45**

Prohibits the Chancellor from granting or renewing a certificate of authorization to offer higher education courses in Ohio after December 31, 2019, for a regionally accredited private nonprofit institution of higher education that was created by the governors of several states.

No provision.

Removes "regionally accredited private nonprofit institution of higher education that is created by the governors of several states" from the list of eligible institutions that the Chancellor may recognize or endorse to provide competency-based education programs.

Executive

In House Finance

Fiscal effect: This provision appears to apply to Western Governors University (WGU), a nonprofit, online university launched in 1997 through the efforts of 19 state governors that focuses on competency-based education programs. H.B. 49 of the 132nd General Assembly authorized the Chancellor to endorse WGU to provide competency-based education programs.

BORCD52

Community College Acceleration Program

Section: 381.600

Requires DHE, with the assistance of ODJFS, to establish the Community College Acceleration Program to enhance financial, academic, and personal support services to students in need of support from local social service agencies.

Requires the program to identify the services and resources available to assist eligible students enrolled in an institution of higher education.

Fiscal effect: Increase in DHE and ODJFS administrative responsibilities.

R.C. 3333.052

Same as the Executive, but codifies the program.

Same as the Executive, but specifies that services and resources be made available to assist eligible students enrolled in community and technical colleges and university branch campuses, instead of an "institution of higher education."

Fiscal effect: Same as the Executive.

## Executive

## In House Finance

BORCD72

Choose Ohio First Award recipient default repayment

No provision.

**R.C. 3333.65**

Delays the time period by which a state university or college must repay a Choose Ohio First Award when terms of the award have been violated until the university or college collects repayment from the student recipient, but also specifies that the Chancellor may not require repayment if the state university or college has certified collection of repayment to the Attorney General and has sent a copy of the certification to the Chancellor.

**Fiscal effect: The provision generally delays the repayment of the Choose Ohio First Award when terms of the award have been violated.**

BORCD2

Undergraduate tuition guarantee program

**R.C. 3345.48**

Requires, instead of authorizes, state universities to establish tuition guarantee programs.

Changes from 60 months to 36 months the timespan of the consumer price index average on which tuition increases under tuition guarantee programs are partly based.

Eliminates obsolete language that requires the Chancellor to publish a report on tuition guarantee programs by September 29, 2018.

**R.C. 3345.48**

Same as the Executive.

Same as the Executive.

Same as the Executive.



## Executive

## In House Finance

Fiscal effect: According to DHE, the reduced timespan makes the factor more responsive to the economy. DHE issued the required report in September 2018.

Fiscal effect: Same as the Executive.

**BORCD69****College Credit Plus - FAFSA completion**

No provision.

**R.C. 3365.03**

Requires all students applying to the College Credit Plus program to complete the Free Application for Federal Student Aid (FAFSA) and provide proof of completion in a manner prescribed by the Chancellor in order to participate in grade twelve or the equivalent.

**Fiscal effect: Potential minimal increase in administrative costs for DHE to develop process for students to provide proof of FAFSA completion.**

**BORCD3****Sea Grants****Section: 381.20**

Requires that GRF appropriation item 235402, Sea Grants, be used by The Ohio State University's Sea Grant program, including Stone Laboratory, to match federal dollars and to enhance Lake Erie and Ohio's coastal resources.

**Section: 381.20**

Same as the Executive.

## Executive

## In House Finance

**BORCD4                      Articulation and Transfer****Section:     381.30**

Requires that GRF appropriation item 235406, Articulation and Transfer, be used to maintain and expand the work of the Articulation and Transfer Council to develop a system of transfer policies that ensure that course work will apply to majors and degrees at any state institution.

**Section:     381.30**

Same as the Executive.

**BORCD5                      Midwest Higher Education Compact****Section:     381.40**

Requires that GRF appropriation item 235408, Midwest Higher Education Compact, be used for paying membership fees for the Midwest Higher Education Compact.

**Section:     381.40**

Same as the Executive.

**BORCD6                      Grants and Scholarship Administration****Section:     381.50**

Requires that GRF appropriation item 235414, Grants and Scholarship Administration, be used to administer various state and federal student financial aid and scholarship programs, support all financial aid audits, and provide fiscal services for the Ohio National Guard Scholarship Program.

**Section:     381.50**

Same as the Executive.

## Executive

## In House Finance

## BORCD7

## Technology Maintenance and Operations

## Section: 381.60

Requires that GRF appropriation item 235417, Technology Maintenance and Operations, be used to support the development and implementation of information technology solutions designed to improve DHE's performance and capacity. Authorizes the Ohio Technology Consortium (OH-TECH) to provide information technology solutions.

Makes the following earmarks of GRF appropriation item 235417, Technology Maintenance and Operations:

(1) A portion in each fiscal year to support the eStudent Services consortium. Requires eStudent Services to use these funds to develop and promote learning and assessment through the use of technology, test and provide advice on emerging learning directed technologies, facilitate cost effectiveness through shared investments in educational technology, and any other DHE priorities.

(2) A portion in each fiscal year to implement a high priority data warehouse, advanced analytics, and visualization integration services associated with the Higher Education Information (HEI) system. Authorizes OH-TECH to facilitate services.

(3) \$150,000 in each fiscal year to support Ohio Reach to provide mentoring and support services to former foster youth attending college.

## Section: 381.60

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

## Executive

## In House Finance

(4) Up to \$1,250,000 in FY 2020 to be distributed to Hocking College to support the development and implementation of instructional programming in Fairfield County. Requires the programming to focus efforts on creating and implementing a short-term certificate and apprentice pathway program, providing access to training programs for developmentally disabled clients, and supporting workforce training in the areas of advanced manufacturing and robotics. Requires Hocking College to spend the moneys by June 30, 2020.

(4) No provision.

## BORCD8

## Appalachian New Economy Workforce Partnership

## Section: 381.70

Requires that GRF appropriation item 235428, Appalachian New Economy Workforce Partnership, be distributed to Ohio University to continue an effort to link Appalachia to the new economy. Requires Ohio University to use the funds to provide leadership in the development and implementation of initiatives in the areas of entrepreneurship, management, education, and technology.

## Section: 381.70

Same as the Executive.

## BORCD9

## Choose Ohio First Scholarship

## Section: 381.80

Requires that GRF appropriation item 235438, Choose Ohio First Scholarship, be used according to the statutes authorizing the Choose Ohio First Scholarship Program.

Authorizes the Chancellor, during each fiscal year, to certify to the OBM Director the amount of canceled prior-year

## Section: 381.80

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

encumbrances in 235438. Authorizes the OBM Director to transfer cash, up to the certified amount, from the GRF to the Choose Ohio First Scholarship Reserve Fund (Fund 5PV0).

**BORCD10****Adult Basic and Literacy Education****Section: 381.90**

Requires that GRF appropriation item 235443, Adult Basic and Literacy Education – State, be used to support the adult basic and literacy education instructional grant program and state leadership program. Requires that supported programs satisfy the state match and maintenance of effort requirements for the state-administered grant program.

**Section: 381.90**

Same as the Executive.

**BORCD11****Ohio Technical Centers****Section: 381.100**

Requires that GRF appropriation item 235444, Ohio Technical Centers, be used to support post-secondary adult career-technical education and makes the following earmarks:

(1) up to 2.38% in each fiscal year for the Ohio Central School System.

(2) up to \$48,000 in each fiscal year for assistance for OTCs.

(3) up to \$1,300,000 in each fiscal year for OTCs that provide business consultation with matching local dollars, with preference to industries on the in-demand jobs list maintained under existing law or in regionally emerging fields. Limits the

**Section: 381.100**

Same as the Executive, but makes the following changes:

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive, but increases the earmark to up to \$3,000,000 in each fiscal year and, instead of limiting the amount each OTC receives to no more than \$25,000, sets \$25,000 as the minimum for each OTC and requires a maximum

## Executive

## In House Finance

amount each OTC receives from this earmark to \$25,000. Specifies that the remainder be distributed according to the OTC funding formula (see BORCD12).

amount to be determined by the Chancellor.  
Same as the Executive.

## BORCD12

## Ohio Technical Centers Funding Formula

## Section: 381.100

Requires each Ohio Technical Center (OTC) to report data to the Chancellor. Requires the Chancellor to provide coordination for OTCs through approval processes, data collection of program and student outcomes, and subsidy disbursements. Requires the Chancellor to exclude non-residents in the number of students eligible for state subsidy. Defines full-time equivalent (FTE) as completion of 450 hours. Requires the use of a three-year average in calculating the number of FTE students. Requires OTCs to operate with, or be an active candidate for, accreditation by an accreditor authorized by the U.S. Department of Education after June 30, 2019 in order to continue to receive state subsidy. Distributes the OTC allocation as follows:

- (1) 25% based on each OTCs proportion of FTE students who complete a post-secondary technical workforce training program with a grade of C or better or pass if graded as pass/fail.
- (2) 20% based on each OTCs proportion of FTE students who complete 50% of a program of study.

## Section: 381.100

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

## Executive

## In House Finance

(3) 50% based on each OTCs proportion of FTE students who find employment, enter military service, or enroll in additional post-secondary education and training.

(3) Same as the Executive.

(4) 5% based on each OTCs proportion of FTE students who earn a credential from an industry-recognized third party.

(4) Same as the Executive.

Phases in formula funding by requiring that no OTC receive less than 75%, in FY 2020, and 65%, in FY 2021, of the average allocation it received in the three prior fiscal years excluding funding for third party credentials. Requires that funding for OTCs not receiving phase-in funding be reduced proportionally to pay for the phase-in funding.

Same as the Executive.

**BORCD13****Area Health Education Centers****Section: 381.110**

Requires that GRF appropriation item 235474, Area Health Education Centers, be used by the Chancellor to support the medical school regional area health education centers' educational programs and the Area Health Education Center Program.

**Section: 381.110**

Same as the Executive.

## Executive

## In House Finance

**BORCD14****Campus Safety and Training****Section: 381.120**

Requires that GRF appropriation item 235492, Campus Safety and Training, be used by the Chancellor, in consultation with state institutions of higher education and private nonprofit institutions, to continue to develop model best practices in line with emerging trends, research, and evidence-based training, for preventing and responding to sexual violence on campus. Requires the Chancellor to convene higher education institutions in the training and implementation of best practices regarding campus sexual violence.

**Section: 381.120**

Same as the Executive.

**BORCD15****State Share of Instruction (SSI) Formulas****Section: 381.140**

Requires the Chancellor to establish procedures to allocate GRF appropriation item 235501, State Share of Instruction, based on the SSI formulas that use the enrollment, course completion, degree attainment, and student achievement factors reported annually by each state institution participating in the Higher Education Information (HEI) system.

**Section: 381.140**

Same as the Executive.



Executive

In House Finance

BORCD16

SSI-Full-Time Equivalent Enrollment and Course Completions

Section:

381.140

Requires state institutions to report their actual data to the Chancellor. Requires the Chancellor to exclude all undergraduate students who are not Ohio residents or who do not meet the definition of residency for state subsidy and tuition surcharge purposes (except those under reciprocity agreements or employer contracts) in defining the number of full-time equivalent (FTE) students for the formula.

Section:

381.140

Same as the Executive.

BORCD17

SSI-Total Costs per FTE

Section:

381.140

Provides, for purposes of calculating SSI allocations, a table of total costs per FTE for the 22 non-doctoral and non-medical curriculum models for each fiscal year, ranging from \$9,115 to \$42,219 for arts and humanities curriculum models; from \$8,820 to \$37,440 for business, education, and social science curriculum models; and from \$8,441 to \$57,795 for science, technology, engineering, mathematics and medicine curriculum models.

Section:

381.140

Same as the Executive.

## Executive

## In House Finance

**BORCD18                  STEMM and Graduate Weights****Section:    381.140**

Provides a table of curriculum model weights for each fiscal year, including a uniform weight of 1.0000 for all non-doctoral undergraduate-level models in arts, humanities, business, education, and social sciences and various weights ranging from 1.0017 to 1.8798 for graduate-level models and science, technology, engineering, mathematics, and medicine (STEMM) models.

**Section:    381.140**

Same as the Executive.

**BORCD19                  SSI - Calculation of SSI Formula Entitlements and Adjustments for Universities-Degree Attainment****Section:    381.140**

Requires that 50% of the SSI appropriation for universities in each fiscal year be reserved for support of associate, baccalaureate, masters, and professional level degree attainment. Specifies that degree attainment funding be allocated to universities in proportion to each campus's share of the total statewide degrees granted, weighted by the cost of the degree programs.

Requires, for degrees including credits earned at multiple institutions, that degree attainment funding be allocated to universities in proportion to each campus's share of the student-specific cost of earned credits for the degree. Specifies that each institution receive its prorated share of degree funding for credits earned at that institution and that the cost of credits not earned at a university main or regional campus be credited to the degree-granting institution for the first degree earned by a

**Section:    381.140**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

student at each degree level. Specifies that the cost credited to the degree-granting institution not be eligible for at-risk weights and limits the cost credited to 12.5% of the student-specific degree costs, unless the student transferred 12 or fewer credits into the degree granting institution.

Requires that the count for degree attainment include degrees earned by students identified as Ohio residents in any term, weighted by a factor of 1, and degrees earned by students identified as out-of-state students during all terms that remain in Ohio at least one year after graduation, weighted by a factor of 50%. Defines subsidy eligible associate degrees as those earned by students attending any state supported university main or regional campus.

Same as the Executive.

Requires that calculations for the count for degree attainment use the average of the previous three years' counts of associate, baccalaureate, masters and professional degrees. Limits, if a student is awarded an associate degree and later is awarded a baccalaureate degree, the amount funded for the baccalaureate degree to either (1) the difference in cost between the cost of the baccalaureate degree and the cost of the previous associate degree, or, (2) if the associate degree has a higher cost than the baccalaureate degree, the cost of the credits earned by the student after the associate degree was awarded. Specifies that in these instances the associate degree granting institution receive only the prorated share of the baccalaureate degree funding for the credits earned at that institution after the associate degree is awarded. Requires, if a student earns more than one degree at the same institution at the same degree level in the same fiscal year, that funding for the highest cost

Same as the Executive.

Executive

In House Finance

degree be prorated among institutions based on where the credits were earned and additional degrees be funded at 25% of the degree cost.

Requires that eligible associate and baccalaureate degrees counted in degree attainment be weighted by a statewide "at-risk degree" completion weight, calculated based on the at-risk factors of the individual student, determined by calculating the difference between the percentage of students with each risk factor who earned a degree and the percentage of non-at-risk students who earned a degree. Defines "at-risk" for a student based on academic underpreparation, age, minority status, financial status, or first generation post-secondary status based on neither parent completing any education beyond high school.

Same as the Executive.

BORCD20

SSI - Calculation of SSI Formula Entitlements and Adjustments for Universities - Doctoral Set-Aside

Section: 381.140

Requires that up to 11.78% of the SSI appropriation for universities be set aside for doctoral programs in each fiscal year.

Requires that the doctoral set-aside be allocated to universities as follows:

(1) 25% in each fiscal year in proportion to each campus's share of doctoral program course completions. Requires that course completion earnings be determined by multiplying the total curricular model amounts and graduate weights by the three-year average of subsidy-eligible doctoral FTEs who successfully complete courses in graduate-level models.

Section: 381.140

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

## Executive

## In House Finance

(2) 50% in each fiscal year in proportion to each campus's share of statewide doctoral degrees, weighted by the cost of the discipline. Requires that the calculation of doctoral degrees use the average of the previous three years.

(2) Same as the Executive.

(3) 25% in each fiscal year in proportion to each campus' share of research grant activity. Requires that grant awards from the Department of Health and Human Services be weighted at 50%.

(3) Same as the Executive.

## BORCD21

## SSI - Calculation of SSI Formula Entitlements and Adjustments for Universities - Medical Set-Asides

## Section: 381.140

Requires that 6.41% of the SSI appropriation for universities in each fiscal year be set aside for Medical II FTEs. Requires that these funds be allocated in proportion to each campus's share of the statewide total of three-year average Medical II FTEs. Specifies that, in calculating the core subsidy enrollments for Medical II models only, students repeating terms may be no more than 5% of current year enrollment.

## Section: 381.140

Same as the Executive.

Requires that 1.48% of the SSI appropriation for universities in each fiscal year be set aside for Medical I FTEs. Requires that these funds be allocated in proportion to each campus's share of the statewide total of three-year average Medical I FTEs.

Same as the Executive.

## BORCD22

## SSI - Calculation of SSI Formula Entitlements and Adjustments for Universities - Course Completion Funding

## Section: 381.140

Requires that, in calculating course completion funding for universities, the Chancellor only use FTE students who successfully complete a course.

## Section: 381.140

Same as the Executive.

## Executive

## In House Finance

Requires that successful course completion FTE students defined as "at-risk" based on academic under-preparation or financial status are to be weighted by (1) institution-specific course completion indexes calculated based on the number of at-risk students during the 2016-2018 academic years, and (2) statewide at-risk course completion weights determined by the difference between the percentage of traditional students completing the course and the percentage of at-risk students completing the course.

Same as the Executive.

Requires that, except for the Medical I, Medical II, Doctoral I, and Doctoral II models, all models have their course completion earnings determined by multiplying per FTE curriculum model costs by model weights and by the average number of subsidy-eligible FTEs over the previous three-year period.

Same as the Executive.

Requires that the course completion earnings be calculated by dividing the adjusted earmark for universities, less the degree attainment funding, the doctoral set-aside, and the medical set-asides, by the sum of all universities' instructional costs.

Same as the Executive.

**BORCD23****SSI - Calculation of SSI Formula Entitlements and Adjustments for Community Colleges****Section: 381.140**

Requires that 50% of the SSI appropriation for community colleges, state community colleges, and technical colleges, in each fiscal year, be allocated for course completion FTEs as aggregated by the subsidy models. Specifies that the course completion funding be allocated to campuses in proportion to each campus's share of the total sector's course completions, weighted by the instructional cost of the subsidy models.

**Section: 381.140**

Same as the Executive.

## Executive

## In House Finance

Requires that calculations of course completions for these colleges use the average course completions for the previous three years for students identified as Ohio residents and that the subsidy eligible enrollments by model be equal to only those FTE students who successfully complete the course.

Same as the Executive, but removes the specification that students must be "identified as Ohio residents" for course completions to be counted.

Requires that students with successful course completions, that are defined as "access students" based on financial status, minority status, age, or academic under-preparation, have their eligible course completions weighted by a statewide access weight. Specifies the weight given to any student eligible as an "access student" be 15% for all course completions. Specifies that the model costs are to be weighted by the cost of the degree programs.

Same as the Executive.

Requires that 25% of the appropriation for these colleges, in each fiscal year, be allocated in proportion to each campus's share of college student success factors. Requires that student success factors be awarded at the institutional level for each subsidy-eligible student that successfully: (1) completes a developmental math course, and, within the next year, enrolls in a college-level math course; (2) completes a developmental English course and, within the next year, enrolls in a college-level English course; (3) completes 12 semester credit hours of college-level coursework; (4) completes 24 semester credit hours of college-level coursework; (5) completes 36 semester credit hours of college-level coursework.

Same as the Executive, but removes the specification that students must be "subsidy-eligible" to be included in the count for student success factors.

Requires that 25% of the appropriation for these colleges, in each fiscal year, be allocated for completion milestones. Specifies that completion milestones include (1) associate degrees, (2) technical certificates over 30 credit hours as

Same as the Executive.

## Executive

## In House Finance

designated by DHE, and (3) students transferring to any four-year institution with at least 12 credit hours of college level coursework earned at that college. Specifies that completion milestone funding be allocated in proportion to each campus's share of the sector's total completion milestones, weighted by the instructional costs of the associate degree, certificate, or transfer models. Specifies that costs for technical certificates over 30 hours be weighted at one-half of the associate degree model costs and transfers with at least 12 credit hours of college level coursework be weighted at one-fourth of the average cost for all associate degree model costs.

Requires that calculations of subsidy entitlements for completions at these colleges use a three-year average for completion milestones awarded to identified subsidy-eligible students in any term of their studies. Specifies that eligible model completions equal only those students who successfully complete an associate degree or technical certificate over 30 credit hours, or transfer to any four-year institution with at least 12 credit hours of college level coursework.

Requires that students who are also defined as "access students" based on financial status, minority status, age, or academic under-preparation, have their eligible course completions weighted by a statewide access weight. Specifies the following statewide access weights: (1) 25% for students with one access factor; (2) 66% for two access factors; (3) 150% for three access factors; and, (4) 200% for four access factors.

Requires, for those students who complete more than one completion milestone, that funding for each additional associate degree or technical certificate over 30 credit hours as

Same as the Executive, but removes the specification that requires the calculations to use a three-year average for completion milestones awarded to identified subsidy-eligible students in any term of their studies. Instead, requires the calculations to use a three-year average for completion metrics.

Same as the Executive.

Same as the Executive.



## Executive

## In House Finance

designated by DHE be funded at 50% of model costs.

**BORCD24****SSI - Capital Component Deduction****Section: 381.140**

Requires that, after all other adjustments have been made, a campus's SSI earnings be reduced by the amount, if any, by which debt service charged for that campus for capital budgets from the 121st GA to the 127th GA exceeds that campus's capital component earnings. Specifies that the deducted amounts be transferred to GRF appropriation item 235552, Capital Component.

**Section: 381.140**

Same as the Executive.

**BORCD25****SSI - Exceptional Circumstances and Appropriation Reductions****Section: 381.140**

Authorizes adjustments be made to the SSI payments and other subsidies distributed by the Chancellor for exceptional circumstances. Requires the recommendation of the Chancellor and approval of the Controlling Board for these adjustments.

Requires that the standard SSI formula provisions apply to any SSI appropriation reductions occurring prior to the Chancellor's formal approval of the SSI allocation. Requires that reductions made after the Chancellor's formal approval be applied uniformly to each campus in proportion to its share of the final SSI allocation.

**Section: 381.140**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

## BORCD26

## SSI - Distribution

## Section: 381.140

Requires that the SSI allocation be distributed in equal monthly payments. Specifies that payments for the first six months of the fiscal year be made based on the SSI appropriation estimates made for the various institutions and that payments for the last six months of the fiscal year be based on the final data from the Chancellor.

## Section: 381.140

Same as the Executive.

## BORCD27

## SSI - Study on the use of employment metrics for SSI formulas

## Section: 381.140

Establishes the Employment Metrics Consultation to study formula weights for post-graduation employment measures that may be incorporated in the SSI distribution formulas beginning in FY 2022. Requires the study to be completed by June 30, 2020.

Requires the study to (1) research the most appropriate data sources available to measure employment outcomes; (2) evaluate the public policy benefits of adding such measures to the current SSI allocation formulas to reward institutional job placement performance; and (3) identify and evaluate the most critical factors that should be considered as possible enhancements to the formulas, including the relevance of graduates' degrees to job placement, employment in Ohio versus out of state, placement in high demand fields, and other qualitative factors.

## Section: 381.140

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

Requires the Inter-University Council (IUC) and Ohio Association of Community Colleges (OACC) to each recommend eight members representing their respective institutional sectors to serve on the Employment Metrics Consultation.

Same as the Executive.

**BORCD28****SSI for Fiscal Years 2020 and 2021****Section: 381.150**

Makes the following earmarks to GRF appropriation item 235501, State Share of Instruction:

(1) \$460,818,566 in FY 2020 and \$465,426,752 in FY 2021 for SSI distributions to community colleges, state community colleges, and technical colleges.

(2) \$1,538,392,149 in FY 2020 and \$1,553,776,070 in FY 2021 for SSI distributions to university main and regional campuses.

Requires any institution that receives additional SSI subsidy compared to the prior year to use the additional distribution to provide need-based aid and counseling, support services, and workforce preparation services to its students.

**Section: 381.150**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

**BORCD29****Restriction on Fee Increases****Section: 381.160**

Authorizes, for academic years 2019-2020 and 2020-2021, each state institution of higher education to increase its in-state undergraduate instructional and general fees by no more than 2% over what the institution charged for the previous academic year.

**Section: 381.160**

Same as the Executive.

Executive

In House Finance

Specifies that increases for all other special fees, including the creation of new special fees, be subject to the Chancellor's approval.

Same as the Executive.

Exempts the following fees from the above limits: (1) room and board, (2) student health insurance, (3) fees for auxiliary goods or services provided to students at the cost incurred to the institution, (4) fees assessed to students as a pass-through for licensure and certification examinations, (5) fees in elective courses associated with travel experiences, (6) elective service charges, (7) fines, (8) voluntary sales transactions, and (9) fees that offset the cost of providing textbooks to students, which may appear directly on a student's tuition bill as assessed by the institution's bursar.

Same as the Executive, but adds (10) fees for student mental health and substance abuse services, subject to the Chancellor's approval.

Specifies that limitations do not apply to increases required to comply with institutional covenants related to obligations or to meet unfunded legal mandates or commitments made prior to the effective date of the section. Specifies that any increases necessary to cover these covenants or other requirements be reported to the Controlling Board by the Chancellor. Authorizes the Chancellor, with Controlling Board Approval, to modify any limitations to respond to exceptional circumstances.

Same as the Executive.

Authorizes state universities offering undergraduate tuition guarantees to increase instructional and general fees pursuant to R.C. 3345.48.

Same as the Executive.

Authorizes the Chancellor to establish a differential tuition program for undergraduate students. Authorizes eligible institutions, if the Chancellor establishes such a program, to offer the program to eligible students. Requires the Chancellor to develop criteria for participation in the program that may

Same as the Executive.

## Executive

## In House Finance

include, but is not limited to, requirements that revenues generated by the differential tuition program be used to support student services and need-based financial aid.

**BORCD68****Study regarding past-due general and special fees**

No provision.

**Section: 381.165**

Requires the Chancellor, in consultation with state institutions of higher education, to conduct a study regarding the best practices for collecting past-due general and special fees before such fees are certified to the Attorney General for debt collection, including by investigating several specified practices and a potential amnesty program.

No provision.

Requires the Chancellor, in consultation with state institutions, to submit a report based on the study to the General Assembly by December 31, 2019.

No provision.

Requires the report to include recommendations regarding (1) best practices to collect past-due general and special fees before the fees must be certified to the Attorney General and (2) changes to the Revised Code and the Administrative Code to implement a uniform statewide policy regarding the collection of past-due fees.

**Fiscal effect: Potential increase in DHE's and state institutions' administrative costs to conduct the study and report their findings.**

## Executive

## In House Finance

## BORCD30

## Higher Education - Board of Trustees

## Section: 381.170

Authorizes colleges and universities, with the approval of the Chancellor, to use instructional subsidies for off-campus undergraduate and master's degree courses of study.

Requires the board of trustees at each institution to supplement state subsidies by establishing uniform instructional and general fees to be charged to all students for universal services. Allows each board to establish special purpose fees and service charges for individual or specific categories of students that are not applied uniformly. Requires each board to establish a tuition surcharge to out-of-state students.

Prohibits the board of trustees at each institution from authorizing a waiver or nonpayment of instructional or general fees that is not authorized by law or approved by the Chancellor.

Requires each institution of higher education, in its statement of charges, to separately identify the instructional fee, general fee, tuition charge, and tuition surcharge.

Requires that boards of trustees of state institutions ensure that faculty members devote a proper and judicious part of their work week to actual instruction of students.

Requires the boards of trustees of state institutions to exercise the authority of government vested by law in them. Specifies that administrative decisions are the exclusive prerogative of the boards and that any delegation of authority by the boards must be accompanied by appropriate standards of guidance and periodic review of the exercise of the delegated authority.

## Section: 381.170

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**BORCD31 War Orphans Scholarship****Section: 381.180**

Requires that GRF appropriation item 235504, War Orphans Scholarships, be used to reimburse state institutions for waivers of instructional fees and general fees provided to war orphans, provide grants to private nonprofit institutions, and fund additional scholarships for children of persons declared prisoners of war or missing in action.

Authorizes the Chancellor, during each fiscal year, to certify to the OBM Director the amount of canceled prior-year encumbrances in item 235504. Authorizes the OBM Director, upon receipt, to transfer cash, up to the certified amount, from the GRF to the War Orphans Scholarship Reserve Fund (Fund 5PW0).

**Section: 381.180**

Same as the Executive.

Same as the Executive.

**BORCD32 OhioLINK****Section: 381.200**

Requires that GRF appropriation item 235507, OhioLINK, be used to support OhioLINK, the state's electronic library information and retrieval system.

**Section: 381.200**

Same as the Executive.

## Executive

## In House Finance

**BORCD33      Air Force Institute of Technology****Section:    381.210**

Requires that GRF appropriation item 235508, Air Force Institute of Technology, be used to strengthen educational linkages between Wright Patterson Air Force Base and Ohio institutions of higher education and to support the Defense Associated Graduate Student Innovators consortium.

**Section:    381.210**

Same as the Executive.

**BORCD34      Ohio Supercomputer Center****Section:    381.220**

Requires that GRF appropriation item 235510, Ohio Supercomputer Center, be used to support the Ohio Supercomputer Center, located at Ohio State University.

**Section:    381.220**

Same as the Executive.

**BORCD35      Cooperative Extension Service****Section:    381.230**

Requires that GRF appropriation item 235511, Cooperative Extension Service, be disbursed to The Ohio State University in monthly payments.

**Section:    381.230**

Same as the Executive.



## Executive

## In House Finance

**BORCD36 Central State Supplement****Section: 381.240**

Requires the Chancellor to disburse funds from GRF appropriation item 235514, Central State Supplement, in accordance with the plan developed to increase enrollment, improve course completion, and increase the number of degrees conferred.

**Section: 381.240**

Same as the Executive.

**BORCD47 Clinical teaching and other-medical related appropriations****Sections: 381.250, 381.260, 381.280, 381.285, 381.300, 381.350, 381.370, and 381.550**

Requires the following 12 GRF clinical teaching and medical related appropriation items:

- (1) 235515, Case Western Reserve University School of Medicine, be disbursed to Case Western in accordance with state agreements.
- (2) 235519, Family Practice, be distributed in each fiscal year, based on each medical school's share of residents placed in a family practice and graduates practicing in a family practice.
- (3) 235525, Geriatric Medicine, be distributed consistent with existing criteria and guidelines.
- (4) 235526, Primary Care Residencies, be distributed, in each fiscal year, based on each medical school's share of residents placed in a primary care field and graduates practicing in a primary care field.

**Sections: 381.250, 381.260, 381.280, 381.285, 381.300, 381.350, 381.370, and 381.550**

Same as the Executive.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.

Executive

In House Finance

(5) 235536, The Ohio State University Clinical Teaching, 235537, University of Cincinnati Clinical Teaching, 235538, University of Toledo Clinical Teaching, 235539, Wright State University Clinical Teaching, 235540, Ohio University Clinical Teaching, and 235541, Northeast Ohio Medical University Clinical Teaching, be distributed by the Chancellor.

(5) Same as the Executive.

(6) 235558, Long-term Care Research, be disbursed to Miami University for long-term care research.

(6) Same as the Executive.

(7) 235572, The Ohio State University Clinic Support, be distributed to The Ohio State University for support of dental and veterinary medicine clinics.

(7) Same as the Executive.

Requires, for each fiscal year, each institution of higher education that receives funds from any one of the above-mentioned 12 specific clinical teaching or other-medical related appropriation items to report the residency status of students that have graduated from one of the applicable programs at one year and five years after graduating.

Same as the Executive.

**BORCD51                      Shawnee State Supplement**

**Section:    381.270**

Requires the Chancellor to disburse funds from GRF appropriation item 235520, Shawnee State Supplement, in accordance with the plan to improve course completion, increase the number of degrees conferred, and further the university's mission of service to the Appalachian region.

**Section:    381.270**

Same as the Executive.

## Executive

## In House Finance

## BORCD64

## Program and Project Support

No provision.

(1) No provision.

(2) No provision.

(3) No provision.

(4) No provision.

**Section: 381.288**

Makes the following earmarks from GRF appropriation item 235533, Program and Project Support:

(1) \$500,000 in FY 2020 to be allocated to the Levin College of Urban Affairs at Cleveland State University.

(2) \$125,000 in each fiscal year to support the expansion of an unmanned aviation STEM pilot program for public and nonpublic schools in Clark County.

(3) \$100,000 in each fiscal year to support the Kent State University Rising Scholars Program.

(4) \$28,000 in each fiscal year to support Cincinnati Hillel at the University of Cincinnati.

## BORCD53

## Ohio Agricultural Research and Development

**Section: 381.290**

Requires that GRF appropriation item 235535, Ohio Agricultural Research and Development Center, be disbursed to The Ohio State University in monthly payments. Requires that OARDC continue to internally allocate funding on a competitive basis.

**Section: 381.290**

Same as the Executive.

## Executive

## In House Finance

**BORCD57 Central State Agricultural Research and Development****Section: 381.310**

Requires that GRF appropriation items 235546, Central State Agricultural Research and Development, and 235548, Central State Cooperative Extension Services, be used by Central State University for its state match requirement as an 1890 land grant university.

**Section: 381.310**

Same as the Executive.

**BORCD58 Capital Component****Section: 381.320**

Requires that GRF appropriation item 235552, Capital Component, be distributed to each campus for which the estimated campus debt service attributable to qualifying capital projects is less than the campus's formula-determined capital component allocation under the state's former capital funding policy. Specifies that the amount of each campus's payment be determined by subtracting the former amount from the latter and that the campuses use these payments only for capital projects.

Requires the Chancellor to subtract from each campus's SSI allocation the amount by which the estimated campus debt service attributable to qualifying capital projects exceeds the campus's formula-determined capital component allocation and transfer appropriation equal to the sum of these amounts from GRF appropriation items 235501, State Share of Instruction, to this appropriation item.

**Section: 381.320**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**BORCD59****Library Depositories****Section: 381.330**

Requires that GRF appropriation item 235555, Library Depositories, be used to support the state's five regional depository libraries for the cost-effective storage of and access to lesser-used materials in university library collections. Specifies that the depositories are to be administered by the Chancellor or OhioLINK, at the Chancellor's discretion.

**Section: 381.330**

Same as the Executive.

**BORCD60****Ohio Academic Resources Network (OARnet)****Section: 381.340**

Requires that GRF appropriation item 235556, Ohio Academic Resources Network, be used to support the operations of OARnet, including support for Ohio's colleges and universities in maintaining and enhancing network connections, using new network technologies to improve programs, and sharing information technology services. Requires, to the extent network capacity is available, that OARnet support allocating bandwidth to eligible programs directly supporting Ohio's economic development.

**Section: 381.340**

Same as the Executive.

**BORCD61****Ohio College Opportunity Grant (OCOG)****Section: 381.360**

Earmarks the following from GRF appropriation item 235563, Ohio College Opportunity Grant:

**Section: 381.360**

Same as the Executive, but makes the following changes in the earmarks:

## Executive

## In House Finance

(1) At least \$113,700,000 in FY 2020 and at least \$139,700,000 in FY 2021 for need based financial aid awards to students of public and private nonprofit institutions, excluding early college high school and post-secondary enrollment option participants.

(1) Same as the Executive.

(2) Up to \$3,000,000 in each fiscal year for need-based financial aid to students enrolled in community and technical colleges and university branches for the purchase of textbooks and instructional materials. Authorizes annual grants for full-time students meeting eligibility requirements to be determined by the Chancellor.

(2) No provision. (see BORCD65)

(3) The remainder in each fiscal year to award need-based aid to students enrolled in eligible private for-profit career colleges and schools.

(3) Same as the Executive.

Requires awards for students attending eligible public colleges and universities to be \$1,900 in FY 2020 and \$2,400 in FY 2021 and for students attending eligible private, nonprofit institutions to be \$3,400 in FY 2020 and \$3,900 in FY 2021. Authorizes the distribution of awards on an annual basis, once Pell grants have been exhausted, for students attending an institution year-round.

Same as the Executive.

Authorizes the Chancellor to create a distribution formula for FY 2020 and FY 2021, based on the formula used in FY 2019, if the amounts appropriated are inadequate to provide grants to all eligible students. Requires the Chancellor to notify the Controlling Board of the distribution method. Requires that any formula be complete and established to coincide with the start of the 2019-2020 academic year.

Same as the Executive.

## Executive

## In House Finance

Requires the Chancellor, prior to determining OCOG award amounts, to pay for tuition and fee waivers of students eligible for awards under the Ohio Safety Officer's College Memorial Fund Program. Specifies that, in paying for waivers, funds are to be deducted proportionately from the sector allocations of public, private nonprofit, and private for-profit institutions.

Same as the Executive.

Prohibits the Chancellor from distributing or obligating more than the appropriation amount. Requires the Chancellor to post award tables on DHE's website and notify students and institutions of any reductions in awards. Prohibits any student from receiving OCOG for more than the equivalent of five academic years, less the number of semesters or quarters in which the student received an Ohio Instructional Grant.

Same as the Executive.

Authorizes the Chancellor, during each fiscal year, to certify to the OBM Director the amount of canceled prior-year encumbrances in 235563. Authorizes the OBM Director, upon receipt, to transfer cash, up to the certified amount, from the GRF to the OCOG Reserve Fund (Fund 5PU0).

Same as the Executive.

**BORCD73****Co-op Internship Program**

No provision.

**Section: 381.373**

Makes the following earmarks of GRF appropriation item 235591, Co-op Internship Program:

(1) No provision.

(1) \$612,500 in FY 2020 and \$812,500 in FY 2021 for Ohio University's Voinovich School.

(2) No provision.

(2) \$62,500 in each fiscal year for The Ohio State University's John Glenn College of Public Affairs.

## Executive

## In House Finance

(3) No provision.

(3) \$62,500 in each fiscal year for the Bliss Institute of Applied Politics at the University of Akron.

(4) No provision.

(4) \$25,000 in each fiscal year for the Center for Public Management and Regional Affairs at Miami University.

(5) No provision.

(5) \$100,000 in each fiscal year for the Washington Center Internship Program.

(6) No provision.

(6) \$25,000 in each fiscal year for the Ohio Center for the Advancement of Women in Public Service at the Maxine Goodman Levin College of Urban Affairs at Cleveland State University.

(7) No provision.

(7) \$25,000 in each fiscal year for the University of Cincinnati Internship Program.

(8) No provision.

(8) \$25,000 in each fiscal year for the Center for Regional Development at Bowling Green State University.

(9) No provision.

(9) \$25,000 in each fiscal year for the Center for Liberal Arts Student Success at Wright State University.

(10) No provision.

(10) \$25,000 in each fiscal year for the Kent State University Columbus Program.

(11) No provision.

(11) \$25,000 in each fiscal year for the University of Toledo Urban Affairs Center.

(12) No provision.

(12) \$25,000 in each fiscal year for the Center for Urban and Regional Studies at Youngstown State University.

(13) No provision.

(13) \$50,000 in each fiscal year for the Model United Nations Program at Wright State University.



Executive

In House Finance

BORCD71

High School STEM Innovation and Ohio College Scholarship and Retention Program

**Section: 381.375**

No provision.

Requires that GRF appropriation item 235597, High School STEM Innovation and Ohio College Scholarship and Retention Program, be distributed by the Chancellor to the Ohio Academy of Science, in collaboration with Entrepreneurial Engagement Ohio, for the continuing development and implementation of recommendations of the Ohio Board of Regents that seek to create an innovation pathway between Ohio's K-12 education system and Ohio's colleges and universities and post-secondary career centers and vocational schools.

No provision.

Requires the Program to: (1) conduct STEM Innovation and Entrepreneurship Forums at Ohio's universities and colleges for high school students and educators, (2) develop in-school STEM Innovation and Entrepreneurship Program and STEM Commercialization Plan and STEM Business Plan Competitions, (3) conduct a statewide STEM Commercialization Plan and STEM Business Plan competition, open to the winners of related local high school competition award winners, that includes scholarships to attend any Ohio college, university, or post-secondary career center, and (4) conduct a statewide Innovation and Entrepreneurship Scholarship program that awards at least one scholarship to attend any Ohio college in each Ohio Senate and House District.

No provision.

Requires all aspects of the Program to be open to any Ohio high school student, with an emphasis on minority, rural, and economically disadvantaged students. Requires the Program to collaborate with Ohio's colleges and universities, and existing

## Executive

## In House Finance

STEM, innovation, and entrepreneurship programs to implement these provisions and encourage enrollment at Ohio institutions of post-secondary and higher education.

## BORCD70

## Rural University Program

No provision.

**Section: 381.376**

Requires that GRF appropriation item 235598, Rural University Program, be used for the Rural University Program, a collaboration of Bowling Green State University, Kent State University, Miami University, and Ohio University that provides rural communities with economic development, public administration, and public health services.

No provision.

Specifies that each of the four universities receive \$125,000 in each fiscal year to support their respective programs.

## BORCD62

## National Guard Scholarship Program

**Section: 381.380**

Requires that GRF appropriation item 235599, National Guard Scholarship Program, be disbursed by the Chancellor.

Authorizes the Chancellor, during each fiscal year, to certify to the OBM Director the amount of canceled prior-year encumbrances in 235599. Authorizes the OBM Director, upon receipt, to transfer cash, up to the certified amount, from the GRF to the National Guard Scholarship Fund (Fund 5BM0).

**Section: 381.380**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**BORCD63**      **Pledge of fees****Section: 381.390**

Provides that any new pledge or adjustment of fees made in the biennium to secure bonds or notes of a state institution of higher education for a project are effective only after approval by the Chancellor, unless approved in a previous biennium.

**Section: 381.390**

Same as the Executive.

**BORCD38**      **Higher Education General Obligation Bond Debt Service****Section: 381.400**

Requires that GRF appropriation item 235909, Higher Education General Obligation Bond Debt Service, be used to pay all debt service and related financing costs of higher education general obligation bonds during the biennium.

**Section: 381.400**

Same as the Executive.

**BORCD39**      **Sales and Services****Section: 381.410**

Authorizes the Chancellor to charge and accept payment for the provision of goods and services. Requires the charges to be related to the costs of producing goods and services. Prohibits charges for goods or services that are produced as part of the routine responsibilities or duties of the Chancellor. Requires that all revenues received be deposited into DPF Fund 4560, Sales and Services. Allows the Chancellor to use these funds to pay for the costs of producing goods and services.

**Section: 381.410**

Same as the Executive.

## Executive

## In House Finance

**BORCD40      Higher Education Facility Commission Administration****Section:    381.420**

Requires that DPF Fund 4E80 appropriation item 235602, Higher Educational Facility Commission Administration, be used for operating expenses related to DHE's support of the activities of the Ohio Higher Educational Facility Commission (HEFC).

**Section:    381.420**

Same as the Executive.

**BORCD41      Federal Research Network****Section:    381.440**

Requires that DPF Fund 5JC0 appropriation item 235654, Federal Research Network, be distributed to the Ohio State University to collaborate with federal installations in Ohio, state institutions of higher education, and the private sector to align the state's research assets with emerging missions and job growth opportunities emanating from federal installations, strengthen related workforce development and technology commercialization programs, and better position the state's university system to directly impact new job creation in Ohio.

Requires a portion of 235654 to be used to support the growth of small business federal contractors in the state and expand the participation of Ohio businesses in the federal Small Business Innovation Research Program and related federal programs.

**Section:    381.440**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

BORCD74

Jobs Challenge

No provision.

**Section: 381.450**

Requires that DPF Fund 5NHO appropriation item 235529, Jobs Challenge, be distributed by the Chancellor to community colleges, state community colleges, and technical colleges and Ohio Technical Centers, as recognized by the Chancellor, to support noncredit job related workforce training programs.

No provision.

Requires funds to assist these institutions with initial expenses to develop the programs. Authorizes funds to also be used by these institutions to establish noncredit job training partnerships with businesses and industries to train employees in in-demand fields.

No provision.

Requires the Chancellor, in consultation with the Governor's Office of Workforce Transformation, the Ohio Association of Community Colleges, and the Ohio Technical Centers, to develop rules for distribution of funds provided under the program.

BORCD42

OhioMeansJobs Workforce Development Revolving Loan Program

**Section: 381.450**

Requires that DPF Fund 5NHO appropriation item 235684, OhioMeansJobs Workforce Development Revolving Loan Program, be used to provide administrative support for the OhioMeansJobs Workforce Development Revolving Loan Program.

**Section: 381.450**

Same as the Executive.

## Executive

## In House Finance

**BORCD43**      **OhioCorps Pilot Program****Section: 381.460**

Earmarks up to \$50,000 in each fiscal year of appropriation item 235594, OhioCorps Pilot Program, to be used by the Chancellor to implement and administer the OhioCorps Pilot Program.

Requires that the remainder of appropriation item 235594 be used by the Chancellor to assist eligible state institutions of higher education in establishing and administering OhioCorps mentorship programs.

Permits the Chancellor to certify to the OBM Director an amount up to the unexpended, unencumbered balance of appropriation item 235594 at the end of FY 2019 and FY 2020 to be reappropriated to FY 2020 and FY 2021, respectively, and reappropriates those amounts.

**Section: 381.460**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**BORCD65**      **Textbook and Instructional Materials Grants**

No provision. (see BORCD61)

**Section: 381.460**

Requires DPF Fund 5VQ0 appropriation item 235671, Textbook and Instructional Materials Grants, to be used by the Chancellor to award grants to students enrolled in community and technical colleges and university branches for the purchase of textbooks and instructional materials. Authorizes annual grants for students meeting eligibility requirements to be determined by the Chancellor.

## Executive

## In House Finance

**BORCD44 State Financial and Reconciliation****Section: 381.470**

Requires the Chancellor, on September 1 of each fiscal year or as soon as possible thereafter, to certify to the OBM Director the amount necessary to pay any outstanding prior year obligations to institutions of higher education for the state's student financial aid programs. Appropriates the amounts certified to DPF Fund 5Y50 appropriation item 235618, State Financial Aid Reconciliation, from revenues received in the State Financial Aid Reconciliation Fund (Fund 5Y50).

**Section: 381.470**

Same as the Executive.

**BORCD45 Nursing Loan Program****Section: 381.480**

Requires that DPF Fund 6820 appropriation item 235606, Nursing Loan Program, be used to administer the nurse education assistance program.

**Section: 381.480**

Same as the Executive.

**BORCD46 Research Incentive Third Frontier****Section: 381.520**

Requires that BRD Fund 7011 appropriation item 235634, Research Incentive Third Frontier, and 235639, Research Incentive Third Frontier-Tax, be used to advance collaborative research at institutions of higher education and makes the following earmarks:

**Section: 381.520**

Same as the Executive.

## Executive

## In House Finance

- (1) Up to \$2,000,000 in each fiscal year for research regarding improvement of water quality;
- (2) Up to \$1,500,000 in each fiscal year for spinal cord research;
- (3) Up to \$1,000,000 in each fiscal year for research regarding the reduction of infant mortality;
- (4) Up to \$1,000,000 in each fiscal year for research regarding opiate addiction issues in Ohio;
- (5) Up to \$750,000 in each fiscal year for research regarding cyber security initiatives;
- (6) Up to \$300,000 in each fiscal year for the I-Corps@Ohio program; and
- (7) Up to \$200,000 in each fiscal year for the Ohio Innovation Exchange Program

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Same as the Executive.
- (6) Same as the Executive.
- (7) Same as the Executive.

## BORCD48

## Veterans Preferences

## Section: 381.530

Requires the Chancellor to collaborate with the Department of Veterans Services to develop veterans preference guidelines for institutions of higher education.

## Section: 381.530

Same as the Executive.



## Executive

## In House Finance

**BORCD54      Higher Education Institution Furloughs****Section:    381.540**

Permits the board of trustees of state institutions to adopt policies that require mandatory furloughs of employees, including faculty, to achieve spending reductions necessitated by institutional budget deficits.

**Section:    381.540**

Same as the Executive.

**BORCD49      Efficiency Reports****Section:    381.550**

Requires that in each fiscal year, the board of trustees of each public institution of higher education approve the institution's efficiency report submitted to the Chancellor.

**Section:    381.550**

Same as the Executive.

**BORCD55      Ohio Innovation Exchange****Section:    381.580**

Requires the Chancellor to support the continued development of the Ohio Innovation Exchange for the purpose of (1) showcasing the research expertise of Ohio's university and college faculty in engineering, biomedicine, and information technology, and other fields of study and (2) identifying institutional research equipment available in the state.

**Section:    381.580**

Same as the Executive.

## Executive

## In House Finance

**Fiscal effect:** Potential increase in administrative responsibilities associated with the continued development and maintenance of this database. The "Ohio Innovation Exchange" is a current initiative developed jointly by Case Western Reserve University, Ohio University, the Ohio State University, and the University of Cincinnati, in consultation with DHE and the Ohio Manufacturing Institute that provides access to faculty profiles and resources.

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

**BORCD56      Program Models Leading to Credentials in In-Demand Occupations****Section:    381.590**

Requires the Chancellor to work with state institutions of higher education, technical centers, and industry partners to develop program models that include project-based learning to increase continuing education and non-credit program offerings that lead to a credential in order to meet the state's in-demand job needs.

**Fiscal effect:** Increase in DHE and state institution administrative responsibilities.

**Section:    381.590**

Same as the Executive.

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

**BORCD50      Health Care Workforce Preparation****Section:    381.610**

Establishes the Ohio Physician and Allied Health Care Workforce Preparation Task Force through the Chancellor to study, evaluate, and make recommendations with respect to health care workforce needs in Ohio.

Requires the Chancellor to appoint task force members with representation from the State Medical Board, medical school deans, hospital administrators, physician and nursing

**Section:    381.610**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

organizations, and other allied health personnel as the Chancellor may decide.

Requires the task force to convene as soon as practicable and issue a report by March 1, 2020.

Same as the Executive.

**Fiscal effect: Increase in DHE administrative responsibilities.**

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

**BORCD37****Fund Name Change**

**Section: 381.620**

Requires the OBM Director to rename the SchoolNet Fees Fund (Fund 5D40) the Conference Administration Fund (Fund 5D40).

**Section: 381.620**

Same as the Executive.

**BORCD1****RAPIDS program capital appropriation increase**

**Sections: 601.10, 601.12**

Amends Sections 207.10 and 207.440 of H.B. 529 of the 132nd General Assembly to increase Higher Education Improvement Fund (Fund 7034) capital appropriation item C23529, Workforce Based Training and Equipment, by \$8,000,000 in the FY 2019-FY 2020 capital biennium and to increase by the same amount the Ohio Public Facilities Commission's authority to issue and sell bonds to support capital appropriations from Fund 7034. (Appropriation item C23529 is used by DHE for the Regionally Aligned Priorities in Developing Skills (RAPIDS) program, which supports collaborative projects among higher education institutions to strengthen education and training opportunities that maximize workforce development efforts in defined areas of the state.)

**Sections: 601.10, 601.12**

Same as the Executive.

## Executive

## In House Finance

**OHSCD1                      Subsidy Appropriation****Section:    297.10**

Requires that appropriations made to OHC be released to OHC, upon approval by the OBM Director, in quarterly amounts.

Requires OHC's funds and fiscal records for FY 2020 and FY 2021 to be examined by independent certified public accountants approved by the Auditor of State, and requires OHC to file a copy of the audited financial statements with OBM.

Specifies that the appropriations made to OHC are considered to be the contractual consideration provided by the state to support the state's offer to contract with OHC under section 149.30 of the Revised Code.

**Section:    297.10**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**OHSCD2                      State Historical Grants**

No provision.

(1) No provision.

(2) No provision.

(3) No provision.

**Section:    297.10**

Makes the following earmarks from GRF appropriation item 360508, State Historical Grants:

(1) \$125,000 in each fiscal year for the Western Reserve Historical Society.

(2) \$125,000 in each fiscal year for the Cincinnati Museum Center.

(3) \$25,000 in each fiscal year for the Cleveland Museum of Natural History

Executive

In House Finance

(4) No provision.

(4) \$25,000 in each fiscal year for the Cleveland Institute of Art.

(5) No provision.

(5) \$38,500 in each fiscal year for the American Jewish Archives of the Hebrew Union College-Jewish Institute of Religion.

## Executive

## In House Finance

## REPCD3

## Cystic Fibrosis Legislative Task Force

No provision.

**R.C. 101.38**

Requires appointment of members to the Cystic Fibrosis Legislative Task Force to occur within 15 days following the first regular session of each General Assembly.

No provision.

Eliminates the limitation that the chairperson of the Task Force may only serve as chairperson for one year.

No provision.

Provides that a member of the Task Force who is also a member of the General Assembly serves as a member of the Task Force until no longer a member of the General Assembly.

**Fiscal effect: None.**

## REPCD1

## Operating Expenses

**Section: 299.10**

Authorizes the Chief Administrative Officer of the House of Representatives to certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of GRF line item 025321, Operating Expenses, remaining at the end of FY 2019 and FY 2020 to be reappropriated for the next fiscal year, and reappropriates the

**Section: 299.10**

Same as the Executive.

## Executive

## In House Finance

## REPCD2

## House Reimbursement

## Section: 299.10

Appropriates additional amounts in ISA Fund 1030 line item 025601, House Reimbursement, if the Chief Administrative Officer of the House of Representatives determines that additional amounts are necessary.

## Section: 299.10

Same as the Executive.

## REPCD4

## Health and Human Services Efficiencies and Alignment Study Committee

No provision.

## Section: 751.20

Establishes the Health and Human Services Efficiencies and Alignment Study Committee to examine the alignment and administrative efficiencies within the state's health and human services agencies.

No provision.

Specifies that the Committee's membership include four legislative members (the chairs of the House Finance Subcommittee on Health and Human Services, the House Aging and Long Term Care Committee, the Senate Finance Subcommittee on Health and Medicaid, and Senate Health, Human Services and Medicaid Committee). Includes among the Committee membership directors or their designees from the following agencies: MCD, DOH, JFS, DDD, MHA, AGE, and offices within GOV (Recovery Ohio, Governor's Office of Children's Initiatives, and Innovate Ohio).

No provision.

Requires the Committee to produce a report of its recommendations regarding costs, benefits, and policies by December 31, 2020. Specifies that the Committee ceases to exist after submitting its report.

Executive

In House Finance

Fiscal effect: Participating agencies might incur some small cost for conducting the review and preparing the report.



## Executive

## In House Finance

INSCD8

Pharmacy benefit managers, pharmacists, and cost-sharing for drug purchases

**R.C. 1739.05, 1751.92, 3923.87, 3959.12, 3959.20, 4729.47 and Section 757.23**

No provision.

Prohibits health plan issuers, pharmacy benefit managers (PBMs), or any other administrators from requiring cost-sharing in an amount greater than the lesser of either of the following: (1) the amount an individual would pay for the drug if the drug were to be purchased without coverage under a health benefit plan, or (2) the net reimbursement paid to the pharmacy for the prescription drug by the health plan issuer, PBM, or other administrator.

No provision.

Prohibits health plan issuers, PBMs, and other administrators from retroactively adjusting a pharmacy claim for reimbursement of a prescription drug unless the adjustment is the result of either (1) a pharmacy audit, or (2) a technical billing error.

No provision.

Prohibits health plan issuers, PBMs, or other administrators from charging a fee related to a claim unless the amount of the fee can be determined at the time of claim adjudication.

No provision.

Requires a pharmacist, pharmacy intern, or terminal distributor of dangerous drugs who has information indicating that the cost-sharing amount required by the patient's health benefit plan exceeds the permitted amount to provide such information to the patient and ensure that the patient is not charged the higher amount.

No provision.

Allows the Superintendent of Insurance to suspend for up to two years, revoke, or not renew any license issued to a PBM, or

Executive

In House Finance

other administrator, if the PBM or administrator violates the price disclosure requirements. Requires the Department of Insurance to create a web form that consumers can use to submit complaints associated with violations of the requirements.

**Fiscal effect: May increase administrative costs for the Department of Insurance and the State Board of Pharmacy. Any such costs for the Department of Insurance may be offset in part by penalties collected by the Department, and would be paid from the Department of Insurance Operating Fund (Fund 5540). Any penalties collected by the Department will also be deposited into Fund 5540. Any increase in the Board's administrative costs will be paid from the Board's appropriation item 887609, Operating Expenses (Fund 4K90); all penalties collected by the Board will be deposited into Fund 4K90. The cost-sharing requirement may have the indirect fiscal effect of leading some health benefit plans to raise premiums to cover additional prescription costs, thereby increasing costs to local governments that provide health benefits to employees and their dependents.**

INSCD6                      Direct primary care agreements

No provision.

**R.C.                      3901.95**

Provides that direct primary care agreements that meet certain criteria are not considered insurance.

**Fiscal effect: None.**

Executive

In House Finance

INSCD4                      Telemedicine services

R.C.                      3902.30

Requires all health benefit plans to provide coverage for telemedicine services on the same basis and to the same extent as in-person services. Prohibits such plans from excluding telemedicine services from coverage solely because they are telemedicine services. Prohibits such plans from (1) imposing a lifetime benefit maximum in relation to telemedicine services other than a maximum imposed on all plan benefits and (2) requiring cost-sharing for telemedicine services in an amount greater than that for comparable in-person services. Specifies that the requirement and prohibitions apply to all health benefit plans issued, offered, or renewed on or after January 1,

**Fiscal effect: The prohibition against excluding coverage for telemedicine services has the potential to increase costs for the state and local governments to provide health benefits to employees and their dependents. Currently, telemedicine service is not included in the state's health benefit plan, thus, it may minimally increase costs to the state to provide health benefits to employees and their dependents. To the extent that telemedicine services are already included in a local government's health benefit plan, there should be no impact on their costs of providing health benefits to employees and their dependents.**

No provision.

Executive

In House Finance

INSCD5 Minimum prices for health services

No provision.

**R.C. 3902.31**  
 Voids any provision in a contract between a third-party payer and a medical provider that 1) establishes minimum charges for health services or 2) prohibits the medical provider from advertising the provider's rates for a service. Defines third-party payers to include an insurer, a health insuring corporation, a labor organization, an employer, certain intermediary organizations, a third party administrator (such as a pharmacy benefit manager), a health delivery network, and any person that is obligated pursuant to a benefits contract to reimburse for covered health care services.  
**Fiscal effect: No direct fiscal effect.**

INSCD7 Reimbursement for out-of-network emergency care

No provision.

**R.C. 3902.50, 3902.51, and Section 739.10**  
 Requires an insurer to reimburse an out-of-network provider for emergency services when those services are performed at an in-network facility. Prohibits an insurer from requiring cost-sharing from a covered person for such services at a higher rate than the in-network cost-sharing rate.

No provision.

Prohibits an out-of-network provider from balance billing a patient for nonemergency services when those services are performed at an in-network facility unless certain conditions are met.

## Executive

## In House Finance

No provision.

Requires the Superintendent of Insurance to establish alternate dispute resolution procedures to address disputes between a provider and an insurer.

**Fiscal effect: The reimbursement requirement and the cost-sharing limitation may increase the costs for the state and local governments to provide health benefits to employees and their dependents. The requirement related to the alternative dispute resolution may minimally increase the Department of Insurance's administrative costs; any increase in such costs would be paid from Fund 5540.**

INSCD9

Health care price transparency

**R.C. 3962.01, 3962.011 through 3962.15, 5164.65, and Section 751.30**

No provision.

Adds to current health care price transparency requirements that apply to products, services, and procedures.

No provision.

Requires that certain health care providers and health plan issuers provide to patients or their representatives a cost estimate for nonemergency health care products, services, or procedures before each is provided. Enumerates certain information that must be included in a cost estimate. Specifies that the requirement applies to a health care provider that is a hospital or hospital system or is owned by a hospital or hospital system on the effective date of this bill. Specifies that on and after March 1, 2020, the requirement applies to all other health care providers.

No provision.

Requires the cost estimates to be provided within certain time limits and in accordance with all applicable laws pertaining to the privacy of patient-identifying information.

Executive

In House Finance

No provision.	Requires the Department of Insurance to create or procure a connector portal that health care providers may use to transmit information to health plan issuers for their use in generating cost estimates.
No provision.	Grants qualified immunity from civil liability to a health care provider or health plan issuer that provides cost estimates in accordance with the bill's provisions.
No provision.	Authorizes the Superintendent of Insurance, the Department of Health, Department of Medicaid, or the relevant regulatory board to impose administrative remedies on a health plan issuer or health care provider who fails to comply with the bill's health care price transparency provisions.
No provision.	Specifies that a contract clause prohibiting a health care provider or health plan issuer from providing patients with quality or cost information is invalid and unenforceable.
No provision.	Authorizes any member of the General Assembly to intervene in litigation that challenges the bill's health care price transparency provisions or the existing law pertaining to price transparency.
No provision.	Specifies that it is the General Assembly's intent in enacting the bill's health care price transparency provisions to provide patients with the information they need to make informed choices regarding their health care, to maximize health care cost savings for all residents of Ohio, and to reduce the burden of health care expenditures on government entities, including Medicaid.

Executive

In House Finance

Fiscal effect: The requirement that the Department of Insurance create or procure a connector portal would increase the Department's costs by an uncertain amount. Any increase in such costs would be paid from Fund 5540. Administrative costs for the departments of Insurance, Health, and Medicaid, and other regulatory boards may increase due to regulatory need to monitor compliance by health plan issuers and health care providers. Potential indirect reductions in costs to state and local public employee benefit plans and the Medicaid program due to potential increase in consumers shopping for lower prices for medical services; if there is any reduction in such costs, the magnitude of the reduction is very uncertain.

INSCD1

Market conduct examination

Section: 305.10

Permits the Superintendent of Insurance to assess the costs associated with a market conduct examination of an insurer doing business in this state against the insurer. Allows the Superintendent to enter into consent agreements to impose administrative assessments or fines for violations of insurance laws or rules. Requires all costs, assessments, or fines collected related to such violations to be deposited into the Department of Insurance Operating Fund (Fund 5540).

Fiscal effect: Potential revenue gain for Fund 5540.

Section: 305.10

Same as the Executive.

Fiscal effect: Same as the Executive.

## Executive

## In House Finance

**INSCD2                    Examinations of domestic fraternal benefit societies****Section:     305.10**

Allows the Director of Budget and Management, at the request of the Superintendent, to transfer cash from Fund 5540 to the Superintendent's Examination Fund (Fund 5550), only for expenses incurred in examining domestic fraternal benefit societies.

**Section:     305.10**

Same as the Executive.

**INSCD3                    Transfer of funds for captive insurance company regulation****Section:     305.10**

Requires the Director of Budget and Management, in consultation with the Superintendent, to establish a schedule for repaying amounts previously transferred during fiscal years 2016 and 2017 from the Captive Insurance Regulation and Supervision Fund (Fund 5PT0) to Fund 5540, when funds from captive insurance company application fees, reimbursements from captive insurance companies for examinations, and other sources have accrued to Fund 5PT0 in such amounts as are deemed sufficient to sustain departmental operations related to captive insurers.

**Fiscal effect: During FY 2016 and FY 2017, \$1.0 million was transferred from Fund 5540 to Fund 5PT0 to pay startup costs for regulating captive insurance companies before receipts related to such regulation were received and deposited into Fund 5PT0. The money had not been repaid to Fund 5540 as of March of this year. This provision would require repayment when the funds are sufficient for that purpose.**

**Section:     305.10**

Same as the Executive.

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



## Executive

## In House Finance

**JFSCD35          Membership of county family and children first councils****R.C.          121.37**

Specifies that each county family and children first council must include a representative of the Department of Youth Services (DYS) or its designee (rather than a representative of the regional office of DHS, as specified under current law).

**Fiscal effect: None.**

**R.C.          121.37**

Same as the Executive.

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

**JFSCD37          Multi-system youth action plan**

No provision.

No provision.

No provision.

**R.C.          121.374**

Specifies that it is the intent of the General Assembly to cease custody relinquishment for the sole purpose of gaining access to child-specific services for multi-system children and youth.

Requires the Ohio Family and Children First (OFCF) Cabinet Council to develop a comprehensive multi-system youth action plan that implements the Joint Legislative Committee for Multi-System Youth recommendations with the purpose of preventing custody relinquishment of multi-system children and youth to obtain services.

Requires the Cabinet Council to submit its final action plan to the General Assembly by December 31, 2019.

**Fiscal effect: ODJFS, which provides administrative support for the OFCF Cabinet Council, could experience a minimal increase in costs to produce the required action plan.**

## Executive

## In House Finance

## JFSCD30

## Adopted and emancipated young adults

R.C. 2151.23, 2151.353, 2151.45-2151.455, 5101.141, 5101.1411, 5101.1412, 5101.1414, 5101.1415, 5103.30

Makes various changes to the eligibility requirements for Title IV-E adoption assistance regarding a child who is adopted and then turns 18, including the following:

(1) Requires the adoption assistance agreement to be effective/entered into after the child's 16th birthday, instead of providing the option that the parent simply entered into such an agreement.

(2) Designates a child who meets the changed eligibility requirements an "adopted young adult" (AYA).

(3) Prohibits AYAs from being eligible for Title IV-E foster care payments.

Makes various changes to the eligibility requirements for Title IV-E foster care assistance regarding a child who reaches 18 while in custody or care, including the following:

(1) Permits the child to be in either a planned permanent living arrangement (PPLA) or in the Title-IV-E-eligible care and placement responsibility of a juvenile court or other governmental agency providing Title IV-E reimbursable placement services instead of just in the temporary or permanent custody of a public children services agency.

(2) Provides that the PPLA or the care and placement by the juvenile court terminate on or after the child's 18th birthday.

R.C. 2151.23, 2151.353, 2151.45-2151.455, 5101.141, 5101.1411, 5101.1412, 5101.1414, 5101.1415, 5103.30

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

## Executive

## In House Finance

(3) Designates a child who meets the changed eligibility requirements an "emancipated young adult" (EYA).

(3) Same as the Executive.

Provides that a person eligible for a dispositional order for temporary or permanent custody until age 21 is not eligible for foster care assistance as an EYA or adoption assistance as an AYA.

Same as the Executive.

Makes changes to the terminating events and juvenile court oversight of the voluntary participation agreement an EYA must sign to be eligible for Title IV-E foster care assistance.

Same as the Executive.

Establishes juvenile court jurisdiction and procedures determining an EYA's best interests regarding his or her care and placement and whether reasonable efforts are being made regarding preparation for independence.

Same as the Executive.

**Fiscal effect: None. According to ODJFS, these changes in statute reflect current practice expectations and federal requirements.**

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

## JFSCD26

## Foster Care Training

**R.C. 2151.353, 5103.031, 5103.032, 5103.033, 5103.035, 5103.038, 5103.0313, 5103.0314, 5103.0316, 5103.31, Repealed: 5103.039, 5103.0311**

Eliminates the statutory minimum preplacement training and continuing training hours for family foster homes and specialized foster homes in favor of rules adopted by ODJFS.

No provision.

Eliminates the statutory hour and training requirements for foster caregivers of a child under a temporary custody agreement in favor of rules adopted by ODJFS.

No provision.

Executive

In House Finance

Requires planned permanent living arrangement caregivers to complete training as developed and implemented by ODJFS rules adopted under the bill that apply foster caregiver's written needs assessment and continuing training plan.

No provision.

Eliminates statutory coursework, training, needs assessment, and continuing training plan requirements for caregivers in favor of rules adopted by ODJFS.

No provision.

Allows for up to 20% of the training to take place online.

No provision.

Requires compensation in the form of an allowance for the cost of training pursuant to the rules adopted by ODJFS.

No provision.

Prohibits ODJFS from compensating a recommending agency for a foster caregiver's foster home certification training that the private child placing agency or a private noncustodial agency requires, if it is in addition to the minimum continuing training required by ODJFS rules adopted under the bill.

No provision.

**Fiscal effect: Under continuing law, foster caregivers are reimbursed for preplacement and continuing foster care training hours at a rate of \$10 per hour, per caregiver. Additionally, ODJFS reimburses private recommending agencies \$15 per hour, per caregiver for providing foster care training (which includes \$10 per hour provided to each caregiver). Any change made by ODJFS to the number of hours required for foster caregivers in rules could result in an additional costs or savings depending on the change.**

Executive

In House Finance

JFSCD21 Foster caregiver as mandatory reporter

R.C. 2151.421

Makes foster caregivers mandatory reporters of child abuse or neglect.

Fiscal effect: Any increase in reports of child abuse and neglect will result in additional costs for PCSAs to conduct an investigation. The increase in reports is expected to be minimal.

R.C. 2151.421

Same as the Executive.

Fiscal effect: Same as the Executive.

JFSCD24 Juvenile court hearings

R.C. 2151.424

Specifies that foster caregivers, kinship caregivers, and prospective adoptive parents have the right to be heard at a juvenile court hearing, instead of the right to present evidence.

Applies the law governing juvenile court hearings and reviews to a kinship caregiver with custody or with whom a child has been placed, instead of a nonparent relative with custody.

Fiscal effect: None.

R.C. 2151.424

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

## Executive

## In House Finance

**JFSCD28                      Background check expansion for child welfare employment**

**R.C.                      3107.035, 2151.86, 5103.02, 5103.037, 5103.0310,  
5103.181, with conforming changes 3107.14,  
5103.0328**

Requires a search or report, or request for a search, of certain prospective child welfare officers and administrators in the Uniform Statewide Automated Child Welfare Information System (SACWIS), the System for Award Management, the Findings for Recovery, and the U.S. Department of Justice National Sex Offender website.

Requires a search of prospective foster and adoptive parents and all persons 18 years old or older residing with the prospective foster and adoptive parents, to be conducted in the National Sex Offender website.

Requires a search of prospective staff of institutions or associations to be conducted in the National Sex Offender website and SACWIS.

Grants the Director of ODJFS authority to adopt rules to implement and execute the background check expansion.

**Fiscal effect: ODJFS already has the capacity to run searches through the required systems. According to the ODJFS, carrying out the additional searches will pose no more than an administrative cost.**

**R.C.                      3107.035, 2151.86, 5103.02, 5103.037, 5103.0310,  
5103.181, with conforming changes 3107.14,  
5103.0328**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

Executive

In House Finance

JFSCD25 Child Support

R.C. 3119.023, 3119.05, 3119.27, 3119.29, 3119.30, 3125.25, with conforming changes in 3119.23, 3110.302, 3119.31, 3119.32, Section 815.20

Modifies the quadrennial review of the basic child support schedule, including enacting new economic factors that must be considered and repealing certain other factors.

No provision.

Prohibits a court or child support enforcement agency (CSEA) from determining voluntary unemployment or underemployment of, or imputing income to, an incarcerated parent.

No provision.

Increases the amount ODJFS must claim from the processing charge imposed for Title IV-D child support cases to \$35 (from \$25), if it collects at least \$550 (up from \$500) of child support for an obligee who never received Title IV-A assistance.

No provision.

Makes various changes to the provisions of law on health care coverage for a child who is the subject of a child support order.

No provision.

Requires ODJFS to adopt rules to align support order establishment and modification requirements with federal law and to establish criteria for CSEAs to initiate contempt of court actions in Title IV-D cases.

No provision.

**Fiscal effect: According to ODJFS, it will not receive any additional revenue from the increased processing charge on child support cases. The additional amount claimed by ODJFS meets a federal requirement and reduces the amount Ohio can receive in federal reimbursement from Title IV-D funds.**

## Executive

## In House Finance

**JFSCD19                      Unemployment compensation debt collection****R.C.                      4141.35**

Exempts unemployment compensation debts collected by the Attorney General from a continuing law requirement that repayments to the Unemployment Compensation Fund resulting from benefit overpayments first be proportionately credited to improperly charged employers' accounts and then to the mutualized account.

**Fiscal effect: According to ODJFS, this change will not negatively impact the solvency of the Unemployment Compensation Fund, which is not part of the state treasury.**

**R.C.                      4141.35**

Same as the Executive.

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

**JFSCD20                      SharedWork Ohio covered employment****R.C.                      4141.50**

Limits the "normal weekly hours of work" considered for purposes of the SharedWork Ohio program to those hours of work in employment covered under Ohio's Unemployment Compensation Law.

**Fiscal effect: This provision may minimally reduce payments from the Unemployment Compensation Fund, which is not part of the state treasury. Any reduction will depend on the number of employers that use the program and whether the provision affects the hours an employee is able to receive benefits.**

**R.C.                      4141.50**

Same as the Executive.

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



## Executive

## In House Finance

**JFSCD27 County maintenance of effort for children services****R.C. 5101.14**

Requires each county to contribute local funds, in an amount to be determined under rules adopted by the Director of ODJFS, to the county's Children Services Fund.

**Fiscal effect: According to ODJFS, this provision is being implemented to ensure that counties maintain the amount of county funds spent on family and children services in response to receiving a larger allocation from the state.**

**R.C. 5101.14**

Same as the Executive.

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

**JFSCD23 Fraudulent assistance under the Comprehensive Case Management and Employment Program****R.C. 5101.83**

Prohibits an assistance group from participating in the Comprehensive Case Management and Employment Program until fraudulent assistance is repaid.

**R.C. 5101.83**

Same as the Executive.

**JFSCD29 Statewide Kinship Care Navigator Program****R.C. 5101.85, 5101.851, 5101.853, 5101.855, 5101.856,  
Repealed: 5101.852; Section 307.115**

Changes the name from the Statewide Program of Kinship Care Navigators to the Statewide Kinship Care Navigator Program and may be used to match eligible federal Title IV-E funds.

Requires ODJFS to establish the program through rules adopted no later than one year after this provision takes effect.

No provision.

No provision.

## Executive

## In House Finance

Requires ODJFS to create 5 to 12 Program regions to help kinship caregivers by providing information and referral services and assistance obtaining support services.

No provision.

Expands the list of individuals who may be kinship caregivers to include any nonrelative adult having a familiar and longstanding relationship or bond with the child or family, which will ensure the child's social ties.

No provision.

Requires the Program to be funded to the extent of GRF appropriations and requires the ODJFS Director to seek Title IV-E funds for the Program.

No provision.

Requires ODJFS to pay the Program's nonfederal share and provides that CDJFSs and PCSAs are not responsible for the Program's cost.

No provision.

Earmarks \$3,500,000 in each fiscal year from GRF appropriation item 600523, Family and Children Services, to support the Kinship Care Navigator Program.

No provision.

**Fiscal effect: The federal Family First Prevention Services Act of 2018 allows states to use funds provided through Title IV-E of the Social Security Act (SSA) for preventative support, which will allow the ODJFS to draw down Title IV-E funds for this purpose. (See JFSCD7 for earmark)**

JFSCD22

Preteen placement in children's crisis care facility

**R.C. 5103.13**

Eliminates the 72-hour placement limit and 14-consecutive-day waiver in favor of a 14-consecutive-day limit for a PCSA or private child placing agency to place a preteen in a children's crisis care facility.

**R.C. 5103.13**

Same as the Executive.

## Executive

## In House Finance

## JFSCD32

## Provider licensing and summary suspensions

R.C. 5104.01, 5104.34, 5104.38, 5104.41, 3301.52,  
3301.53

Separates homeless child care from protective child care.

Authorizes the provision of special needs child care up to age 18.

Specifies that a license issued to a child day-care center or family day-care home may be suspended without prior hearing if ODJFS determines that the owner or licensee does not meet criminal records check requirements, rather than if the owner, licensee, or administrator is charged with fraud as under current law and maintains all other existing grounds for suspending a license without prior hearing.

Requires ODJFS to issue a written order of summary suspension by certified mail or in person.

Authorizes a child day-care center or family day-care home whose license was suspended without prior hearing to request an adjudicatory hearing before ODJFS, rather than appeal the suspension to a county court of common pleas as under current law.

Eliminates the requirement that, when ODJFS initiates the revocation of a license suspended without prior hearing, the suspension must continue until the revocation process is complete.

R.C. 5104.01, 5104.34, 5104.38, 5104.41, 3301.52,  
3301.53

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

Clarifies that ODJFS's authority to suspend a license without prior hearing does not limit its authority to revoke a license generally.

Same as the Executive.

Removes a requirement that the State Board of Education, in consultation with ODJFS, adopt rules for school child programs that meet or exceed requirements of the rules adopted for school age child care centers under Chapter 5104. of the Revised Code.

Replaces the Executive provision with a provision that clarifies that child day-care centers that serve preschool children and child day-care centers that serve school-age children must meet or exceed the standards under Chapter 5104. of the Revised Code.

## JFSCD31

## Criminal background checks of licensed child care providers and out-of-home care providers

**R.C. 5104.013, 109.572, 2151.86, 2950.08, 3107.14, 5103.0328, 5103.02, 5104.211, 5104.99, Repealed: 2151.861, Section 815.10**

**R.C. 5104.013, 109.572, 2151.86, 2950.08, 3107.14, 5103.0328, 5103.02, 5104.211, 5104.99, Repealed: 2151.861, Section 815.10**

Requires the Director of ODJFS to request from BCII criminal records checks, run checks in the Uniform Statewide Automated Child Welfare Information System (SACWIS), and inspect the state registry of sex offenders (SORN) for all of the following prior to employment and every five years thereafter: child day-care center owners or licensees, family day-care home owners or licensees, approved child day camp owners, directors of preschool programs and school child programs providing publicly funded child care, in-home aides, and their applicants and employees.

Same as the Executive.

Requires the Director of ODJFS, rather than a CDJFS as under current law, to request from BCII criminal records checks for in-home aides.

Same as the Executive.

Eliminates the law authorizing a licensed child care provider, other than a day camp that does not provide publicly funded

Same as the Executive.

## Executive

## In House Finance

child care, to conditionally employ an individual while awaiting the results of a criminal records check.

**Fiscal effect: ODJFS already has the capacity to run searches through the required systems. According to the Department, carrying out the additional searches will pose no more than an administrative cost.**

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

## JFSCD34

## Publicly funded child care

**R.C. 5104.04, 5104.12, 5104.22, 5104.29, 5104.30, 5104.31, 5104.32, 5104.34 , with conforming changes in 3119.05, 3119.23**

Requires that a child day camp both meet ODJFS standards and be certified by the American Camp Association to be approved to provide publicly funded child care.

Increases to two years (from one year) the length of time that a certificate to provide publicly funded child care as an in-home aide remains valid.

Prohibits the owner of a child day-care center or family day-care home whose ODJFS-issued license was revoked within the previous five years or an in-home aide whose certificate was revoked within the previous five years, from certification as an in-home aide.

Eliminates the requirement that the Director of ODJFS establish hourly reimbursement ceilings for certified in-home aides who provide publicly funded child care.

Removes the requirement that ODJFS contract with a third party to conduct a market rate survey for use in establishing child care provider reimbursement ceilings and payments.

**R.C. 5104.04, 5104.12, 5104.22, 5104.29, 5104.30, 5104.31, 5104.32, 5104.34 , with conforming changes in 3119.05, 3119.23**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

Eliminates from statute eligibility requirements for child care administrators and employees and instead requires the Director of ODJFS to establish in rule minimum qualifications for child care administrators and employees.

Same as the Executive.

Exempts certain providers, including certified in-home aides and approved child day camps, from the requirement that, beginning July 1, 2020, publicly funded child care be provided only by a provider rated through the Step Up to Quality Program.

Same as the Executive.

Specifies that the required percentages of early learning and development programs that provide publicly funded child care and are rated at the third highest tier or above in the Step Up to Quality Program do not apply to type B family day-care homes or other specified licensed child care programs, including those operating only during summer breaks or evening and weekend hours.

Same as the Executive.

Removes a requirement that ODJFS inspect part-time child care centers and part-time type A family day-care homes at least once during each 12 month period of operations.

No provision.

**Fiscal effect: ODJFS does not anticipate these changes will pose any costs. Eliminating the hourly ceiling will allow ODJFs to set the rates as necessary without a specific type of payment structure. ODJFS still plans to contract with a third party to conduct a market rate survey, but may use data it collects to determine rates.**

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

## Executive

## In House Finance

**JFSCD33**      **Child care provider non-discrimination****R.C. 5104.09**

Adds family day-care homes, approved day camps, and employees to the law prohibiting child care licensees, administrators, and staff members from discriminating in the enrollment of children on the basis of race, color, religion, sex, or national origin and adds that none of these entities may discriminate on the basis of disability.

**R.C. 5104.09**

Same as the Executive.

**JFSCD38**      **Star House Drop-In Center**

No provision.

**Section: 307.17**

Earmarks \$750,000 in each fiscal year from GRF appropriation item 600410, TANF State Maintenance of Effort, for the Star House Drop-In Center to provide services for homeless youth.

**JFSCD1**      **County Administrative Funds****Section: 307.20**

Permits GRF line item 600521, Family Assistance - Local, to be used by CDJFSs to administer food assistance and disability assistance programs.

Permits GRF line item 655522, Medicaid Program Support - Local, to be used by CDJFSs to administer the Medicaid program and the State Children's Health Insurance program.

Allows the Director of ODJFS to request the Director of OBM to transfer appropriations between appropriation item 600521 and appropriation item 655522.

**Section: 307.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

Allows the Director of ODJFS to request the Director of OBM to transfer appropriations between appropriation item 655523, Medicaid Program Support - Local Transportation and appropriation item 655522.

Same as the Executive.

Requires the Director of ODJFS to request the Director of OBM to authorize expenditures in excess of the amounts appropriated from the Medicaid Program Support Fund (Fund 3F01), and the Supplemental Nutrition Assistance Program Fund (Fund 3840), if receipts credited to those funds exceed the amounts appropriated. Appropriates the additional amounts upon the approval of the Director of OBM.

Same as the Executive.

## JFSCD2

## Name of Food Stamp Program

**Section: 307.30**

Specifies that the Director of ODJFS is not required to amend rules regarding the Food Stamp Program to change the name to the Supplemental Nutrition Assistance Program.

Allows the Director to refer to the program as the Food Stamp Program, the Supplemental Nutrition Assistance Program, or the Food Assistance Program in ODJFS's rules and documents.

**Section: 307.30**

Same as the Executive.

Same as the Executive.



## Executive

## In House Finance

## JFSCD3

## Ohio Association of Food Banks

## Section: 307.40

Requires that a total of \$17,050,000 in each fiscal year be provided to the Ohio Association of Food Banks from GRF appropriation item 600410, TANF State Maintenance of Effort; DPF Fund 4A80 appropriation item 600658, Public Assistance Activities; and FED Fund 3V60 appropriation item 600689, TANF Block Grant.

Requires the funds provided to the Ohio Association of Food Banks be used to purchase and distribute food products.

Notwithstanding R.C. 5101.46, which specifies the administration of Title XX funds, and any other provision of the bill, to require the Director of ODJFS to provide not less than \$19,550,000 in each fiscal year to the Ohio Association of Food Banks.

Requires ODJFS to count eligible nonfederal expenditures made by member food banks of the Ohio Association of Food Banks toward TANF maintenance of effort requirements and enter into an agreement with the Ohio Association of Food Banks for this purpose.

## Section: 307.40

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## JFSCD4

## Food Assistance Transfer

## Section: 307.45

Allows the Director of OBM, at the request of the Director of ODJFS, to transfer up to \$1.0 million cash from the Supplemental Nutrition Assistance Program Fund (Fund 3840) to the Food Assistance Fund (Fund 5ES0).

## Section: 307.45

Same as the Executive.

## Executive

## In House Finance

## JFSCD5

## Public Assistance Activities/TANF MOE

## Section: 307.50

Requires that DPF Fund 4A80 appropriation item 600658, Public Assistance Activities, be used by ODJFS to meet the TANF maintenance of effort (MOE) requirements.

Specifies that once the state is assured that it will meet the MOE requirement, ODJFS may use funds from the appropriation item to support public assistance activities.

## Section: 307.50

Same as the Executive.

Same as the Executive.

## JFSCD6

## TANF Block Grant

## Sections: 307.70, 307.80, 307.90

Makes the following earmarks of FED Fund 3V60 appropriation item 600689, TANF Block Grant (see JFSCD36 for the Kinship Caregiver earmark from this line item):

(1) \$13,035,000 in each fiscal year for the Governor's Office of Faith-Based and Community Initiatives;

(2) \$2,000,000 in each fiscal year for the Independent Living Initiative;

(3) \$1,200,000 in each fiscal year for the Ohio Commission on Fatherhood;

(4) No provision.

(5) No provision.

## Sections: 307.70, 307.80, 307.90, 307.95, 307.105, 307.107

Same as the Executive, but makes the following changes:

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive, but increases the earmark to \$2,200,000 in each fiscal year.

(4) \$1,000,000 in each fiscal year for the Ohio Alliance of Boys and Girls Clubs, with not less than \$75,000 in each fiscal year provided to the Boys and Girls Club of Massillon.

(5) \$500,000 in each fiscal year for Big Brothers Big Sisters of Central Ohio.

## Executive

## In House Finance

(6) No provision.

(6) \$2,200,000 in each fiscal year for the Open Doors Academy.

## JFSCD36

## Kinship Caregiver Program

## Section: 307.100

Requires funds for the Kinship Caregiver Program to be allocated in a specified manner and requires PCSAs to use funds to provide reasonable and necessary relief of child caring functions so kinship caregivers can provide and maintain a home for a child.

Requires CDJFSs to incorporate the program into its prevention, retention, and contingency (PRC) plan.

Specifies that the program will end if funding is no longer available and that PCSAs and CDJFSs will not be held responsible for payments in such an event.

Earmarks \$15,000,000 in each fiscal year from FED Fund 3V60 appropriation item 600689 to support the program.

## Section: 307.100

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## JFSCD7

## Family and Children Services

## Section: 307.110

Makes the following earmarks from GRF appropriation item 600523, Family and Children Services (see JFSCD29 for the Kinship Care Navigator earmark):

(1) Up to \$3,200,000 will be used to match eligible federal Title IV-B ESSA funds and federal Title IV-E Chafee funds allocated to public children services agencies (PCSA);

## Section: 307.110

Same as the Executive, but makes the following changes:

(1) Same as the Executive.

## Executive

## In House Finance

(2) Up to \$25,000,000 in each fiscal year for youth in the custody of a PCSA, or at risk of entering into custody, needing services from multiple systems;

(3) Up to \$10,000,000 in each fiscal year for incentive awards for PCSAs for meeting performance outcomes;

(4) Not less than \$85,040,010 in each fiscal year for PCSAs, including \$100,000 to each county, up to \$5,000,000 in each fiscal year for foster parent recruitment, engagement, and support staffing, and the remaining amount distributed to counties using the formula in section 5101.14 of the Revised Code.

(2) Same as the Executive, but specifies the earmark be used to prevent youth from entering custody of a PCSA and to provide support from multiple systems;

(3) No provision.

(4) Same as the Executive, but instead earmarks not less than \$95,040,010 in each fiscal years for PCSAs and states the added \$10,000,000 per fiscal year be used to strengthen best practices identified in partnership with ODJFS.

## JFSCD8

## Flexible funding for families and children

## Section: 307.120

Permits, in collaboration with the county family and children first council, a CDJFS or PCSA that receives an allocation from ODJFS from GRF appropriation items 600523, Family and Children Services, or 600533, Child, Family, and Community Protection Services, to transfer a portion of either or both allocations to a flexible funding pool.

## Section: 307.120

Same as the Executive.

## JFSCD9

## Child, Family, and Community Protection Services

## Section: 307.130

Requires that GRF appropriation item 600533, Child, Family, and Community Protection Services, be distributed to each CDJFS.

## Section: 307.130

Same as the Executive.

## Executive

## In House Finance

Requires that CDJFSs use the funds for specified purposes in accordance with the written plan of cooperation entered into under section 307.983 of the Revised Code.

Same as the Executive.

## JFSCD40

## Adult Protective Services

No provision.

**Section: 307.133**

Requires GRF appropriation item 600534, Adult Protective Services, to be divided equally among the counties.

## JFSCD10

## Healthy Food Financing Initiative

**Section: 307.135**

Requires that GRF appropriation item 600546, Healthy Food Financing Initiative, be used to contract with the Finance Fund Capital Corporation, in cooperation with ODH to support healthy food access in underserved communities.

Requires the Finance Fund Capital corporation to report to ODJFS the amount of funds granted or loaned, the number of new or retained jobs, the health impact of the initiative, and the number and location of healthy food access projects established or developed.

**Section: 307.135**

Same as the Executive.

Same as the Executive.

## JFSCD39

## Job and Family Services Program Support

No provision.

**Section: 307.138**

Makes the following earmarks from GRF appropriation item 600551, Job and Family Services Program Support:

## Executive

## In House Finance

No provision.

(1) \$75,000 in each fiscal year for the Mayerson Jewish Community Center;

No provision.

(2) \$30,000 in each fiscal year for the Jewish Family Services.

## JFSCD41

## Gracehaven Pilot Project

No provision.

**Section: 307.139**

Requires GRF appropriation item 600552, Gracehaven Pilot Program, be used to finance the creation of Gracehaven centers to provide community-based supports to women under 18 years old that have been victims of human trafficking.

## JFSCD11

## Family and Children Activities

**Section: 307.140**

Requires that DPF Fund 4F10 appropriation item 600609, Family and Children Activities, be used to expend miscellaneous foundation funds and grants to support family and children services activities.

**Section: 307.140**

Same as the Executive.

## JFSCD12

## Books from Birth

**Section: 307.145**

Requires DPF Fund 5VJ0 appropriation item 600600, Books from Birth, to support childhood literacy efforts.

Allows the Director of ODJFS to certify to the Director of OBM the unexpended, unencumbered balance of the appropriation

**Section: 307.145**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

item at the end of FY 2020 and reappropriates the certified amount for the same purpose in FY 2021.

**JFSCD13****Audit Settlements and Contingency Fund****Section: 307.150**

Specifies that the Audit Settlements and Contingency Fund (Fund 5DM0) may also hold earned federal revenue when the final disposition is unknown.

Authorizes the Director of OBM, upon request of the Director of ODJFS, to transfer up to \$16.0 million from the ODJFS Audit Settlements and Contingency Fund (Fund 5DM0) to the Human Services Projects Fund (Fund 5RY0).

**Section: 307.150**

Same as the Executive.

Same as the Executive.

**JFSCD14****Adoption Assistance Loan****Section: 307.160**

Permits ODJFS to use the Adoption Assistance Loan Fund (Fund 5DP0) for the administration of adoption assistance loans pursuant to section 3107.018 of the Revised Code.

Appropriates the amounts of any adoption assistance loans.

**Section: 307.160**

Same as the Executive.

Same as the Executive.

Executive

In House Finance

JFSCD15

Early Childhood Education

Section: 307.170

Earmarks \$20.0 million in each fiscal year of DPF Fund 5KT0 appropriation item 600696, Early Childhood Education to be used to support early learning and development programs operating in smaller communities, early learning and development programs that are rated in the Step Up to Quality program at the third highest tier or higher or both, consistent with division (C) of section 5104.29 of the Revised Code.

Section: 307.170

Same as the Executive.

JFSCD16

Victims of Human Trafficking

Section: 307.190

Requires DPF Fund 5NG0 appropriation item 600660, Victims of Human Trafficking, be used to provide treatment, care, rehabilitation, education, housing, and assistance for victims of trafficking in persons.

Specifies that if amounts credited to the Victims of Human Trafficking Fund (Fund 5NG0) exceed amounts appropriated, the Director of ODJFS may request the Director of OBM to authorize additional expenditures from the fund. Appropriates any additional amounts.

Section: 307.190

Same as the Executive.

Same as the Executive.



## Executive

## In House Finance

**JFSCD17 Children's Crisis Facilities****Section: 307.195**

Requires DPF Fund 5TZ0 appropriation item 600674, Children's Crisis Care, be provided to children's crisis care facilities.

Specifies that a children's crisis care facility may decline to receive such funding.

Requires a children's crisis care facility that accepts such funding to use the funds in accordance with section 5103.13 of the Revised Code and the rules as defined in rule 5101:2-9-36 of the Administrative Code.

**Section: 307.195**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**JFSCD18 Fiduciary and Holding Account Fund groups****Section: 307.200**

Requires the Fiduciary Fund Group and Holding Account Fund Group be used to hold revenues until the appropriate fund is determined or until the revenues are directed to the appropriate governmental agency other than ODJFS.

Permits the Director of ODJFS to request the Director of OBM to authorize expenditures from the Support Intercept - Federal Fund (Fund 1920), the Support Intercept - State Fund (Fund 5830), the Food Stamp Offset Fund (Fund 5B60), the Refunds and Audit Settlements Fund (Fund R012), or the Forgery Collections Fund (Fund R013), if receipts credited to these funds exceed appropriations.

**Section: 307.200**

Same as the Executive.

Same as the Executive.

Executive

In House Finance

Appropriates the additional amounts upon approval of the Director of OBM.

Same as the Executive.

Executive

In House Finance

JCRCD1

Operating Guidance

Section: 309.10

Requires LSC to act as fiscal agent for JCARR. Requires that JCARR members be paid in accordance with R.C. 101.35.

Section: 309.10

Same as the Executive.

JCRCD2

Operating Expenses

Section: 309.10

Authorizes the Executive Director of JCARR to certify to the Director of OBM an amount up to the unexpended, unencumbered balance of GRF appropriation item 029321, Operating Expenses, at the end of FY 2019 and FY 2020 to be reappropriated to FY 2020 and FY 2021, respectively, and reappropriates those amounts.

Section: 309.10

Same as the Executive.

Executive

In House Finance

JEOCD2

Committee Membership

No provision.

R.C.

103.50

Adds two members of the State Board of Education to the Joint Education Oversight Committee, to be appointed by the President of the State Board. Prohibits the new members from being of the same political party.

**Fiscal effect: The bill is unclear on whether the new members would receive compensation like the legislative members of the committee, who are paid \$150 per diem plus travel expenses on non-voting session days when engaged in their duties as members of the committee.**

JEOCD1

Operating Expenses

Section:

311.10

Requires that GRF appropriation item 047321, Operating Expenses, be used to support the operations of JEO.

Authorizes JEO to certify to the Director of OBM an amount up to the unexpended, unencumbered balance of 047321 at the end of FY 2019 and FY 2020 to be reappropriated to FY 2020 and FY 2021, respectively, and reappropriates those amounts.

Section:

311.10

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**JMOCD2                      Monitoring of behavioral health in managed care****R.C.                      103.416 (repealed)**

Repeals, effective June 30, 2020, a requirement that JMOC periodically monitor ODM's inclusion of alcohol, drug addiction, and mental health services in the Medicaid managed care system.

**Fiscal effect: Potential decrease in administrative costs.**

**R.C.                      103.416 (repealed)**

Same as the Executive.

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

**JMOCD1                      Operating Expenses****Section:                313.10**

Requires GRF appropriation item 048321, Operating Expenses, to be used to support expenses related to JMOC.

Permits the Executive Director of JMOC to certify to the Director of OBM the amount of the unexpended, unencumbered balance of the item at the end of FY 2019 and FY 2020 to be reappropriated to the following fiscal year. Reappropriates the amounts certified.

Requires LSC to act as the fiscal agent for JMOC.

**Section:                313.10**

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

## JCOCD1

## State Council of Uniform Laws

## Section: 315.10

Requires up to \$93,500 in FY 2020 and up to \$96,305 in FY 2021 of GRF appropriation item 018321, Operating Expenses, to be used pay the expenses of the State Council of Uniform State Laws, including membership dues to the National Conference of Commissioners on Uniform State Laws.

## Section: 315.10

Same as the Executive.

## JCOCD2

## Ohio Jury Instructions Fund

## Section: 315.10

(1) Requires that the Ohio Jury Instructions Fund (Fund 4030) consist of grants, royalties, dues, conference fees, bequests, devises, and other gifts received for the purpose of supporting the Judicial Conference in its activities as a part of the judicial system of the state as determined by the Judicial Conference Executive Committee.

(2) Requires money in the fund to be used to pay expenses incurred by the Conference in performing activities as determined by its Executive Committee.

(3) Appropriates, in each of FYs 2020 and 2021, any money accruing to the fund in excess of the current year's appropriation.

(4) Prohibits the Director of Budget and Management or the Controlling Board from transferring money from Fund 4030 to any other fund.

## Section: 315.10

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

Executive

In House Finance

JSCCD11

Judicial salary – Montgomery County

R.C. 141.04

(1) Removes the requirement that the Chief Administrator of the Ohio Supreme Court, on or before December 1 of each year, notify the administrative judge of the Montgomery County Municipal Court, the Montgomery County Board of County Commissioners, and the state treasurer of the yearly salary cost of five part-time county court judges as of that date.

(2) Removes the requirement that, if the total yearly salary costs of all of the Montgomery County Municipal Court judges as of December 1 of that same year exceeds the amount described above, the Administrative Judge cause payment of the excess between those two amounts less any reduced amount paid for the health care costs of the Montgomery County Municipal Court judges in comparison to the health care costs of the five part-time county court judges to the Montgomery County Treasurer and the state treasurer in amounts proportional to the percentage of the salaries of the municipal court judges paid by the county and by the state.

**Fiscal effect: None. The Montgomery County Municipal Court has fully transitioned from a county court and thus the provisions being removed are no longer applicable.**

R.C. 141.04

(1) Same as the Executive.

(2) Same as the Executive.

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

Executive

In House Finance

JSCCD12

Paying retired assigned judges

R.C. 141.16, 1901.123, 1907.143

(1) Requires the Ohio Supreme Court, instead of a county treasurer under existing law, to pay any compensation to which an assigned retired municipal court or county court judge is entitled.

(2) Requires the Administrative Director of the Supreme Court, annually on August 1, to issue a billing to the county treasurer of any county to which a retired judge was assigned to a municipal court or county court for reimbursement of the county or local portion of the compensation previously paid by the state for the 12-month period preceding June 30.

(3) Requires the county or local portion of the compensation be that part of each per diem paid by the state that is proportional to the county or local shares of the total compensation of a resident judge of that municipal or county court.

(4) Requires the county treasurer to forward the payment within 30 days and then seek reimbursement from the local municipalities as appropriate.

Fiscal effect: None. Compensation paid by the Supreme Court will be charged back to the counties for reimbursement, making the provisions expense neutral for both the state and counties.

R.C. 141.16, 1901.123, 1907.143

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

Fiscal effect: Same as the Executive.



## Executive

## In House Finance

**JSCCD1 State Criminal Sentencing Commission****Section: 317.20**

Requires GRF appropriation item 005401, State Criminal Sentencing Commission, to be used for the operation of the State Criminal Sentencing Commission established by R.C. 181.21.

**Section: 317.20**

Same as the Executive, except corrects the name of appropriation item 005401 to State Criminal Sentencing Council.

**JSCCD2 Law-Related Education****Section: 317.20**

Requires GRF appropriation item 005406, Law-Related Education, to be distributed directly to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students, expanding delinquency prevention programs, increasing activities for at-risk youth, and accessing additional public and private money for new programs.

**Section: 317.20**

Same as the Executive.

**JSCCD3 Ohio Courts Technology Initiative****Section: 317.20**

Requires GRF appropriation item 005409, Ohio Courts Technology Initiative, to be used to fund an initiative by the Supreme Court to facilitate:

(1) Exchange of information and warehousing of data by and between courts and other justice system partners through the creation of an Ohio Courts Network.

**Section: 317.20**

Same as the Executive.

(1) Same as the Executive.

Executive

In House Finance

- |   |                            |
|---|----------------------------|
| (2) Delivery of technology services to courts statewide, including the provision of hardware, software, and the development and implementation of educational and training programs for judges and court personnel.           | (2) Same as the Executive. |
| (3) Operation of the Commission on Technology and the Courts for the promulgation of statewide rules, policies, and uniform standards, and to aid in the orderly adoption and comprehensive use of technology in Ohio courts. | (3) Same as the Executive. |

JSCCD4

Attorney Services

- |  |                            |
|--|----------------------------|
| <b>Section: 317.20</b>   | <b>Section: 317.20</b>     |
| (1) Requires the Attorney Registration Fund (Fund 4C80) consist of money received by the Supreme Court (The Judiciary) pursuant to the Rules for the Government of the Bar of Ohio.  | (1) Same as the Executive. |
| (2) Permits related appropriation item 005605, Attorney Services, in addition to funding other activities considered appropriate by the Supreme Court, to be used to compensate employees and to fund appropriate activities of the Office of Disciplinary Counsel, the Board of Commissioners on Grievances and Discipline, the Clients' Security Fund, and the Attorney Services Division, including the Office of Bar Admissions. | (2) Same as the Executive. |
| (3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.   | (3) Same as the Executive. |
| (4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 4C80 to any other fund.  | (4) Same as the Executive. |

## Executive

## In House Finance

(5) Requires any interest earned on the money in Fund 4C80 to be credited to the fund.

(5) Same as the Executive.

## JSCCD5

## Court Interpreter Certification

## Section: 317.20

(1) Requires the Court Interpreter Certification Fund (Fund 5HT0) consist of money received by the Supreme Court (The Judiciary) pursuant to Rules 80 through 87 of the Rules of Superintendence for the Courts of Ohio.

(2) Requires related appropriation item 005617, Court Interpreter Certification, to be used to provide training, to provide the written examination, and to pay language experts to rate, or grade, the oral examinations of those applying to become certified court interpreters.

(3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.

(4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 5HT0 to any other fund.

(5) Requires any interest earned on the money in Fund 5HT0 to be credited to the fund.

## Section: 317.20

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

## Executive

## In House Finance

## JSCCD6

## Civil Justice Grant Program

## Section: 317.20

(1) Requires the Civil Justice Program Fund (Fund 5SP0) consist of: (a) \$50 voluntary donations made as part of the biennium attorney registration process, and (b) \$150 increase in pro hac vice fees for out-of-state attorneys pursuant to Government of the Bar Rules amendments.

(2) Requires related appropriation item 005626, Civil Justice Grant Program, to be used for grants to not-for-profit organizations and agencies dedicated to providing civil legal aid to underserved populations, to fund innovative programs directed at this purpose, and to increase access to judicial service to that population.

(3) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 5SP0 to any other fund.

(4) Requires any interest earned on the money in Fund 5SP0 to be credited to the fund.

## Section: 317.20

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

## JSCCD7

## Grants and Awards

## Section: 317.20

(1) Requires the Grants and Awards Fund (Fund 5T80) consist of grants and other money awarded to the Supreme Court (The Judiciary) by the State Justice Institute, the Division of Criminal Justice Services, or other entities.

## Section: 317.20

(1) Same as the Executive.

## Executive

## In House Finance

(2) Requires related appropriation item 005609, Grants and Awards, to be used in a manner consistent with the grant or award.

(2) Same as the Executive.

(3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.

(3) Same as the Executive.

(4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 5T80 to any other fund.

(4) Same as the Executive.

(5) Requires any interest earned on the money in Fund 5T80 to be credited or transferred to the GRF.

(5) Same as the Executive.

## JSCCD8

## Judiciary/Supreme Court Education

## Section: 317.20

(1) Requires the Judiciary/Supreme Court Education Fund (Fund 6720) consist of fees paid for attending judicial and public education on the law, reimbursement of costs for judicial and public education on the law, and other gifts and grants received for the purpose of judicial and public education on the law.

## Section: 317.20

(1) Same as the Executive.

(2) Requires related appropriation item 005601, Judiciary/Supreme Court Education, to be used to pay expenses for judicial education courses for judges, court personnel, and those who serve the courts, and for public education on the law.

(2) Same as the Executive.

(3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.

(3) Same as the Executive.

(4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund

(4) Same as the Executive.

## Executive

## In House Finance

6720 to any other fund.

(5) Requires any interest earned on the money in Fund 6720 to be credited to the fund.

(5) Same as the Executive.

## JSCCD9

## County Law Library Resources Boards

## Section: 317.20

(1) Requires that the Statewide Consortium of County Law Library Resources Boards Fund (Fund 5JY0) consist of money deposited pursuant to R.C. 307.515 into a county's law library resources fund and forwarded by that county's treasurer for deposit in the state treasury pursuant to R.C. 3375.481.

(2) Requires related appropriation item 005620, County Law Library Resources Boards, to be used for the operation of the Statewide Consortium of County Law Library Resources Boards.

(3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.

(4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 5JY0 to any other fund.

(5) Requires any interest earned on the money in Fund 5JY0 to be credited to the fund.

## Section: 317.20

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

Executive

In House Finance

JSCCD10

Federal Grants

Section: 317.20

- (1) Requires the Federal Grants Fund (Fund 3J00) consist of grants and other money awarded to the Supreme Court (The Judiciary) by the federal government or other entities that receive the money directly from the federal government and distribute that money to the Supreme Court (The Judiciary).
- (2) Requires related appropriation item 005603, Federal Grants, to be used in a manner consistent with the purpose of the grant or award.
- (3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.
- (4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 3J00 to any other fund.
- (5) Requires any interest earned on the money in Fund 3J00 to be credited or transferred to the GRF.

Section: 317.20

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Same as the Executive.

## Executive

## In House Finance

## LECCD1

## Cash transfers to the Lake Erie Protection Fund

## Section: 319.10

(1) Permits the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer up to \$25,000 from each of the following funds to the Lake Erie Protection Fund (Fund 4C00):

(a) Environmental Protection Fund (Fund 5BC0) used by the Ohio Environmental Protection Agency.

(b) Pesticide, Fertilizer and Lime Fund (Fund 6690) used by the Department of Agriculture.

(c) General Operations Fund (Fund 4700) used by the Department of Health.

(d) Central Support Indirect Fund (Fund 1570) used by the Department of Natural Resources.

(2) Permits the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$25,000 from a fund used by the Development Services Agency, as specified by the Director of Development Services, to Fund 4C00.

(3) Permits Fund 4C00 to accept contributions and transfers made to the fund.

## Section: 319.10

(1) Same as the Executive, but requires that cash transfers be subject to the approval of the Controlling Board.

(a) Same as the Executive.

(b) Same as the Executive.

(c) Same as the Executive.

(d) Same as the Executive.

(2) Same as the Executive, but requires that cash transfers be subject to the approval of the Controlling Board.

(3) Same as the Executive.



Executive

In House Finance

JLECD1

Legislative Ethics Committee

Section: 321.10

Authorizes the Legislative Inspector General of JLEC to certify to the Director of OBM an amount up to the unexpended, unencumbered balance of GRF appropriation item 028321, Legislative Ethics Committee, at the end of FY 2019 and FY 2020 to be reappropriated to FY 2020 and FY 2021, respectively, and reappropriates those amounts.

Section: 321.10

Same as the Executive.

## Executive

## In House Finance

**LSCCD1            Operating Expenses****Section:    323.20**

Authorizes the Director of LSC to certify to the Director of OBM an amount up to the unexpended, unencumbered balance of GRF appropriation item 035321, Operating Expenses, at the end of FY 2019 and FY 2020 to be reappropriated to FY 2020 and FY 2021, respectively, and reappropriates those amounts.

**Section:    323.20**

Same as the Executive.

**LSCCD2            Legislative Taskforce on Redistricting****Section:    323.20**

Reappropriates an amount equal to the unexpended, unencumbered portion of GRF appropriation item 035407, Legislative Task Force on Redistricting, at the end of FY 2019 and FY 2020 for the same purpose in FY 2020 and FY 2021, respectively.

**Section:    323.20**

Same as the Executive.

**LSCCD3            Legislative Information Systems****Section:    323.20**

Authorizes the Director of LSC to certify to the Director of OBM an amount up to the unexpended, unencumbered balance of GRF appropriation item 035410, Legislative Information Systems, at the end of FY 2019 and FY 2020 to be reappropriated to FY 2020 and FY 2021, respectively, and reappropriates those amounts.

**Section:    323.20**

Same as the Executive.

Executive

In House Finance

LSCCD4

Litigation

**Section: 323.20**  
Requires that GRF appropriation item 035501, Litigation, be used for any lawsuit in which the General Assembly is a party. Requires the Chairperson and Vice-chairperson of LSC to both approve the use of funds from 035501.  
Reappropriates an amount equal to the unexpended, unencumbered balance of 035501 at the end of FY 2019 and FY 2020 for the same purpose in FY 2020 and FY 2021, respectively.

**Section: 323.20**  
Same as the Executive.  
  
Same as the Executive.

Executive

In House Finance

LIBCD5

Electronic documents and public records

R.C.

149.11

Reduces the number of printed copies of state government publications delivered to the State Library from 100 to 50.

Requires state government entities to notify the State Library of the online availability of documents or other publications intended for general public use and distribution.

Requires the State Library to retain those electronic publications in its digital archives and provide access to public libraries designated as a depository for state publications.

Fiscal effect: Minimal.

R.C.

149.11

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

LIBCD1

Ohioana Library Association

Section:

325.20

Requires that GRF appropriation item 350401, Ohioana Library Association, be used for the operating expenses of the Martha Kinney Cooper Ohioana Library Association.

Section:

325.20

Same as the Executive.

LIBCD2

Regional Library Systems

Section:

325.20

Requires that GRF appropriation item 350502, Regional Library Systems, be used to support regional library systems.

Section:

325.20

Same as the Executive.

Executive

In House Finance

LIBCD3

Ohio Public Library Information Network

Section:

325.20

Requires that DPF Fund 4S40 appropriation item 350604, Ohio Public Library Information Network, be used for an information telecommunications network linking public libraries in the state.

Permits the OPLIN Board of Trustees to make decisions regarding the use of the appropriation.

Requires the OPLIN Board to research and assist local libraries with regard to emerging technologies and methods of controlling access to obscene and illegal materials. Requires the OPLIN director to provide written reports upon request.

Requires OPLIN, INFOhio, and OhioLINK to coordinate their purchases of electronic databases.

Requires the Director of OBM to transfer \$3,689,788 cash in each fiscal year from the Public Library Fund (Fund 7065) to the OPLIN Technology Fund (Fund 4S40).

Section:

325.20

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

LIBCD4

Library for the Blind

Section:

325.20

Requires that DPF Fund 5GB0 appropriation item 350605, Library for the Blind, be used for the statewide Talking Book Program. Requires the Director of OBM to transfer \$1,274,194 cash in each fiscal year from Fund 7065 to the Library for the Blind Fund (Fund 5GB0).

Section:

325.20

Same as the Executive.

## Executive

## In House Finance

**LOTCD5                  Lottery Commission confidential documents****R.C.                  3770.06, 126.48**

Exempts internal audit reports and work papers produced by the State Lottery Commission from disclosure as public records until a final report is submitted. Provides that any internal audit report or work papers produced by the staff that are a security record or infrastructure record under the Public Records Law exemption regarding such records is not a public record.

**Fiscal effect: None**

**R.C.                  3770.06, 126.48**

Same as the Executive.

**LOTCD1                  Transfers to the Lottery Profits Education Fund****Section:            329.10**

Requires the Director of Budget and Management to transfer, contingent upon resources, \$1,126,000,000 in FY 2020 and \$1,177,000,000 in FY 2021 from the State Lottery Fund (Fund 7044) to the Lottery Profits Education Fund (Fund 7017). States that such transfers represent the estimated net income from operations of the Commission in FY 2020 and FY 2021. Requires that the transfers be administered as the statutes direct.

**Section:            329.10**

Same as the Executive.

Executive

In House Finance

LOTCD2

Operating expenses

Section: 329.10

Authorizes the Controlling Board, at the request of the State Lottery Commission, to authorize additional expenditures in excess of appropriations for operating expenses of the State Lottery Commission from the State Lottery Fund up to a maximum of 10 percent of anticipated total revenue from the sale of lottery products. Appropriates the additional expenditures upon Controlling Board approval.

Section: 329.10

Same as the Executive.

LOTCD3

Direct prize payments

Section: 329.10

Appropriates any amounts, in addition to the amounts appropriated in SLF Fund 7044 appropriation item 950601, Direct Prize Payments, that the Director of the State Lottery Commission determines to be necessary to fund prizes, bonuses, and commissions.

Section: 329.10

Same as the Executive.

Executive

In House Finance

LOTCD4

Annuity Prizes

Section: 329.10

Authorizes the Director of Budget and Management, upon the request of the State Lottery Commission, to transfer an amount sufficient to fund deferred prizes from the State Lottery Fund (Fund 7044) to the Deferred Prizes Trust Fund (Fund 8710).  
Appropriates any amounts, in addition to the amounts appropriated in appropriation item 950602, Annuity Prizes, that the Director of the State Lottery Commission determines to be necessary to fund deferred prizes and interest earnings.  
Requires the Treasurer of State, from time to time, to credit Fund 8710 the pro rata share of interest earned on invested balances.

Section: 329.10

Same as the Executive.



## Executive

## In House Finance

**MCDCD54      340B covered entities**

No provision.

**R.C.      9.71**

Requires health insurers that are 340B covered entities to pass on savings to patients who are dispensed drugs at 340B prices.

**Fiscal effect: If any state or local entities are 340B entities, they would be impacted by this provision.**

**MCDCD22      Exchange of health information****R.C.      191.01 (repealed), 3798.01, 3798.07 Repeal:  
191.02, 191.04, 3798.06, 3798.08, 3798.14-3798.16**

Eliminates all provisions regarding approved health information exchanges in statutes governing protected health information, including provisions that require the Medicaid Director to adopt rules regarding such exchanges.

Repeals statutes regarding the exchange of protected health information between, and disclosure of personally identifiable information by, certain state agencies.

**Fiscal effect: Potential decrease in rule promulgation costs.**

**R.C.      191.01 (repealed), 3798.01, 3798.07 Repeal:  
191.02, 191.04, 3798.06, 3798.08, 3798.14-3798.16**

Same as the Executive.

Same as the Executive.

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

## Executive

## In House Finance

**MCDCD30 Office of Health Transformation**

**R.C. 191.01, 191.02, 191.04, 191.06, 191.08-191.10 (all repealed), 103.41, 3701.36, 3701.68, 3701.95, 3798.01, 3798.10, 3798.14-3798.16, 5101.061, 5162.12, 5164.01**

Repeals statutes that establish duties for the Office of Health Transformation. Removes all other references to the Office of Health Transformation from the Revised Code.

**Fiscal effect: Reduces OBM expenditures by \$0.5 million per year, of which approximately half are GRF savings. The remaining savings are attributed to Fund 3CM0, Medicaid Agency Transition, which the bill abolishes and transfers the remaining balance into Fund 3B10, Community Medicaid Expansion.**

**R.C. 191.01, 191.02, 191.04, 191.06, 191.08-191.10 (all repealed), 103.41, 3701.36, 3701.68, 3701.95, 3798.01, 3798.10, 3798.14-3798.16, 5101.061, 5162.12, 5164.01**

Same as the Executive.

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

**MCDCD39 Automatic designation of authorized representatives**

No provision.

**R.C. 5160.48, 5160.01**

Specifies that, for an applicant for medical assistance who resides in a nursing facility or residential care facility that participates in the Assisted Living Program, the facility will be automatically designated as the individual's primary authorized representative at the time of the application for medical assistance, which permits the county department of job and family services to communicate with the facility regarding the application, as provided under existing law.

**Fiscal effect: None.**

## Executive

## In House Finance

**MCDLCD29 Fund abolishments****R.C. 5162.01, Repealed: 5162.58, 5162.60, 5162.62**

Abolishes the following funds:

- (1) The Integrated Care Delivery Systems Fund;
- (2) The Medicaid Administrative Reimbursement Fund; and
- (3) The Managed Care Performance Payment Fund.

**R.C. 5162.01, Repealed: 5162.58, 5162.60, 5162.62**

Same as the Executive.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.

**MCDLCD18 Health Care/Medicaid Support and Recoveries Fund and multi-system youth****R.C. 5162.52, Section 333.95**

Requires that money credited to the Health Care/Medicaid Support and Recoveries Fund (Fund 5DL0) also be used for (1) programs that serve youth involved in multiple government agencies and (2) innovative programs that promote access to health care or help achieve long-term cost savings to the state.

Permits DPF Fund 5DL0 appropriation item 651690, Multi-system Youth Innovation and Support, to be used for the new purposes of the Health Care/Medicaid Support and Recoveries Fund.

**R.C. 5162.52, Section 333.95**

Same as the Executive.

Same as the Executive.

Executive

In House Finance

MCD45

Presumptive Medicaid Eligibility

No provision.	<div>R.C. 5163.12, 5162.06, 5163.01</div> <div>Provides for an individual to be presumptively eligible for long-term care services under the Medicaid program if:</div>
(1) No provision.	<div>(1) The individual's eligibility for the services is not determined by the federally prescribed deadline for the processing of the application.</div>
(2) No provision.	<div>(2) The individual is not notified of the right to request a hearing before that deadline.</div>
No provision.	<div>Provides for the period of presumptive eligibility to begin when the application is submitted and to end when the eligibility determination is final.</div>
No provision.	<div>Provides that only state funds are to be used to pay for the costs resulting from presumptive eligibility in the case of an individual who is found to be ineligible for the services.</div>
No provision.	<div>Prohibits the recovery of payments made to providers for services provided to an individual while presumptively eligible on the basis that the individual is found to be ineligible.</div> <div>Fiscal effect: This provision would result in an increase in expenditures, which would come from state sources only. These could include additional administrative costs. The total cost would depend on the number of individuals impacted and the number of days these individuals received services.</div>

Executive

In House Finance

**MCDCD19                      Suspension of Medicaid provider agreements**

**R.C.                      5164.36, 5164.37 (repealed and new enact),  
5164.38**

Generally conforms the terms and procedures for suspending a Medicaid provider agreement because of a disqualifying indictment to those for suspending a provider agreement because of a credible allegation of fraud.

No provision.

Requires, with certain exceptions, that the provider agreement of a hospital, nursing facility, or ICF/IID be suspended when a disqualifying indictment is issued against the provider or the providers officer, authorized agent, associate, manager, or employee.

No provision.

Requires, with certain exceptions, that the provider agreement of an independent provider be suspended when an indictment charges the provider with a felony or misdemeanor regarding furnishing or billing for Medicaid services or performing related management or administrative services.

No provision.

Requires that all Medicaid payments for services rendered be suspended, regardless of the date of service, when the provider agreement is suspended because of a credible allegation of fraud or disqualifying indictment.

No provision.

Permits ODM to suspend, without prior notice, a provider agreement and all Medicaid payments to the provider if there is evidence that the provider presents a danger of immediate of serious harm to the health, safety, or welfare of Medicaid recipients.

No provision.

Executive

In House Finance

Fiscal effect: This change could result in reduced legal and administrative costs. ODM anticipates reductions of \$5.0 million in (\$1.5 million state share) in FY 2020 and \$10.0 million (\$3.0 million state share) in FY 2021.

**MCD CD55**      **Health care price transparency**

No provision.

**R.C.**      **5164.65, 3962.01-3962.15, 751.30**

Requires ODM to comply with the health care price transparency law (See INSCD9).

**MCD CD36**      **Performance indicators for children's hospitals**

No provision.

**R.C.**      **5164.722**

Requires the Medicaid Director to adopt performance indicators to measure the quality of services provided by children's hospitals.

**Fiscal effect: Increase in administrative costs for the development of performance indicators.**

**MCD CD44**      **Medicaid payment rates for emergency medical services**

No provision.

**R.C.**      **5164.722, 5164.01, 5164.05, 5164.38, 5164.723, 5167.201**

Specifies that the Medicaid payment rate for services provided to Medicaid recipients in hospital emergency departments cannot exceed payment rates for such services if provided in the most appropriate health care setting if the service is not needed to comply with the Emergency Medical Treatment and Labor Act.

## Executive

## In House Finance

No provision.

Requires ODM to conduct fiscal audits of hospital emergency departments to ensure that payment rates do not exceed the bill's limits.

No provision.

Permits ODM to reduce a hospital emergency department's Medicaid payments by up to half and for five years if the hospital emergency department does not cooperate with a final fiscal audit.

No provision.

Limits Medicaid payments to a federally-qualified health center that is located on the same campus as a hospital emergency department and that provides services to a Medicaid recipient referred to the emergency department.

**Fiscal effect: Potential decrease in Medicaid costs for emergency services. Potential loss of revenue for public hospitals.**

**Administrative costs for both Medicaid and public hospitals.**

MCD34

Nonemergency medical transportation brokerage program

No provision.

**R.C. 5164.891**

Requires ODM to permit each board of county commissioners to choose whether to participate in a state-based nonemergency medical transportation brokerage program under the Medicaid program or to continue to be responsible for coordinating such services for Medicaid recipients residing in

**Fiscal effect: None, the brokerage system has not yet been established.**

## Executive

## In House Finance

**MCDCD21 Medicaid rates for nursing facility services**

**R.C. 5165.01, 5165.15-5165.17, 5165.19, 5165.21, 5165.25, 5165.361 (repealed)**

Provides for the total per Medicaid day payment rate to be \$115 for nursing facility services provided to low resource utilization residents regardless of whether the nursing facility cooperates with the Long-Term Care Ombudsman Program in efforts to help those residents receive the services that are most appropriate for their level of care needs.

Revises the law governing the quality payments that nursing facilities earn under the Medicaid Program for satisfying quality indicators.

Repeals provisions of law that do the following:

(1) Provide for adjustments in nursing facility Medicaid rates beginning in state FY 2020 in an amount that equals the difference between the Medicare skilled nursing facility market basket index and a budget reduction adjustment factor.

(2) State the General Assembly's intent to enact laws that specify the budget reduction adjustment factor for each state fiscal year.

(3) Set the budget reduction adjustment factor at zero for a state fiscal year if the General Assembly fails to enact a law specifying the budget reduction adjustment factor for that year.

No provision.

**R.C. 5165.01, 5165.15-5165.17, 5165.19, 5165.21, 5165.25, 5165.321 (repealed)**

Same as the Executive.

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Provides for nursing facilities to earn a quality incentive payment under the Medicaid program beginning with FY 2021.



## Executive

## In House Finance

Fiscal effect: Eliminating the Medicare market-basket index from the calculation of nursing facility per diem rates will decrease GRF spending by \$74.8 million (\$27.7 million state share) in FY 2020 and by \$164.8 million (\$61.0 million state share) in FY 2021.

Fiscal effect: Same as the Executive, but also increases appropriations by a total of approximately \$53.0 million across various line items for the quality incentive payment in FY 2021, including: \$44.4 million (\$16.4 million state share) in GRF line item 651525, Medicaid Health Care Services; \$3.2 million in DPF Fund 5R20 line item 651608, Medicaid Services - Long Term; and \$5.4 million in FED Fund 3F00 line item 651623, Medicaid Services - Federal.

MCD47

Special Focus Facility Program

No provision.

**R.C. 5165.771 (Repealed), 5165.80**

Eliminates a requirement for ODM to terminate a nursing facility's Medicaid participation for reasons related to the facility's placement on the federal Special Focus Facility Program.

MCD56

Home-delivered meals under Medicaid waivers

No provision.

**R.C. 5166.04, Section 333.160**

Establishes the payment rates for home-delivered meals provided under MyCare Ohio and Ohio Home Care waiver programs, during FY 2020 and FY 2021 as follows: \$7.19 per meal delivered on a daily basis by a volunteer or employee of the provider, \$6.99 per meal (chilled or frozen) delivered weekly by the provider or volunteer, and \$6.50 per meal (chilled or frozen) delivered weekly by a common carrier. (This applies to PASSPORT as well, see AGECD13).

No provision.

Requires each home and community-based services Medicaid waiver program that covers home-delivered meals to provide for the meals to be delivered in a format and frequency

## Executive

## In House Finance

consistent with individuals' needs and the individual who delivers the meals to meet face-to-face with the individual to whom the meals are delivered.

**Fiscal effect:** The current regular meal reimbursement is \$6.50. The provision would result in an increase in meal reimbursement costs. The total cost will depend on the number of meals delivered at the higher rates. In addition, there could be an increase in costs to ensure formats and frequencies meet individual needs.

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**MCD38 Medicaid waiver to address social determinants of health**

No provision.

**R.C. 5166.42**

Requires the Medicaid Director to establish a Medicaid waiver component that addresses social determinants of health, including housing, transportation, food, interpersonal safety, and toxic stress.

**Fiscal effect:** Increase in administrative costs associated with establishing and applying for the waiver.

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**MCD41 Restrictions on offering snacks with home-delivered meals**

No provision.

**R.C. 5166.122, 5166.162**

Prohibits entities that provide home-delivered meals under the Ohio Home Care and MyCare Ohio waiver programs from offering snacks unless the entities meet certain requirements regarding the snacks. (This applies to other programs, see AGECD12).

**Fiscal effect:** None.

## Executive

## In House Finance

**MCDCD27 Clarification and simplification of Medicaid managed care statutes**

**R.C. 5167.01, 3701.612, 4729.80, 5166.01, 5167.03, 5167.04-5167.051, 5167.10-5167.11, 5167.13, 5167.14, 5167.17-5167.18, 5167.20, 5167.201, 5167.26, 5167.41, 5168.75**

Clarifies and simplifies statutes governing the Medicaid managed care system.

**Fiscal effect: None.**

**R.C. 5167.01, 3701.612, 4729.80, 5166.01, 5167.03, 5167.04-5167.051, 5167.10-5167.11, 5167.13, 5167.14, 5167.17-5167.18, 5167.20, 5167.201, 5167.26, 5167.41, 5168.75**

Same as the Executive.

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

**MCDCD25 Behavioral health services**

**R.C. 5167.04**

Permits, instead of requires, ODM to include behavioral health services in the Medicaid managed care system.

**Fiscal effect: This change is being done to allow ODM flexibility to include or exclude various services and populations in the care management system in response to the managed care re-procurement.**

**R.C. 5167.04**

Same as the Executive.

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

**MCDCD24 Prescribed drugs**

**R.C. 5167.05, 4729.20, 5167.051**

Permits, instead of requires, ODM to include prescribed drugs in the Medicaid managed care system.

Eliminates the express authority of Medicaid MCOs, in covering the prescribed drug benefit, to use strategies for drug utilization management.

**R.C. 5167.05, 4729.20, 5167.051**

Same as the Executive.

Same as the Executive.

Executive

In House Finance

Eliminates a restriction against Medicaid MCOs requiring prior authorization for certain antidepressant and antipsychotic drugs.	Same as the Executive.
Eliminates a requirement that Medicaid MCOs comply with certain statutes governing coverage of prescribed drugs under the fee-for-service system, including prior authorization and utilization review measures concerning opioids, medication synchronization, and step therapy protocols and exemptions.	Same as the Executive.
<b>Fiscal effect: This change is being done to allow ODM flexibility to include or exclude various services and populations in the care management system in response to the managed care re-procurement.</b>	<b>Fiscal effect: Same as the Executive.</b>

MCD26

Help Me Grow and qualified community hubs

<b>R.C. 5167.15, 5167.173 (both repealed), 5167.173, with conforming changes: Section 603.10, 603.10</b>	<b>R.C. 5167.16 (repealed), 5167.03</b>
Eliminates a requirement that Medicaid MCOs cover certain home visits and cognitive behavioral therapy for Medicaid recipients who are enrolled in the Help Me Grow Program and either pregnant or the birth mother of a child under three years of age.	Same as the Executive.
Eliminates a requirement that Medicaid MCOs cover certain services provided by certified community health workers or public health nurses working for a qualified community hub.	No provision.
Amends Section 4 of S.B. 322 of the 131st GA to make conforming changes.	No provision.

## Executive

## In House Finance

Fiscal effect: This change is being done to allow ODM flexibility to include or exclude various services and populations in the care management system in response to the managed care re-procurement.

Fiscal effect: Same as the Executive.

MCD37

Hospital value-based purchasing program

No provision.

R.C. 5167.19

Requires Medicaid managed care organizations to implement a hospital value-based purchasing program under which participating hospitals receive incentive payments based on their successes in meeting measures used for the Medicare Hospital Value-Based Purchasing Program.

**Fiscal effect: The program is based on the Medicare program. The Medicare program is budget neutral since the hospital payment reductions are used for the incentive payments. However, there would be costs for administering the program.**

MCD31

Medicaid managed care requirements for home health services

No provision.

R.C. 5167.22, 5167.221, 5167.01

Prohibits a Medicaid managed care organization from initiating a recoupment of an overpayment made to a home health agency later than one year after the payment was made.

No provision.

Requires a Medicaid managed care organization to provide a home health agency all of the details of a recoupment.

No provision.

Prohibits a Medicaid managed care organization from requiring a Medicaid recipient to obtain prior authorization for the first ten days of home health services if a physician, nursing facility, or hospital referred the recipient.

## Executive

## In House Finance

No provision.

Prohibits a Medicaid managed care organization from requiring a Medicaid recipient to obtain prior authorization for any home health services if the recipient is a hospice patient.

**Fiscal effect: Potentially increases costs to managed care organizations. This cost may be passed to the state through increased capitation rates. In addition, potential loss of recoupment revenue for overpayments.**

MCD52

Medicaid managed care organizations

No provision.

**R.C. 5167.24, 5167.241, 5167.242, 5167.243, Section 333.195**

Requires a Medicaid managed care organization to use the state PBM selected by and under contract with the Director of DAS pursuant to the terms of the master PBM contract developed by the Director (see DASCD37). Prohibits a Medicaid MCO from having a conflict of interest with respect to the state PBM or any of its affiliated companies. Requires the state PBM to submit a quarterly report to ODM with specified information and the information required by the Medicaid Director

No provision.

Requires ODM to develop findings based on the quarterly reports and submit those findings to the General Assembly

No provision.

Requires the state PBM to establish a Medicaid prescribed drugs formulary for the Medicaid managed care prescribed drugs benefit.

No provision.

Requires the Director to seek a waiver to price certain prescribed drugs based on the international pricing index model, if the Center for Medicare and Medicaid services adopts that model, and requires that model to be used instead.

## Executive

## In House Finance

No provision.

Prohibits violations of these provisions and tasks the Medicaid Director with adopting rules specifying civil penalties for violations.

**Fiscal effect: Potential increase in administrative costs related to developing findings based on PBM quarterly reports and preparation of a report for submission to the General Assembly. Potential increase in administrative costs related to adopting rules. Any other impacts will depend on the terms in the new state master PBM contract.**

## MCDLCD20

## Medicaid prompt payment requirements waiver

**R.C. 5167.25 (repealed), with conforming changes:  
3901.3814**

Repeals the requirement that the Medicaid Director apply for a waiver from the federal Medicaid prompt payment requirements that would instead require health insuring corporations to submit claims in accordance with requirements established by the Department of Insurance.

**Fiscal effect: None.**

**R.C. 5167.25 (repealed), with conforming changes:  
3901.3814**

Same as the Executive.

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

## MCDLCD35

## Employment connection incentive programs

No provision.

**R.C. 5167.29**

Requires each Medicaid managed care organization to establish an employment connection incentive program to assist Medicaid recipients in obtaining and maintaining employment.

No provision.

Makes participation in a program voluntary for the recipients.

## Executive

## In House Finance

No provision.

Provides for Medicaid managed care organizations to earn incentive payments based on their successes with their programs.

**Fiscal effect: Increase in administrative costs for managed care organizations to create programs, which could result in higher capitation payments. Increase in expenses for ODM due to incentive payments. There could be savings if the program results in individuals keeping and retaining employment and receiving medical insurance through this employment.**

MCDCD50

Medicaid managed care

**R.C. 5167.35, 4729.80, 4729.801, 5162.137, 5162.138, 5166.01, 5166.42, 5166.50, 5167.10, 5167.103, 5167.104, 5167.20, 5167.29, 5167.36, (conforming changes) 5167.01, 5167.101, 5167.102, 5167.11, 5167.13, 5167.171, 5167.172, 5167.201, 5167.26, Section 333.195**

No provision.

Requires ODM to do all of the following if the U.S. Secretary of Health and Human Services agrees to enter into an enforceable agreement that safeguards the state's receipt of federal Medicaid funds:

(1) No provision.

(1) Establish the Shared Savings Bonus Program under which a Medicaid MCO earns a bonus if its three-year average per recipient capitated payment rate is less than the three-year average per recipient cost of certain other states' Medicaid programs.

(2) No provision.

(2) Establish the Quality Incentive Program under which the Department randomly assigns certain Medicaid recipients to MCOs participating in the program based on the MCOs' points



## Executive

## In House Finance

(3) No provision.

earned for meeting health and quality metrics.

(3) Permit regional networks consisting of hospitals to become Medicaid MCOs if they accept a capitated payment that is not more than 90% of the lowest capitated payment made to a Medicaid MCO that is a health insuring corporation.

No provision.

Requires each Medicaid MCO to establish a program that incentivizes enrollees to obtain covered health care from high quality and efficient providers.

No provision.

Requires the Medicaid Director to establish a Medicaid waiver program under which Medicaid MCOs may cover any service or product that would have a beneficial effect on enrollees' health and is likely to reduce the costs under the plan within three years.

No provision.

Requires a Medicaid MCO, if it establishes a rate for a service that is greater than the fee-for-service rate for the service, to require providers of the service to enter into value-based contracts as a condition of joining the MCO's provider panel.

No provision.

Prohibits a Medicaid MCO from permitting a provider to be part of the MCO's provider panel unless the provider assures the MCO that it will comply with a requirement regarding cost estimates.

No provision.

Requires, with certain exceptions, a hospital to accept as payment in full from a Medicaid MCO an amount equal to 90% of the fee-for-service rate for a non-emergency service provided to a Medicaid recipient if the hospital does not have a contract with the MCO and the MCO refers the recipient to the hospital.

No provision.

Allows a Medicaid MCO to submit a bulk request to the State Board of Pharmacy for information about all Medicaid recipients

## Executive

## In House Finance

enrolled in the organization's Medicaid MCO plan and requires the Board to provide the requested information in a single electronic file or format.

**Fiscal effect:** Increase in administrative costs that include: developing the Shared Savings Bonus Program and Quality Incentive Program, as well as preparing and tracking MCO data to ensure compliance. Potential savings including the following: if any regional networks accept a lower capitated payment and hospital non-emergency services are reduced.

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**MCDCD32**      **Medicaid managed care performance metrics**

No provision.

**R.C.      5167.103**

Requires that ODM's website include the metrics ODM uses to determine a Medicaid managed care organization's contract performance.

No provision.

Requires ODM to update its website quarterly to reflect any changes to the metrics used.

**Fiscal effect:** Potential increase in ODM's administrative and IT costs.

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**MCDCD23**      **Updating references****R.C.      5168.03, 3901.381, 5168.05-5168.08**

Replaces references to the former U.S. Health Care Financing Administration with references to the U.S. Centers for Medicare and Medicaid Services.

**Fiscal effect:** None.

**R.C.      5168.03, 3901.381, 5168.05-5168.08**

Same as the Executive.

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

## Executive

## In House Finance

**MCDCD4 OSU non-opiate, non-addictive pharmaceutical treatment****Section: 333.55**

Requires \$5.2 million in FY 2020 in GRF appropriation item 651525, Medicaid Health Care Services, to be distributed to OSU for development and clinical evaluation of a non-opiate, non-addictive pharmaceutical treatment intervention's efficacy to reduce a physician's reliance upon and limit a patient's initial exposure to opioids.

No provision. (The House budget includes a similar earmark under Facilities Establishment Fund (Fund 7037) line item 195615, Facilities Establishment, in the Development Services Agency budget, see DEVCD26) .

**MCDCD1 Temporary authority regarding employees****Section: 333.20**

Extends through July 1, 2021, the authority of ODM to establish, change, and abolish positions and to assign, reassign, classify, reclassify, transfer, reduce, promote, or demote employees who are not subject to state law governing public employee's collective bargaining.

Permits a portion of various ODM appropriation items to be used to pay for costs associated with the administration of the Medicaid Program, including the personnel actions listed above.

**Fiscal effect: None.**

**Section: 333.20**

Same as the Executive.

Same as the Executive.

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

Executive

In House Finance

**MCDCD2 Medicaid Health Care Services**

**Section: 333.40**

Requires that GRF appropriation item 651525, Medicaid Health Care Services, not be limited by R.C. 131.33, which requires that unexpended balances of appropriations revert to the funds from which they were made at the end of the appropriation period.

**Section: 333.40**

Same as the Executive.

**MCDCD3 Lead abatement and related activities**

**Section: 333.50**

Allows the Director of OBM, upon the request of the Medicaid Director, to transfer state share appropriations from GRF appropriation item 651525, Medicaid Health Care Services, to appropriation items in other state agencies for the purposes of lead abatement and related activities. Permits the Director of OBM, if such a transfer occurs, to adjust the federal share of GRF appropriation item 651525, Medicaid Health Care Services, accordingly.

Allows the Medicaid Director to transfer federal funds for these transactions.

**Section: 333.50**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**MCDCD5 Performance payments for Medicaid managed care****Section: 333.60**

Requires ODM, for FY 2020 and FY 2021, to provide performance payments to MCOs for participants in the Integrated Care Delivery System (ICDS), MyCare Ohio, separately from those under the Managed Care Performance Payment Program.

Requires ODM to (1) develop quality measures designed specifically to determine the effectiveness of services provided to ICDS participants and (2) determine an amount to be withheld from Medicaid premium payments paid to MCOs for ICDS participants.

Requires that the withheld amount be established as a percentage of each premium payment. Requires MCOs to agree to the withholding. Requires ODM to certify the amount to the OBM Director.

**Section: 333.60**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**MCDCD43 Medicaid managed care organization financial health**

No provision.

**Section: 333.65**

Requires ODM, no later than January 1, 2020, to evaluate and benchmark the financial health of Medicaid managed care organizations and adopt rules addressing the organizations' financial health as evaluated.

**Fiscal effect: Increase in administrative costs.**

## Executive

## In House Finance

**MCDCD6 Hospital Franchise Fee Program****Section: 333.70**

Permits the Director of OBM to authorize additional expenditures from appropriation items 651623, Medicaid Services - Federal; 651525, Medicaid Health Care Services, and 651656, Medicaid Services - Hospital/UPL, to implement the hospital assessment fee. Appropriates any authorized amounts.

**Section: 333.70**

Same as the Executive.

**MCDCD7 Medicare Part D****Section: 333.80**

Permits GRF appropriation item 651526, Medicare Part D, to be used by ODM for the implementation and operation of the Medicare Part D requirements contained in the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

Permits the Director of OBM, upon the request of ODM, to transfer the state share of appropriations between GRF appropriation items 651525, Medicaid Health Care Services, and 651526, Medicare Part D.

Requires the Director of OBM to adjust the federal share of item 651525, if the state share is adjusted.

Requires ODM to provide notification to the Controlling Board of any such transfers at their next scheduled meeting.

**Section: 333.80**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

MCD46

Brigid's Path Program

No provision.

Section: 333.82

Requires GRF appropriation item 651529, Brigid's Path Program, be distributed to the Brigid's Path Program in Montgomery County.

MCD8

Health Care Services Support and Recoveries

Section: 333.90

Requires the Medicaid Director to deposit into the Health Care Services Support and Recoveries Fund (Fund 5DL0), \$350,000 in each fiscal year from the first installment of assessments and intergovernmental transfers made under the Hospital Care Assurance Program (HCAP) under R.C. 5168.06 and 5168.07.

Section: 333.90

Same as the Executive.

MCD9

Hospital Care Assurance match

Section: 333.100

Permits the Director of OBM, at the request of the Medicaid Director, to authorize additional expenditures from the Health Care Federal Fund (Fund 3F00) if receipts credited to the fund exceed the amounts appropriated. Appropriates any authorized amounts.

Requires that DPF Fund 6510 appropriation item 651649, Medicaid Services – Hospital Care Assurance Program, be used by ODM for distributing the state share of all HCAP funds to hospitals. Permits the Director of OBM, at the request of the Medicaid Director, to authorize additional expenditures from

Section: 333.100

Same as the Executive.

Same as the Executive.

Executive

In House Finance

the Hospital Care Assurance Program Fund (Fund 6510) if receipts credited to the fund exceed the amounts appropriated. Appropriates any authorized amounts.

MCDLCD10      Refunds and Reconciliation Fund

**Section:    333.110**  
Permits the Director of OBM, at the request of the Medicaid Director, to authorize additional expenditures from the Refunds and Reconciliation Fund (Fund R055) if receipts credited to the fund exceed the amounts appropriated. Appropriates any authorized amounts.

**Section:    333.110**  
Same as the Executive.

MCDLCD11      Medicaid Interagency Pass-Through

**Section:    333.120**  
Permits the Director of OBM to increase FED Fund 3G50 appropriation item 651655, Medicaid Interagency Pass-Through, at the request of the Medicaid Director. Appropriates the increase.

**Section:    333.120**  
Same as the Executive.



## Executive

## In House Finance

**MCDLCD12 Non-emergency medical transportation****Section: 333.130**

Permits the Director of OBM, at the request of the Medicaid Director to transfer the state share appropriations between GRF appropriation item 651525, Medicaid Health Care Services, in the ODM budget and 655523, Medicaid Program Support - Local Transportation, in the ODJFS budget to ensure access to a non-emergency medical transportation brokerage program. Requires that the Director of OBM adjust the federal share of item 651525 and federal fund 3F01 appropriation item 655624, Medicaid Program Support - Federal, in the ODJFS budget. Requires the ODM Director to transmit federal funds it receives for the transaction to Fund 3F01, used by ODJFS.

**Section: 333.130**

Same as the Executive.

**MCDLCD13 Public assistance eligibility determination****Section: 333.140**

Permits the Director of OBM, at the request of the Medicaid Director to transfer up to \$5.0 million in each fiscal year in state share appropriations between GRF appropriation item 651525, Medicaid Health Care Services, in the ODM budget and 655522, Medicaid Program Support - Local, in the ODJFS budget. Requires that the Director of OBM adjust the federal share of item 651525 and FED Fund 3F01 appropriation item 655624, Medicaid Program Support - Federal, in the ODJFS budget. Requires the Medicaid Director to transmit federal funds it receives for the transaction to Fund 3F01, used by ODJFS.

**Section: 333.140**

Same as the Executive.

## Executive

## In House Finance

Prohibits these funds from being used for existing and ongoing operating expenses. Requires the Medicaid Director to establish criteria for distribution of funds and for CDJFS' to submit allowable expenses.

Same as the Executive.

Requires CDJFSs to comply with new roles, processes, and responsibilities related to the new eligibility determination system and requires CDJFS to report to ODJFS and ODM how the funds were used.

Same as the Executive.

## MCDLCD14

## Medicaid payment rates for community behavioral health services

## Section: 333.180

Permits ODM to establish Medicaid payment rates for community behavioral health services provided during FY 2020 and FY 2021 that exceed authorized rates paid for the services under the Medicare Program.

## Section: 333.180

Same as the Executive.

Specifies that this provision does not apply to community behavioral health services provided by hospitals on an inpatient basis, nursing facilities, and intermediate care facilities for individuals with intellectual disabilities.

Same as the Executive.

## MCDLCD33

## Medicaid rate for Vagus Nerve Stimulation

No provision.

## Section: 333.185

Requires that the Medicaid rate for the Vagus Nerve Stimulation service provided under the outpatient hospital benefit equal 75% of the Medicare rate for the service during the period beginning July 1, 2019, and ending July 1, 2021.

## Executive

## In House Finance

No provision.

Requires that the Medicaid rates for other services selected by the Medicaid Director be reduced to avoid an increase in Medicaid expenditures.

**Fiscal effect: None. The provision is designed to be fiscally neutral.**

## MCDLCD15

## Area Agencies on Aging and Medicaid managed care

**Section: 333.190**

Requires ODM, if it expands the inclusion of the aged, blind, and disabled (ABD) eligibility group or dual-eligibles in the care management system during the FY 2020-FY 2021 biennium, to do the following:

(1) Require Area Agencies on Aging (AAA) to be the coordinators of home and community-based services available under Medicaid waiver components that those individuals and the group receive and permit Medicaid MCOs to delegate to the agencies full-care coordination functions for those services and other health-care services those individuals and that group receive; and

(2) Give preference, when selecting MCOs to contract with, organizations that will enter into subcapitation arrangements with area agencies on aging under which the agencies are to perform, in addition to other functions, certain network management and payment functions.

**Section: 333.190**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

## Executive

## In House Finance

**MCDLCD16 Work requirement - OhioMeansJobs costs****Section: 333.200**

Permits the Director of OBM, upon the request of the Medicaid Director, to transfer \$500,000 of state share appropriations in each fiscal year between DPF Fund 5DL0 appropriation item 651685, Medicaid Recoveries - Program Support, in ODM's budget to GRF appropriation item 655425, Medicaid Program Support, in ODJFS' budget. Requires that the Director of OBM adjust the federal share of item 651624 and FED Fund 3F01 appropriation item 655624, Medicaid Program Support - Federal, in the ODJFS budget.

Requires any increase in funding to be provided to CDJFSs to be used only for costs related to transitioning to a new work requirement under the Medicaid program. Prohibits funds from being used for existing and ongoing operating expenses. Requires the Medicaid Director to establish criteria for distributing these funds and for CDJFSs to submit allowable expenses.

**Section: 333.200**

Same as the Executive.

Same as the Executive.

**MCDLCD17 Care Innovation and Community Improvement Program****Section: 333.220**

Requires the Medicaid Director to continue the Care Innovation and Community Improvement Program (CICIP) for the FY 2020-FY 2021 biennium. Permits any nonprofit hospital agency affiliated with a state university or public hospital agency to volunteer to participate if the agency operates a hospital that has a Medicaid provider agreement.

**Section: 333.220**

Same as the Executive.

## Executive

## In House Finance

Specifies that participating agencies are responsible for the state share of CICIP's costs and must make or request the appropriate government entity to make intergovernmental transfers to pay for those costs. Requires the Medicaid Director to establish a schedule for making the transfers.

Same as the Executive.

Requires each participating agency to do at least one of certain tasks in accordance with strategies, and for the purpose of meeting goals, that the Medicaid Director is required to establish for CICIP. Requires each participating agency to submit annual reports to JMOC summarizing the agency's work and progress in meeting goals.

Same as the Executive.

Requires each participating agency to receive supplemental payments under the Medicaid Program for physician and other professional services that are covered by the Medicaid program and provided to recipients. Requires payments to equal the difference between the Medicaid payment rates for the services and the average commercial payment rates for the services. Permits the Medicaid Director to terminate or adjust the amount of supplemental payments if the amount of funds available for CICIP is inadequate.

Same as the Executive.

Requires the Medicaid Director, no later than January 1, 2020, to establish a process to evaluate the work done by participating agencies and the agencies' progress in meeting CICIP goals. Permits the Medicaid Director to terminate an agency's participation if the Director determines the agency is not doing at least one of the specified tasks.

Same as the Executive.

Requires all intergovernmental transfers be deposited into the Care Innovation and Community Improvement Program Fund (Fund 5AN0). Requires money in Fund 5AN0 and the

Same as the Executive.

## Executive

## In House Finance

corresponding federal participation in the Health Care - Federal Fund (Fund 3F00) be used to make supplemental payments.

Permits the Medicaid Director to request the Director of OBM to authorize additional expenditures from Fund 5AN0 and Fund 3F00 if the amounts appropriated and the corresponding federal share are inadequate to make supplement payments. Appropriates any authorized amounts.

Same as the Executive.

## MCD57

## Re-procurement of Medicaid managed care organizations

No provision.

No provision.

No provision.

**Section: 333.230**

Requires the Medicaid Director to re-procure its contracts with Medicaid managed care organizations by July 1, 2020.

Requires the Medicaid Director to establish eligibility criteria for Medicaid managed care organizations and accept applications from entities seeking to become a Medicaid managed care organization as part of this process.

Specifies that there is no limit on the number of Medicaid managed care organization contracts ODM can have at any one time.

## MCD53

## Review prescribed drug reforms savings

No provision.

**Section: 333.240**

Requires ODM to review all of the savings to the state from the bill's prescribed drug reforms and issue a report.

**Fiscal effect: Potential increase in administrative costs related to research and preparing report.**

Executive

In House Finance

**MCDCD28      Hospital Care Assurance Program and franchise permit fee**

**Sections:    601.22, 601.23**

Amends Sections 125.10 and 125.11 of H.B. 59 of the 130th G.A. to delay the repeal of the Hospital Care Assurance Program, which compensates hospitals that provide a disproportionate share of care to indigent patients, and a separate hospital franchise permit fee, from October 16, 2019, to October 16, 2021.

**Fiscal effect: The bill appropriates \$249.2 million in FY 2020 and \$168.3 million in FY 2021 in DPF Fund 6510 appropriation item 651649, Medicaid Services - Hospital Care Assurance Program, for the program. The cash used for the program is from an assessment imposed on hospitals.**

**Sections:    601.22, 601.23**

Same as the Executive.

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

## Executive

## In House Finance

**MEDCD13      Physician assistants volunteering at charitable events**

No provision.

**R.C.      4730.02**

Requires an out-of-state physician assistant providing care as a volunteer at a charitable event to be supervised by the medical director of the charitable event or by another Ohio-licensed physician.

**Fiscal effect: None.****MEDCD10      Board procedures for issuance of licenses**

No provision.

**R.C.      4730.12, 4731.05, 4731.14, 4731.17, 4731.56,  
4760.03, 4762.03, 4774.03, 4778.03**

Eliminates an existing requirement under which an affirmative vote of not fewer than six members of the State Medical Board is necessary to determine if various license types may be issued to an applicant.

**Fiscal effect: Minimal.****MEDCD6      Continuing education**

No provision.

**R.C.      4730.14, 4730.49, 4731.282, 4731.293, 4745.04,  
4759.06, 4761.06**

Reduces to 50 (from 100) the number of hours of continuing education that a physician or podiatrist must complete every two years to be eligible for license renewal.

No provision.

Reduces to 75 (from 150) the number of hours of continuing medical education that clinical research faculty must complete every three years to renew their certificates.



Executive

In House Finance

No provision.	Reduces to three the number of hours of continuing education that a physician or podiatrist may earn providing health care services as a volunteer.
No provision.	Eliminates the requirement that a physician assistant complete not less than 100 hours of continuing education every two years and instead requires the physician assistant to complete the continuing education necessary to maintain certification from the National Commission on Certification of Physician Assistants.
No provision.	Maintains the requirement that a physician assistant complete at least 12 hours of continuing education in advanced pharmacology every two years.
No provision.	Authorizes the Board to impose on the holder of a license to practice cosmetic therapy, massage therapy, dietetics, or respiratory care or a limited permit to practice respiratory care a civil penalty of not more than \$5,000 if the holder fails to complete the continuing education required to maintain a license or limited permit.
	<b>Fiscal effect: Minimal.</b>

MEDCD7      License renewal dates

	<b>R.C.      4730.14, 4731.15, 4731.15, 4731.281, 4759.06, 4760.04, 4760.06, 4761.06, 4762.04, 4762.06, 4774.04, 4774.06, 4778.05, 4778.06</b>
No provision.	Eliminates dates established in statute for the renewal of licenses issued by the Board and instead provides that each license is valid for a two-year period and expires on the date that is two years after the date of issuance.

## Executive

## In House Finance

**Fiscal effect: May change the timing of receipt of revenues and incurring of some expenses.**

**MEDCD14      Supervision agreements**

No provision.

**R.C.      4730.19**

Requires both a supervising physician and a physician assistant to retain a copy of their supervision agreement in their records.

No provision.

Authorizes the Board, after finding that a supervision agreement has not been retained, to permit the individual in violation to correct the violation and pay a civil penalty.

**Fiscal effect: Minimal.**

**MEDCD9      Fitness to practice - license issuance and restoration**

No provision.

**R.C.      4730.28, 4731.222, 4759.063, 4760.061, 4761.061, 4762.061, 4774.061, 4778.071**

Authorizes the Board to impose on an applicant terms and conditions related to the applicant's fitness to practice in the following circumstances: (1) when the applicant seeks restoration of a license that has been suspended for any cause for more than two years, and (2) when the applicant seeks issuance of a license and the applicant has been neither engaged in practice nor participating in a training or educational program for more than two years.

**Fiscal effect: Minimal increase in administrative costs.**

## Executive

## In House Finance

**MEDCD12      Physician assistant furnishing of samples**

No provision.

**R.C.      4730.43**

Limits a physician assistant's existing authority to personally furnish samples of drugs and therapeutic devices to those included in the physician assistant's physician-delegated prescriptive authority.

**Fiscal effect: None.****MEDCD3      Change references from certificates to licenses**

No provision.

**R.C.      4731., Chapters 4730., 4760., 4762., and 4774.; and  
conforming changes in several other R.C. sections**

Eliminates references to certificates to practice issued by the State Medical Board and instead refers to licenses to practice.

**Fiscal effect: None.****MEDCD11      Graduate medical education**

No provision.

**R.C.      4731.04, 4731.291, 4731.573**

Clarifies that an accredited clinical fellowship program constitutes graduate medical education.

**Fiscal effect: None.**

## Executive

## In House Finance

**MEDCD5**      **Limited branches of medicine - prior licensure**

No provision.

**R.C.      4731.19**

Clarifies that an applicant for licensure to practice cosmetic therapy or massage therapy in Ohio by endorsement of an out-of-state license must have held the other state's license during the five-year period immediately preceding the date of application (rather than any five years).

**Fiscal effect: Minimal increase in administrative costs.**

**MEDCD8**      **Training certificates - physician internship, residency, and clinical fellowship program**

No provision.

**R.C.      4731.291**

Allows an individual seeking to renew a training certificate to submit an application for renewal not more than 30 days after the certificate's expiration date if the individual includes with the application a \$150 reinstatement fee.

**Fiscal effect: Minimal increase in revenue from late fee.**

**MEDCD1**      **Elimination of limited certificates**

No provision.

**R.C.      4731.292 (repealed)**

Eliminates limited certificates, which under existing law authorizes individuals who are not U.S. citizens to practice medicine in state-operated hospitals.

**Fiscal effect: Minimal decrease in administrative costs.**

Executive

In House Finance

MEDCD2

Elimination of telemedicine certificates

No provision.

No provision.

R.C. 4731.296 (repealed), 109.572, 3902.30, 4731.14, 4731.294, Section 747.40

Eliminates telemedicine certificates, which authorize physicians located outside of Ohio to practice medicine in Ohio through the use of any communication.

Requires the Board to convert all telemedicine certificates to licenses to practice medicine and surgery or osteopathic medicine and surgery.

Fiscal effect: Minimal one time increase in administrative costs.

MEDCD4

Expedited license eligibility - malpractice claims

No provision.

R.C. 4731.299

Modifies an eligibility requirement that applies to a person seeking an expedited physician license by endorsement by specifying that the applicant must not have been the subject of more than two malpractice claims resulting in a finding of liability in the ten years immediately preceding the date of application.

Fiscal effect: Minimal.

## Executive

## In House Finance

**MHACD23 Criminal records check for residential facility staff****R.C. 109.572**

Requires the criminal records checks for residential facility staff be conducted under the Bureau of Criminal Identification and Investigation criminal records check procedures.

**Fiscal effect: None.**

**R.C. 109.572**

Same as the Executive.

**Fiscal effect: Same as Executive**

**MHACD24 Psychotropic Drug Reimbursement Program**

No provision.

No provision.

**R.C. 5119.19**

Clarifies that the psychotropic drugs for which counties may receive reimbursement under the Psychotropic Drug Reimbursement Program include those administered or dispensed in a long-acting injectable form.

Requires that each county ensure that county jail inmates have access to all psychotropic drugs that are covered by the fee-for-service component of Medicaid.

**Fiscal effect: None.**

**MHACD21 Clinician Recruitment Program****R.C. 5119.185**

Expands the program that recruits physicians to provide services at institutions operated by OhioMHAS to include the recruitment of physician assistants and advanced practice registered nurses.

**R.C. 5119.185**

Same as the Executive.

## Executive

## In House Finance

**Fiscal effect:** None, the provision allows additional practitioners to be recruited for the program.

**Fiscal effect:** Same as Executive

**MHACD22      Court costs for mental health adjudications****R.C.      5122.43**

Requires OhioMHAS to reserve a portion of its appropriations to cover court costs for mental health adjudications in counties that did not receive an OhioMHAS allocation for adjudication-related expenses.

**Fiscal effect:** Local courts could realize a gain in allocations.

**R.C.      5122.43**

Same as the Executive.

**Fiscal effect:** Same as Executive

**MHACD1      Prevention and Wellness****Section:    337.30**

Makes the following earmarks from GRF appropriation item 336406, Prevention and Wellness:

- (1) Up to \$1,250,000 in each fiscal year to be distributed to ADAMHS boards to purchase the provision of evidence-based prevention services from OhioMHAS-certified providers.
- (2) Up to \$500,000 in each fiscal year to be used to support suicide prevention efforts.
- (3) No provision.

**Section:    337.30**

Same as the Executive, but makes the following changes:

- (1) Same as the Executive.
- (2) Same as the Executive, but also requires funds to be used for a study on the rates of suicide in Ohio conducted by OhioMHAS, in coordination with the Department of Veterans Services.
- (3) \$120,000 in each fiscal year to be allocated to the Northeast Ohio Medical University's statewide campus safety and mental health programs.

## Executive

## In House Finance

**MHACD2 Mental Health Facilities Lease Rental Bond Payments****Section: 337.40**

Requires GRF line item 336415, Mental Health Facilities Lease Rental Bond Payments, to be used to meet all payments during the period from July 1, 2019, through June 30, 2021, by OhioMHAS under leases and agreements made under section 154.20 of the Revised Code.

**Section: 337.40**

Same as the Executive.

**MHACD3 Continuum of Care Services****Section: 337.50**

Specifies the following regarding GRF appropriation item 336421, Continuum of Care Services:

(1) Requires a portion be allocated to ADAMHS boards in accordance with a distribution methodology determined by the OhioMHAS Director for the boards to purchase mental health and addiction services permitted under Chapter 340. of the Revised Code. Permits boards to use a portion of the funds allocated to provide:

- (a) Subsidized support for psychotropic medication needs of indigent citizens in the community to reduce unnecessary hospitalization due to lack of medication; and
- (b) Subsidized support for medication-assisted treatment costs.

(2) Permits a portion be distributed to ADAMHS Boards, community addiction and/or mental health services providers, courts, or other governmental entities to provide specific grants

**Section: 337.50**

Same as the Executive, but makes the following changes:

(1) Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive.

(2) Same as the Executive.



Executive

In House Finance

in support of initiatives concerning mental health and addiction services.

(3) Requires \$1.5 million in each fiscal year be allocated to ADAMHS boards to establish and administer six mental health crisis stabilization centers. Requires one center be located in each state psychiatric hospital region. Requires that each center established or administered comply with certain requirements.

(4) No provision.

(5) No provision.

(6) No provision.

(3) Same as the Executive.

(4) Requires \$125,000 in each fiscal year to be allocated to the Chardon School District to be used for program-related activities.

(5) Requires \$375,000 in each fiscal year to be allocated to the Bellefaire Jewish Children's Home to be used for start-up costs associated with the operations of its pediatric psychiatric hospital and affiliated medical and dental clinic.

(6) Requires \$100,000 in each fiscal year to be distributed to the Applewood Centers Inc. to be used for the continuation and expansion of existing programs to support the health clinic and community-based health care operations and to meet the needs of youth served in addressing the opioid crisis.

Executive

In House Finance

MHACD4

Criminal Justice Services

Section: 337.60

Requires GRF appropriation item 336422, Criminal Justice Services, be used to provide forensic psychiatric evaluations to courts of common pleas and to conduct evaluations of patients of forensic status in facilities operated or designated by OhioMHAS prior to conditional release to the community. Permits a portion of item 336422 to be allocated through ADAMHS Boards to community addiction and/or mental health services providers in accordance with a distribution methodology as determined by the Director of OhioMHAS. Permits appropriation item 336422 to also be used to do any of the following:

- (1) Provide forensic monitoring and tacking of individuals on conditional release;
- (2) Provide forensic training;
- (3) Support projects that assist courts and law enforcement to identify and develop appropriate alternative services to incarceration for nonviolent mentally ill offenders;
- (4) Provide specialized re-entry services to offenders leaving prisons and jails;
- (5) Provide specific grants in support of addiction services alternatives to incarceration;

Section: 337.60

Same as the Executive.

Same as the Executive.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Same as the Executive.

## Executive

## In House Finance

(6) Support therapeutic communities; and

(6) Same as the Executive.

(7) Support specialty dockets and expand or create new certified court programs.

(7) Same as the Executive.

## MHACD5

## Substance use disorder treatment in specialized docket programs

## Section: 337.70

Requires OhioMHAS to conduct a program to provide substance use disorder treatment, which may include medication-assisted treatment (MAT) and recovery supports, to persons who are eligible to participate in a MAT drug court program, and are selected under this section to be participants in a MAT drug court programs because of a substance use disorder.

## Section: 337.70

Same as the Executive.

Requires OhioMHAS to conduct its program in collaboration with any counties in Ohio that are conducting MAT drug court programs.

Same as the Executive.

Allows OhioMHAS to conduct its program in collaboration with any other court conducting a MAT drug court program.

Same as the Executive.

Requires OhioMHAS to collaborate with the Supreme Court, ODRC, and any agency that OhioMHAS determines may be of assistance in the program's objectives. Allows OhioMHAS to collaborate with ADAMHS boards and local law enforcement agencies that serve the counties of a participating court.

Same as the Executive.

Requires a participating MAT drug court program to select persons to participate. Requires a person selected to be a criminal offender or involved in a family drug or dependency court. Prohibits a person from being selected unless the person

Same as the Executive, but specifies that a criminal offender under a community control sanction may be selected to participate in the program.

Executive

In House Finance

meets the legal and clinical eligibility criteria for the MAT drug court program and is an active participant in the program.

Caps the total number of persons participating in the OhioMHAS' program at any time to 1,500, subject to available funding, except that OhioMHAS may authorize the maximum number to be exceeded in circumstances that OhioMHAS considers to be appropriate.

Requires a program participant to comply with all MAT drug court program requirements.

Requires the treatment be provided by a community addiction services providers and specifies provider duties. Specifies conditions under which a drug(s) may be used.

Requires the Medicaid Director, in collaboration with major Ohio health care plans, to develop plans consistent with the implementation of the program. Specifies what these plans should ensure and specifies that there are to be no step therapies or prior authorizations for MAT program participants.

Requires \$6.0 million in each fiscal year in GRF appropriation item 336422, Criminal Justice Services, be used to support substance use disorder treatment, including MAT and recovery supports for drug court specialized docket programs and to support the administrative expenses of participating courts and community addiction services providers.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**MHACD6                    Addiction Services Partnership with Corrections****Section:    337.80**

Continues temporary law pertaining to the transfer of the Bureau of Recovery Services (BRS), formerly in ODRC to OhioMHAS as follows:

Requires any business commenced but not completed by July 1, 2015, by ODRC regarding recovery services to be completed by OhioMHAS.

Specifies that any rules, orders, and determinations pertaining to BRS continue in effect as rules, orders, and determinations of OhioMHAS until modified or rescinded by OhioMHAS. Requires, if necessary to ensure the integrity of the numbering of the Administrative Code, the Director of LSC to renumber the rules to reflect their transfer to OhioMHAS.

Transfers, subject to the lay-off provisions of sections 124.321 to 124.382 of the Revised Code, all employees of BRS to OhioMHAS and retain their positions and all of their benefits.

Requires any business commenced by not completed under GRF line item 505321, Institution Medical Services, pertaining to BRS, be completed under GRF line item 336423, Addiction Services Partnership with Corrections.

**Section:    337.80**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**MHACD7                    Recovery Housing****Section:    337.90**

Requires GRF appropriation item 336424, Recovery Housing, be used to expand and support access to recovery housing.

**Section:    337.90**

Same as the Executive.

## Executive

## In House Finance

Requires, for expenditures that are capital in nature, OhioMHAS to develop procedures to administer these funds in a manner that is consistent with current community capital assistance guidelines.

Same as the Executive.

## MHACD8

## Specialized Docket Support

## Section: 337.100

Requires GRF appropriation item 336425, Specialized Docket Support, be used to defray a portion of the annual payroll costs associated with the specialized docket of a common pleas court, municipal court, county court, juvenile court, or family court that meets all of the eligibility requirements.

Permits appropriation item 336425, Specialized Docket Support, to be used to defray costs associated with treatment services and recovery supports for participants.

Requires a specialized docket to have received Supreme Court of Ohio final certification and include participants with behavioral health needs in its target population.

Requires OhioMHAS to use up to one per cent in each fiscal year of appropriation item 336425 to pay the cost it incurs in administering the duties required by the docket program.

Permits OhioMHAS, in consultation with the Supreme Court of Ohio, to adopt funding distribution methodology, guidelines, and procedures as necessary to carry out the docket program.

## Section: 337.100

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

## MHACD9

## Community Innovations

## Section: 337.110

Permits GRF appropriation item 336504, Community Innovations, to be used by OhioMHAS to make targeted investments in programs, projects, or systems operated by or under the authority of other state agencies, governmental entities, or private not-for-profit agencies that impact, or are impacted by, the operations and functions of OhioMHAS, with the goal of achieving a net reduction in expenditure of state general revenue funds and/or improved outcomes for Ohio citizens without a net increase in state general revenue fund spending.

Requires the Director of OhioMHAS to identify and evaluate programs, projects, or systems proposed or operated, in whole or in part, outside of OhioMHAS' authority, where targeted investment of funds is expected to decrease demand for OhioMHAS or other resources funded from GRF, and/or to measurably improve outcomes for Ohio citizens with mental illness or with alcohol, drug, or gambling addictions.

Grants the Director of OhioMHAS discretion to transfer money from appropriation item 336504 to other state agencies governmental entities, or private nonprofit agencies in amounts determined to achieve state savings and/or improved outcomes.

Requires OhioMHAS to enter into an agreement with each recipient receiving funds and specifies what information is to be identified in the agreement.

## Section: 337.110

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

Makes the following earmarks from GRF appropriation item 336504, Community Innovations:

- (1) Up to \$4,000,000 in each fiscal year to be used to provide funding for community projects across the state that focus on support for families, assisting families in avoiding crisis, and crisis intervention.
- (2) Up to \$750,000 in each fiscal year to enhance access to naloxone for county health departments to then dispense through a grant program to local law enforcement, emergency personnel, and first responders. Permits any unused grant funds to be used by county health departments to provide naloxone through a Project DAWN program.
- (3) Up to \$600,000 in each fiscal year for the Heartland High School Demonstration Project to educate and graduate teens and youth recovering from substance use disorders.
- (4) \$2,000,000 in FY 2020 for the Psychotropic Drug Reimbursement Program. Allows the unexpended, unencumbered allocation remaining at the end of FY 2020 to be reappropriated to FY 2021 to be used for the same purpose.

Same as the Executive, but makes the following changes to the earmarks:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive, but increases to \$2,500,000 in each fiscal year.



## Executive

## In House Finance

## MHACD10

## Residential State Supplement

## Section: 337.120

Permits GRF appropriation item 336510, Residential State Supplement, to be used to provide training for residential facilities providing accommodations, supervision, and personal care services to three to 16 unrelated adults with mental illness and to make payments to residential state supplement recipients.

Requires OhioMHAS to adopt rules establishing eligibility criteria and payment amounts regarding the Residential State Supplement program.

## Section: 337.120

Same as the Executive.

Same as the Executive.

## MHACD11

## Early Childhood Mental Health Counselors and Consultation

## Section: 337.130

Requires GRF appropriation item 336511, Early Childhood Mental Health Counselors and Consultation, to be used to promote identification and intervention for early childhood mental health and to enhance health social emotional development in order to reduce preschool to third grade classroom expulsions.

Requires funds to be used to support early childhood mental health credentialed counselors and consultation services, as well as administration and workforce development.

## Section: 337.130

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**MHACD12 Medicaid Support****Section: 337.140**

Requires GRF appropriation item 652321, Medicaid Support, to be used to fund specified Medicaid services as delegated by the state's single agency responsible for the Medicaid Program.

**Section: 337.140**

Same as the Executive.

**MHACD13 Substance Abuse Stabilization Centers****Section: 337.150**

Requires DPF Fund 5TZ0 appropriation item 336600, Substance Abuse Stabilization Centers, to be used to establish and administer acute substance use disorder stabilization centers. Requires one center to be located in each state psychiatric hospital region.

**Section: 337.150**

Same as the Executive.

**MHACD14 ADAMHS Boards****Section: 337.160**

Specifies the following regarding DPF Fund 5TZ0 appropriation item 336643, ADAMHS Boards:

(1) Requires \$5.0 million in each fiscal year be allocated to ADAMHS boards by first providing \$50,000 per county in the board's district and distributing the remainder based on a formula that takes into account the population and drug overdose information for each board's service district.

(2) Requires up to \$6.0 million in each fiscal year be used to provide flexible resources to local communities to fund direct

**Section: 337.160**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive, but decreases the earmark to \$5.75 million in each fiscal year.

## Executive

## In House Finance

crisis stabilization and crisis prevention support.

(3) Requires up to \$10.0 million in FY 2020 be used to develop, evaluate, and expand crisis services infrastructure to provide support for adults, children, and families in a variety of settings. Requires the unexpended or unencumbered fund balance to be used in FY 2021 for the same purpose.

(4) No provision.

(3) Same as the Executive, but decreases the earmark to \$9.25 million in FY 2020.

(4) Requires \$1.0 million in FY 2020 and \$250,000 in FY 2021 to be used for a public-private partnership for a crisis stabilization center in Lorain County.

## MHACD15

## Problem Gambling and Casino Addiction

## Section: 337.170

Requires a portion of DPF Fund 5JL0 appropriation item 336629, Problem Gambling and Casino Addiction, be allocated to ADAMHS boards in accordance with a methodology determined by the Director of OhioMHAS.

## Section: 337.170

Same as the Executive.

## MHACD16

## Family and Children First flexible funding pool

## Section: 337.180

Permits a county family and children first council to establish and operate a flexible funding pool to assure access to needed services by families, children, and older adults in need of protective services. Specifies the restrictions governing the flexible funding pools.

## Section: 337.180

Same as the Executive.

## Executive

## In House Finance

**MHACD17      Access Success II Program****Section:    337.190**

Permits the Director of OBM, to the extent cash is available, to transfer cash from a fund designated by the Medicaid Director to the Sale of Goods and Services Fund (Fund 1490).  
Appropriates any transferred cash.

Requires the transferred funds to be used to administer the Access Success II Program to help non-Medicaid patients in hospitals established, controlled, or supervised by OhioMHAS to transition from inpatient status to a community setting.

**Section:    337.190**

Same as the Executive.

Same as the Executive.

**MHACD18      Indigent Drivers Alcohol Treatment Fund transfer****Section:    337.200**

Requires, on a schedule determined by the Director of OBM, the Director of OhioMHAS to certify the amount of excess license reinstatement fees that are available to be transferred from the Indigent Drivers Alcohol Treatment Fund (Fund 7049) to the Statewide Treatment and Prevention Fund (Fund 4750).

Permits, upon certification, the Director of OBM to transfer cash from Fund 7049 to Fund 4750.

**Section:    337.200**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**MHACD19 Cures Opioid State Targeted Response****Section: 337.210**

Requires FED Fund 3HB0 appropriation item 336503, Cures Opioid State Targeted Response, to be used pursuant to the goals and requirements of the State Targeted Response to the Opioid Crisis Grant provision in the federal 21st Century Cures Act.

**Section: 337.210**

Same as the Executive.

**MHACD20 Statewide Treatment and Prevention****Section: 337.220**

Requires the following regarding DPF Fund 4750 appropriation item 336623, Statewide Treatment and Prevention, to be used as follows:

- (1) Up to \$18.0 million in FY 2020 to support K-12 prevention education initiatives;
- (2) Up to \$13.0 million in FY 2020 and up to \$5.0 million in FY 2021 be used to support and expand statewide multi-media prevention, treatment, and stigma reduction campaigns;
- (3) Up to \$5.0 million in FY 2020 to expand the number of individuals trained in mental health first aid and to expand the number of law enforcement trained in approved de-escalation techniques and approaches specific to people experiencing mental health crisis; and
- (4) The remainder be used for agency administrative support.

**Section: 337.220**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

Executive

In House Finance

MIHCD1

Infant Mortality Health Grants

No provision.

(1) No provision.

(2) No provision.

No provision.

Section: 339.20

Earmarks the following from GRF appropriation item 149503, Infant Mortality Health Grants:

(1) \$2,685,000 in each fiscal year to be distributed to up to ten community-based agencies to support the continuation or establishment of a pathways community HUB model that has the primary purpose of reducing infant mortality in the urban and rural communities with a targeted focus on disparities.

(2) \$135,000 in each fiscal year to be used to provide evaluation and review of the service delivery of grant recipients.

Requires the remainder to be used for administrative costs.

## Executive

## In House Finance

**DNRCD22            Cash transfers from the Waterways Safety Fund and the Wildlife Fund****R.C.            127.14, 131.35**

Allows the Controlling Board to authorize cash transfers of balances in excess of needs from the existing Waterways Safety Fund (Fund 7086) and Wildlife Fund (Fund 7015) to the GRF or other specified funds. (These specific funds are among a list in current law from which the Controlling Board is prohibited from approving such transfers.)

No provision.

**Fiscal effect: This authorization allows the Controlling Board to manage federal money deposited into Fund 7086 and Fund 7015 in the same manner as other specified funds.**

**R.C.            131.35**

No provision.

Authorizes the Controlling Board, at the request of the Director of Natural Resources, to approve the expenditure of federal revenue in Fund 7015 or Fund 7086 for purposes for which the federal revenue was granted.

**Fiscal effect: Gives Controlling Board specific authorization to approve spending from these two federal funds.**

**DNRCD19            Ohio Geology License Plate Fund****R.C.            1505.09, 4503.515, (1505.12 and 1505.13 repealed)**

Eliminates the "Ohio Geology" License Plate Fund (Fund 5MF0) and transfers the money in the Fund to the Geological Mapping Fund (Fund 5110). Specifies that the contributions from "Ohio Geology" license plates must still be used primarily for grants to state college and university geology departments and secondarily for providing geological kits to state elementary and secondary schools, as in current law. (The accounting changes related to the abolishment of the funds are reflected in Section 516.10 of the bill, see OBMCD63.)

**R.C.            1505.09, 4503.515, (1505.12 and 1505.13 repealed)**

Same as the Executive.

Executive

In House Finance

Fiscal effect: Between FY 2014 and FY 2018 Fund 5MF0 received an average of \$2,235 in revenue each year. As of March 21, 2019 Fund MF0 held a cash balance of \$4,255.

Fiscal effect: Same as the Executive.

DNRCD21 Oil and Gas Leasing Commission Administrative Costs

R.C. 1505.09

Authorizes the existing Geological Mapping Fund (Fund 5110) administered by the Chief of the Division of Geological Survey to be used for the administration of the Oil and Gas Leasing Commission in addition to its current allowable use: covering the cost of making maps and reports on geology, geologic hazards, and energy and mineral resources in Ohio.

Fiscal effect: Currently only the Oil and Gas Leasing Commission Administration Fund, which receives fees charged for the nomination of parcels of state land to be leased for oil and gas exploration and production, and related fees may be used for such purposes; however, that fund does not have any money in it.

R.C. 1505.09

Same as the Executive.

Fiscal effect: Same as the Executive.



## Executive

## In House Finance

**DNRCD31 Land ownership calculation - unitization of oil and gas pools**

No provision.

**R.C. 1509.28**

Retains current law that authorizes the owners of 65% of the land area overlying a pool (underground reservoir of oil, gas, or both) to apply to the Chief of the Division of Oil and Gas Resources Management to consider the need for the operation of the entire pool or part of a pool as a unit, but in addition specifies that when calculating the 65%, a land owner's entire interest, including any divided, undivided, partial, fee, or other interest in each tract must be included to its fullest extent of that interest.

**Fiscal effect: None.**

**DNRCD32 Registrations and identification and transfer and assignment of oil and gas wells and leases**

No provision.

**R.C. 1509.31**

Prohibits a person from operating an oil and gas well without first registering with and obtaining an identification number from the Chief of the Division of Oil and Gas Resources Management, effectively prohibiting a person that has a well assigned or transferred to them from operating the well until the assignee or transferee registers and obtains the identification number.

No provision.

Requires an assignee or transferee of an oil and gas lease that includes a well to notify the Division of Oil and Gas Resources Management of that assignment or transfer if: (1) the assignor or transferor failed to submit the notice as required by current law, and (2) the assignor or transferor is deceased, dissolved,

Executive

In House Finance

No provision.

cannot be found, or is otherwise incapable or providing the notice.

Specifies that when the assignee or transferee provides the notice to the Division, the assignee or transferee must attest to ownership of the lease and is not required to pay any fee associated with the notice.

No provision.

Eliminates the \$100 nonrefundable fees that must be paid by the assignor or transferor of either an oil and gas lease or a well when notifying the Division of the assignment or transfer of the lease or well.

**Fiscal effect: Eliminating the \$100 nonrefundable transfer fee may result in revenue loss of several hundred thousand dollars a year. Under current law, these fees are deposited to the credit of the Oil and Gas Well Fund (Fund 5180).**

**DNRCD34**

**Oil and gas appeal process**

No provision.

**R.C. 1509.36**

Clarifies when an appeal of an order of the Chief of Oil and Gas Resources Management must be made to the Oil and Gas Commission by specifying that a person to whom the order was issued must make the appeal within 30 days after receiving the order.

No provision.

Eliminates the requirement that the Chief's order be sent via certified mail.

**Fiscal effect: Allowing the Chief to deliver an order via some means other than certified mail may result in some administrative cost savings for the Oil and Gas Well Fund (Fund 5180). Any savings would likely be minimal at most.**

## Executive

## In House Finance

**DNRCD33 Oil and gas regulatory cost recovery assessment calculation****R.C. 1509.50**

No provision.

Alters the manner in which the oil and gas regulatory cost recovery assessment is calculated from a formula to a flat assessment of: (A) one-half of 1¢ per 1,000 cubic feet of natural gas for all of an owner's wells, and (B) 10¢ per barrel of oil for all of an owner's wells.

No provision.

Eliminates a provision specifying that the assessment for a well that becomes an exempt domestic well on or after June 30, 2010 is \$60, due on July 1st each year.

**Fiscal effect: These changes reduce the amount collected through cost recovery fees applied to low volume oil and gas wells. Under current law the minimum cost recovery fee for a low producing well is \$15 and for exempt domestic wells, \$60. Cost recovery fees are deposited to the credit of the Oil and Gas Well Fund (Fund 5180).**

**DNRCD30 Stream flow monitoring program****R.C. 1521.08**

No provision.

Requires the Chief of the Division of Water Resources and the Director of EPA to jointly establish a program, along with rules to implement and administer it, to study the impact of oil and gas production operations on stream flow using stream flow monitoring technology in the following creeks: (1) Yellow Creek, Short Creek, and Cross Creek in Jefferson County; (2) Wheeling Creek, McMahon Creek, Wegee Creek, and Pipe Creek in Belmont County; and (3) Sunfish Creek and Opossum Creek in Monroe County.

## Executive

## In House Finance

Fiscal effect: Increased costs for both DNR and EPA to run the new stream monitoring program.

## DNRCD23

## Hunting and fishing license fees

R.C. 1533.09, 1533.10, 1533.11, 1533.111, 1533.112, 1533.32, 1533.321, and Section 715.10

Authorizes the Chief of the Division of Wildlife to adopt rules, in accordance with Chapter 119. of the Revised Code, and with the approval of the Director of Natural Resources and the Wildlife Council, establishing fees, in lieu of the statutorily imposed fees, for all of the following: (1) hunting licenses, (2) three-day small game hunting licenses, (3) deer and wild turkey permits, (4) fur taker permits, (5) wetland habitat stamps, (6) fishing licenses, and (7) multi-year fishing and hunting licenses.

Increases the following fees from \$18.00 to \$24.00 until the Chief adopts rules establishing alternative fees: (1) annual fishing license fee for an Ohio resident, (2) annual fishing license fee for a nonresident who is a resident of a state with which Ohio has an agreement to charge resident fee rates (reciprocal state), and (3) three-day tourist fishing license for a nonresident who is not a resident of a reciprocal state.

Makes the following additional fee changes until the Chief adopts rules establishing alternative fees: (1) increases the one-day fishing license fee from \$10.00 to \$13.00 (55% of the three-day tourist fishing license), (2) increases the annual deer permit fee from \$23.00 to \$30.00 for an Ohio resident, (3) decreases the annual deer permit fee from \$74.00 to \$15.00 for a nonresident youth under 18 (the same as Ohio resident youths under the bill), (4) increases the annual youth deer permit fee

R.C. 1533.09, 1533.10, 1533.11, 1533.111, 1533.112, 1533.32, 1533.321, and Section 715.10

Same as the Executive.

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

from \$11.50 to \$15.00 for an Ohio resident under 18, (5) increases the annual wild turkey permit fee from \$23.00 to \$30.00 for an Ohio resident, (6) decreases the annual wild turkey permit fee from \$28.00 to \$15.00 for a nonresident youth under 18 (the same as Ohio resident youths under the bill), (7) increases the annual youth wild turkey permit fee from \$11.50 to \$15.00 for an Ohio resident, and (8) increases the annual wild turkey permit fee from \$28.00 to \$37.00 for a nonresident.

Specifies that except for the \$9.00 nonresident youth hunting license fee, the annual fee for nonresidents applying for a hunting license, fishing license, or deer permit through December 31, 2019, is the fee specified in the fee schedule established in H.B. 49 of the 132nd General Assembly.

**Fiscal effect: Potential increase in license and permit revenue deposited to the credit of the Wildlife Fund (Fund 7015).**

Same as the Executive.

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

**DNRCD26****Elimination of the Mine Safety Fund****R.C. 1561.24 (repealed), 1561.011**

Abolishes the Mine Safety Fund (Fund 5CU0), which received revenue from transfers from the Coal-Workers Pneumoconiosis Fund (Fund 8220) used by the Administrator of Worker's Compensation. (The accounting changes related to the abolishment of the funds are reflected in Section 516.10 of the bill, see OBMCD63.)

**R.C. 1561.24 (repealed), 1561.011**

Same as the Executive.

## Executive

## In House Finance

Fiscal effect: Fund 5CU0 was used by DNR to pay a portion of the costs for coal mine safety regulatory programs. H.B. 59 of the 130th G.A., the main operating budget for the FY 2012-FY2013 biennium, eliminated the authority to make these transfers. Costs formerly paid from Fund 5CU0 have since been paid from GRF appropriation item 725507, Coal and Mine Safety Programs.

Fiscal effect: Same as the Executive.

DNRCD20

Scenic Rivers Protection Fund

R.C. 4501.24

Permits the Department of Natural Resources to collect donations for the protection and enhancement of Ohio's scenic rivers and deposit those donations into the Scenic Rivers Protection Fund (Fund 4U60).

Fiscal effect: Potential increase in revenue deposited to the credit of Fund 4U60. The Fund's only current source of revenue comes from the \$40 fee collected from the sale of Scenic Rivers License Plates. Between FY2014 and FY2018, Fund 4U60 received an average of approximately \$62,000 per year.

R.C. 4501.24

Same as the Executive.

Fiscal effect: Same as the Executive.

## Executive

## In House Finance

**DNRCD3****Central Support Indirect Fund****Section: 343.20**

Requires the Director of Natural Resources with the approval of the Director of OBM, to determine each DNR division's payments into the Central Support Fund (Fund 1570). Requires the methodology used to determine the payments to contain the characteristics of administrative ease and uniform application in compliance with federal grant requirements, and allows the methodology to include direct cost charges for specific services provided. Requires payments to Fund 1570 to be made using intrastate transfer voucher.

Specifies that GRF appropriation item 725401, Division of Wildlife - Operating Subsidy, be used to cover the indirect costs of the Division of Wildlife.

**Section: 343.20**

Same as the Executive.

Same as the Executive.

**DNRCD4****Parks and Recreational Facilities Lease Rental Bond Payments****Section: 343.20**

Requires GRF appropriation item 725413, Parks and Recreational Facilities Lease Rental Bond Payments, to be used during the FY 2020-FY 2021 biennium to make payments on behalf of DNR pursuant to leases and agreements made under RC 154.22. Specifies that these appropriations are the source of funds pledged for bond service charges on related obligations issued under Chapter 154 or the Revised Code.

**Section: 343.20**

Same as the Executive.

## Executive

## In House Finance

**DNRCD5 Healthy Lake Erie Program****Section: 343.20**

Requires appropriation item 725505, Healthy Lake Erie Program, to be used in support of: (1) conservation measures in the Western Lake Erie Basin, (2) funding assistance for soil testing, winter cover crops, edge of field testing, tributary monitoring, animal waste abatement, and (3) any additional efforts to reduce nutrient runoff as the DNR director may decide. Requires that the director give priority to recommendations that encourage farmers to adopt 4R nutrient stewardship practices.

**Section: 343.20**

Same as the Executive.

**DNRCD6 Coal and Mine Safety Programs****Section: 343.20**

Requires GRF appropriation item 725507, Coal and Mine Safety Program, to be used for the administration of the Mine Safety Program and the Coal Regulation Program.

**Section: 343.20**

Same as the Executive.

**DNRCD7 Natural Resource General Obligation Bond Debt Service****Section: 343.20**

Requires GRF appropriation item 725903, Natural Resources General Obligation Bond Debt Service, to be used during the FY 2018-FY 2019 biennium to pay all debt service and related financing costs on obligations issued under RC 151.01 and 151.05.

**Section: 343.20**

Same as the Executive.



Executive

In House Finance

**DNRCD8                      Oil and Gas Well Plugging**

**Section:     343.30**

Requires Fund 5180 appropriation item 725677, Oil and Gas Well Plugging, to be used exclusively for plugging wells and properly restoring the land surface of idle and orphan oil and gas wells pursuant to RC 1509.071.

**Section:     343.30**

Same as the Executive.

**DNRCD9                      Well log filing fees**

**Section:     343.30**

Requires the Chief of the Division of Water Resources to deposit well log filing fees forwarded to the Division into the Water Management Fund (Fund 5160) for the purposes described in RC 1521.05.

**Section:     343.30**

Same as the Executive.

## Executive

## In House Finance

**DNRCD10****Parks Capital Expenses Fund****Section: 343.30**

Requires that the Director of DNR submit to the Director of OBM the estimated design, engineering, and planning costs of capital related work to be done by DNR staff for parks projects within the Ohio Parks and Recreation Improvement Fund (Fund 7035). Permits the Director of DNR, if OBM approves the estimated costs, to release appropriations from Fund 7035 appropriation item C725E6, Project Planning, for those purposes. Requires DNR to pay for these expenses from the Parks Capital Expenses Fund (Fund 2270), and requires expenses paid from Fund 2270 to be reimbursed by Fund 7035 using an intrastate transfer voucher.

**Section: 343.30**

Same as the Executive.

**DNRCD11****NatureWorks Capital Expenses Fund****Section: 343.30**

Requires the Department of DNR to submit to the Director of OBM the estimated design, planning, and engineering costs of capital-related work to be done by DNR staff for each capital improvement project within the Ohio Parks and Natural Resources Fund (Fund 7031). Permits the Director of DNR, if OBM approves the estimated costs, to release appropriations from Fund 7031 appropriation item C725E5, Project Planning, for those purposes. Requires DNR to pay for these expenses from the Capital Expenses Fund (Fund 4S90), and requires expenses paid from Fund 4S90 to be reimbursed by Fund 7031 by using an intrastate transfer voucher.

**Section: 343.30**

Same as the Executive.

Executive

In House Finance

DNRCD12

Park Maintenance

Section:

343.30

Requires that appropriation item 725514, Park Maintenance, be used to pay the costs of projects supported by the State Park Maintenance Fund (Fund 5TD0).

Requires the Director of Natural Resources, on July 1, 2019 or as soon as possible thereafter, to certify the amount of 5% of the average of the previous five years of deposits in the State Park Fund (Fund 5120) to the Director of OBM. Allows the Director of OBM to transfer up to \$1,600,000 in cash from Fund 5120 to Fund 5TD0.

Section:

343.30

Same as the Executive.

Same as the Executive.

DNRCD24

Reclamation Forfeiture Fund

Section:

343.30

Requires the Director of OBM to transfer \$2.0 million in cash from the GRF to the Reclamation Forfeiture Fund (Fund 5310) each fiscal year. Requires the transferred cash to be used to reclaim areas of land affected by coal mining in accordance with R.C. 1513.18.

Section:

343.30

Same as the Executive.

## Executive

## In House Finance

## DNRCD27

## H2Ohio Fund

## Section: 343.30

Requires that H2Ohio Fund (Fund 6H20) appropriation item 725681, H2Ohio, be used by DNR to support, maintain, and create wetlands throughout the state including but not limited to coastal and upland wetlands in the Western Basin of Lake Erie. Allows the appropriation item to be used to support improvement and protection of all waterways and to address water quality priorities including water protection and management in accordance with R.C. 126.60.

Allows the Director of DNR, on July 1, 2020, or as soon as possible thereafter, to certify to OBM an amount up to the unexpended, unencumbered balance of Fund 6H20 appropriation item 725681, H2Ohio, at the end of FY 2020 to be reappropriated in FY 2021. Reappropriates the certified amounts for FY 2021.

## Section: 343.30

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

**DNRCD13**      **Cash transfer for Hocking Hills Lodge reconstruction****Section: 343.40**

Allows the Director of OBM in consultation with the Director of DNR to transfer cash as necessary from the GRF to the Departmental Services – Interstate Fund (Fund 1550) during the FY 2020-FY 2021 biennium to pay costs for the reconstruction of the Hocking Hills Dining Lodge that will occur before final insurance settlement proceeds are deposited into Fund 1550. Requires the Directors of both agencies to establish a schedule for repaying the GRF from Fund 1550 once insurance proceeds have been deposited into Fund 1550 and requires the Director of OBM to transfer cash from Fund 1550 to the GRF according to the established schedule.

**Section: 343.40**

Same as the Executive.

**DNRCD14**      **Human Resources Direct Service****Section: 343.40**

Requires Fund 2050 appropriation item 725696, Human Resources Direct Service, to be used to cover the cost of support, coordination, and oversight of DNR's human resources functions. Specifies that the Human Resources Chargeback Fund (Fund 2050) consists of cash transferred to it via intrastate transfer voucher from other funds as determined by the directors of DNR and OBM.

**Section: 343.40**

Same as the Executive.

Executive

In House Finance

**DNRCD15                      Law Enforcement Administration**

**Section:     343.40**

Requires Fund 2230 appropriation item 725665, Law Enforcement Administration, to be used to cover the cost of support, coordination, and oversight of DNR's law enforcement functions. Specifies that the Law Enforcement Administration Fund (Fund 2230) to consist of cash transferred to it via intrastate transfer voucher from other funds as determined by the Directors of DNR and OBM.

**Section:     343.40**

Same as the Executive.

**DNRCD16                      Fountain Square and ODNR grounds at the Ohio Expo Center**

**Section:     343.40**

Requires appropriation item 725664, Fountain Square Facilities Management, to be used to pay for security, repairs, renovation, utilities, property management, and building maintenance expenses for the Fountain Square complex and the DNR grounds at the Ohio Expo Center. Requires that cash transferred by intrastate transfer vouchers from various departmental funds and rental income received by DNR be deposited into the Fountain Square Facilities Management Fund (Fund 6350).

**Section:     343.40**

Same as the Executive.

## Executive

## In House Finance

**DNRCD17**      **Clean Ohio Trail Operating Expenses****Section: 343.50**

Requires that appropriation item 725405, Clean Ohio Trail Operating, be used to administer Clean Ohio Trail Fund (Fund 7061) projects under RC 1519.05.

**Section: 343.50**

Same as the Executive.

**DNRCD18**      **Increase in capital appropriations for land acquisition****Section: 601.20**

Amends Sections 223.10 and 223.50 of H.B. 529 of the 132nd General Assembly, the capital budget for the FY 2019-FY 2020 capital biennium, to do the following: (1) appropriate \$47.0 million under Parks and Recreation Improvement Fund (Fund 7035) capital appropriation item C72513, Land Acquisition, (2) increase capital appropriations under Wildlife Fund (Fund 7015) capital appropriation item C725B0, Access Development, by \$3.0 million to a total \$18.0 million, and (3) increase the amount of bonds that the Treasurer of State is authorized to issue to support costs paid from Fund 7035 by \$47.0 million to a total of \$181.0 million.

**Fiscal effect: This capital funding will be used to acquire reclaimed strip mining lands currently owned by AEP in southeast Ohio for public use.**

**Section: 601.20**

Same as the Executive.

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

Executive

In House Finance

NURCD1                      Certificates of Authority

No provision.

R.C.                      4723.08, 4723.28

Removes references in the Revised Code to certificates of authority held by advanced practice registered nurses (APRNs), which are no longer issued by the Board.



Executive

In House Finance

**OODCD1 Independent Living**

**Section: 353.20**

Requires that GRF appropriation item 415402, Independent Living Council, be used to support the state independent living programs and centers pursuant to Title VII of the federal Rehabilitation Act Amendments of 1992.

Earmarks \$67,662 in each fiscal year in item 415402 to be used as state matching funds for vocational rehabilitation innovation and expansion activities.

**Section: 353.20**

Same as the Executive.

Same as the Executive.

**OODCD2 Assistive Technology**

**Section: 353.20**

Requires that GRF appropriation item 415406, Assistive Technology, be provided to Assistive Technology of Ohio and used to provide grants and assistive technology services for people with disabilities in Ohio.

**Section: 353.20**

Same as the Executive.

**OODCD3 Brain Injury**

**Section: 353.20**

Requires that GRF appropriation item 415431, Brain Injury, be provided to The Ohio State University College of Medicine to support the Brain Injury Program established under section 3335.60 of the Revised Code.

**Section: 353.20**

Same as the Executive.

Executive

In House Finance

OODCD4

Services for Individuals with Disabilities

Section: 353.20

Makes the following earmarks from GRF appropriation item 415506, Services for Individuals with Disabilities:

(1) \$654,975 in FY 2020 and \$1,309,050 in FY 2021 to create partnerships with certified drug courts to expand access to employment and increase employment outcomes that promote recovery and rehabilitation.

(2) \$603,643 in FY 2020 and \$1,207,285 in FY 2021 to create partnerships with community colleges and state universities to ensure college students with disabilities can compete for in-demand jobs and increase the median earnings of these individuals.

(3) \$85,733 in FY 2020 and \$171,465 in FY 2021 to create paid on-the-job work experiences for eligible candidates placed in state agencies to develop work skills and increase the number of individuals with disabilities employed in state government.

(4) \$150,000 in each fiscal year to increase access to vocational rehabilitation services for eligible students enrolled at the Ohio State School for the Blind and the Ohio School for the Deaf to prepare these students for transition to college or employment.

Requires all of these earmarked amounts to be used as state match for the federal vocational rehabilitation grant.

Section: 353.20

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

Same as the Executive.

Executive

In House Finance

OODCD5 Services for the Deaf

Section: 353.20

Requires that GRF appropriation item 415508, Services for the Deaf, be used to support community centers for the deaf.

Section: 353.20

Same as the Executive.

OODCD6 Sight Centers

Section: 353.20

Makes the following earmarks from FED Fund 3L40 appropriation item 415617, Independent Living Older Blind:

- (1) \$10,000 in each fiscal year to the Cleveland Sight Center.
- (2) \$10,000 in each fiscal year to the Cincinnati Association for the Blind and Visually Impaired.
- (3) \$10,000 in each fiscal year to the Sight Center of Northwest Ohio.

Requires all of these earmarked amounts to be used to provide outreach and referral development to the community of individuals with blindness and low vision.

Section: 353.20

Same as the Executive.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.

Same as the Executive.

Executive

In House Finance

PENCD2

Death Benefit Fund recipients in state health benefit plan

<div>R.C.124.824, 124.82, 361.10</div> <div>Requires a Death Benefit Fund recipient to notify the Ohio Police and Fire Pension Fund Board of Trustees ("the Board"), rather than the Department of Administrative Services (DAS), of the election to participate in a health benefit offered to state employees.</div> <div>Requires the Board to withhold the premium or cost of a benefit that would be paid by a state employee from the recipient's death benefit payments instead of the recipient paying that amount directly to DAS. Requires the Board, rather than DAS as under current law, to pay the premium or cost that would be paid by a state employer for those benefits. Requires the Board to pay DAS the total costs of the benefit, including any administrative costs up to 2% of the total cost of benefits. Prohibits the Board from withholding from or charging to a recipient the amount of the administrative costs.</div> <div>Specifies that receiving a health benefit does not make the recipient a state employee, and that a recipient who is a state employee is not eligible for a health benefit through the Fund. Specifically includes vision benefits in the types of benefits that DAS contracts for or otherwise provides to state employees.</div> <div>No provision.</div> <div>No provision.</div>	<div>R.C.124.824, 124.82, 361.10</div> <div>Same as the Executive.</div> <div>Same as the Executive, except the 2% cap on administrative costs is moved from codified law to uncodified law. Requires the Board to forward any withheld death benefits used to pay the cost of health benefits to DAS, and requires the Board to pay the remaining amount of the cost to DAS from appropriations made for that purpose.</div> <div>Same as the Executive.</div> <div>Same as the Executive.</div> <div>Requires the Director of Administrative Services to provide the required health benefit enrollment election forms to the Board.</div> <div>Requires the Director of Administrative Services to notify the Board of a change to a death benefit recipient's enrollment</div>
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## Executive

## In House Finance

No provision.

**Fiscal effect:** Transfers from DAS to the Board of Trustees of the Ohio Police and Fire Pension Fund certain administrative duties connected with the enactment of these benefits in S.B. 296 of the 132nd General Assembly.

status, or when DAS terminates the benefits a death benefit fund recipient has elected.

Requires the Board to forward the election form to DAS after the Board has approved an application for benefits.

**Fiscal effect:** Same as the Executive, except that the amount in GRF appropriation line item 090575, Police and Fire Death Benefits, is increased by \$900,000 in FY 2020 and \$1,000,000 in FY 2021.

## PENCD1

## Police and Fire Death Benefit Fund

**Section: 361.10**

Requires funds from ALI 090575, Police and Fire Death Benefits, to be disbursed at the beginning of each quarter by the Treasurer of State to the Board of Trustees of the Ohio Police and Fire Pension Fund.

Requires the Treasurer of State to certify such amounts quarterly to the Director of Budget and Management.

Requires the Board of Trustees of the Ohio Police and Fire Pension Fund to certify to the Treasurer of State, by June 20 of each fiscal year, the amount disbursed in the current fiscal year to make payments required by section 742.63 of the Revised Code.

Requires the Board of Trustees of the Ohio Police and Fire Pension Fund to return to the Treasurer of State all monies received from this appropriation item but not disbursed.

No provision.

**Section: 361.10**

Same as the Executive.

Same as the Executive.

Same as the Executive, but adds reference to payments required by section 124.824 to the payments to be certified.

Same as the Executive.

Permits the Director of Administrative Services to determine if additional amounts are needed to pay benefits to enrollees.

Executive

In House Finance

Provides that, if additional amounts are needed, the Director may certify those amounts to the Director of Budget and Management. Appropriates the amounts certified.

**Fiscal effect: May allow increase in GRF appropriation amount if deemed necessary to pay benefits.**

## Executive

## In House Finance

**PUBCD7 State Public Defender powers****R.C. 120.04**

(1) Authorizes the State Public Defender to enter into agreements to license, lease, sell, or market for sale intellectual property it owns with the payments to be used for the operation of the Office of the Public Defender and indigent defense programs.

(2) Requires all funds received under such agreements to be deposited into the existing Public Defender Gifts and Grants Fund (Fund 4N90).

**Fiscal effect: Potential annual gain in money credited to Fund 4N90.**

**R.C. 120.04**

(1) Same as the Executive.

(2) Same as the Executive.

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

**PUBCD1 Indigent defense reimbursement****Section: 371.10**

Permits the Ohio Public Defender to exceed the 50% contribution limit for the total costs and expenses, in fiscal year 2020 or fiscal year 2021, that are reimbursable for the operation of county public defender offices, joint county public defender offices, and county appointed counsel systems, including the costs and expenses of conducting the defense in capital cases, if the amount of money appropriated to reimburse counties for these operations is sufficient.

**R.C. 120.18, 120.28, 120.33, 120.34, 120.35, 2941.51**

Replaces the Executive's uncodified law provision with a codified law provision that does the following: (1) requires the State Public Defender to reimburse counties up to 100% of the expenses they incur in providing indigent defense services in both noncapital and capital cases and (2) eliminates the current 50% reimbursement cap and a specific allowance for proportional reduction of reimbursement to the counties when the appropriation to the State Public Defender is insufficient to cover 50% of the counties' costs for indigent defense.

## Executive

## In House Finance

Fiscal effect: For the purpose of paying the state's portion of county indigent defense costs, the executive budget appropriates GRF and non-GRF funds totaling \$126.8 million in both of FYs 2020 and 2021. The total amount of GRF and non-GRF appropriated for that purpose in FY 2019 is \$66.7 million.

Fiscal effect: The House budget decreases the total amount of GRF and non-GRF appropriated for FY 2020 by \$980,000, from \$126.8 million to \$125.8 million, and increases the total amount of GRF and non-GRF appropriated for FY 2021 by \$36.7 million, from \$126.8 million to \$163.6 million. The \$36.7 million increase in FY 2021 consists entirely of additional GRF funding.

## PUBCD2

## Indigent defense office

## Section: 371.10

Requires GRF appropriation item 019404, Trumbull County - State Share, and DPF Fund 4X70 appropriation item 019610, Trumbull County - County Share, to be used to support an indigent defense office for Trumbull County.

## Section: 371.10

Same as the Executive.

## PUBCD3

## Multi-county office

## Section: 371.10

Requires GRF appropriation item 019403, Multi-County: State Share, and DPF Fund 4C70 appropriation item 019601, Multi-County: County Share, to be used to support the Commission's Multi-County Branch Office Program.

## Section: 371.10

Same as the Executive.



Executive

In House Finance

PUBCD4

Training account

Section:

371.10

Requires GRF appropriation item 019405, Training Account, to be used to provide legal training programs at no cost for private appointed counsel who represent at least one indigent person at no cost, state and county public defenders, and attorneys who contract with the Ohio Public Defender to provide indigent defense services.

Section:

371.10

Same as the Executive.

PUBCD5

Cash transfer from the General Revenue Fund to the Legal Aid Fund

Section:

371.10

(1) Requires the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$250,000 from the GRF to the Legal Aid Fund (Fund 5740). Requires the transferred cash in each fiscal year to be distributed by the Ohio Legal Assistance Foundation to Ohio's civil legal aid societies for the sole purpose of providing legal services for economically disadvantaged individuals and families seeking assistance with legal issues arising as a result of substance abuse disorders.

(2) Specifies that none of the funds can be used for administrative costs, including, but not limited to, salaries, benefits, or travel reimbursements.

Section:

371.10

(1) Same as the Executive.

(2) Same as the Executive.

Executive

In House Finance

PUBCD6

Federal Representation

Section: 371.10

Requires FED Fund 3S80 appropriation item 019608, Federal Representation, to be used to support representation provided by the Ohio Public Defender in federal court cases.

Section: 371.10

Same as the Executive.

## Executive

## In House Finance

## DPSCD24 Ohio Investigative Unit Fund

## R.C. 4501.10

Eliminates the Public Safety Investigative Unit Salvage and Exchange Fund (Fund 8500) and redirects money received by the Investigative Unit (from the sale of excess motor vehicles and other equipment) from Fund 8500 to the Ohio Investigative Unit Fund (Fund 5RH0).

**Fiscal effect: None. Retains current law that requires the money derived from such sales to be used to purchase replacement motor vehicles and other equipment for the Unit.**

## R.C. 4501.10

Same as the Executive.

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

## DPSCD23 MARCS Fund

## R.C. 4501.16 (repealed)

Eliminates the Multi-Agency Radio Communications System Fund (Fund 4S20), which has been in disuse by the Department of Public Safety (DPS) since 2010. (DPS previously used the Fund for MARCS-related equipment maintenance, which is now conducted by the Department of Administrative Services.)

**Fiscal effect: None.**

## R.C. 4501.16 (repealed)

Same as the Executive.

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

## Executive

## In House Finance

DPSCD49

Veterans license plates

No provision.

**R.C. 4503.29**

Requires the Registrar of Motor Vehicles to allow a person who qualifies as a disabled veteran to apply for and receive a license plate that recognizes military service or valor for up to two motor vehicles without the payment of any registration taxes or fees. (Under existing R.C. 4503.41, the section establishing a "Disabled Veteran" license plate, unchanged by this provision, a disabled veteran is limited to registering one motor vehicle without payment of registration taxes or fees.)

**Fiscal effect: Potential, likely minimal, annual loss in fee and tax revenue that would otherwise have been collected by the Bureau of Motor Vehicles, a specified portion of which is distributed to political subdivisions.**

DPSCD38

Lamination fee

**R.C. 4506.11, 4507.01, 4507.13, 4507.23, 4507.50, 4507.52, 4511.521**

(1) Eliminates the requirement that a driver's license, commercial driver's license, motorcycle operator's license, motorized bicycle license, temporary instruction permit, probationary license, or identification card be laminated (in practice, the licenses and identification cards are now printed onto the plastic material, rather than laminated).

(2) Eliminates the \$1.50 lamination fee; however, replaces that fee with a \$1.50 "document authentication fee" for each application for issuance, renewal, or replacement of the various

(1) No provision.

(2) No provision.

## Executive

## In House Finance

licenses and the identification card.

(3) Permits a deputy registrar to retain the document authentication fee; requires the Registrar of Motor Vehicles to deposit the fee into the Public Safety – Highway Purposes Fund, in the same manner as lamination fees are deposited under current law.

(4) Exempts a disabled veteran from the document authentication fee in the same way that current law exempts a disabled veteran from the lamination fee.

**Fiscal effect: None.**

(3) No provision.

(4) No provision.

**Fiscal effect: These four provisions removed from the bill have already been enacted by H.B. 62, the transportation budget of the 133rd G.A., and will become effective July 3, 2019.**

## DPSCD52

## Vision screenings

(1) No provision.

(2) No provision.

(3) No provision.

## R.C. 4507.12

(1) Permits a person whose vision meets the standards required for the renewal of a driver's license, but who is incapable of passing the vision screening given at a deputy registrar's office, to have the vision screening conducted at a licensed optometrist's or ophthalmologist's office.

(2) Requires such a person to have the screening performed within 90 days prior to applying for their driver's license renewal, requires that person to bring any forms required by the Registrar to be completed by the optometrist or ophthalmologist, and requires the person to submit those forms when applying for the driver's license renewal.

(3) Requires a driver's license examiner to refer a person who does not pass the vision screening at the deputy registrar's

Executive

In House Finance

(4) No provision.

office or at the driver examination station to a licensed optometrist or ophthalmologist.

(4) Permits the Registrar and each deputy registrar to issue or renew a license if the optometrist or ophthalmologist vision screening demonstrates that a person meets the standards required for licensing.

(5) No provision.

(5) Requires the Registrar of Motor Vehicles to adopt rules and provide any necessary forms for vision screenings to be conducted at a licensed optometrist's or ophthalmologist's office.

**Fiscal effect: Potential one-time, likely negligible, costs for the Bureau of Motor Vehicles to adopt rules and provide any necessary forms.**

DPSCD36                      Infrastructure Protection Fund

R.C.                      4737.045

Permits the Department of Public Safety to use the funds deposited into the Infrastructure Protection Fund (Fund 5ML0) for the Department’s operating expenses, in addition to developing and maintaining the Scrap Metal Dealer Registry, as in current law.

**Fiscal effect: None.**

R.C.                      4737.045

Same as the Executive.

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

## Executive

## In House Finance

DPSCD51

Non-opioid directives

**R.C. 4765.60, 4765.601, 4765.602, 4765.603, 4765.604, 4765.604, 4765.605, 4765.606, 4765.607, 4765.608, 4765.609**

(1) No provision.

(1) Requires the State Board of Emergency Medical, Fire, and Transportation Services, within one year of the provision's effective date, to develop and make available free of charge a non-opioid directive form for use by a patient who does not want to be provided an opioid analgesic.

(2) No provision.

(2) Provides that a patient's decision to sign a non-opioid directive form is voluntary and does not become effective until it is signed and placed in the patient's medical record.

(3) No provision.

(3) Requires an individual who places a signed non-opioid directive form in a patient's medical record, or that individual's delegate, to notify the State Board of Pharmacy that the patient has signed a non-opioid directive form and where the form is maintained.

(4) No provision.

(4) Requires a non-opioid directive form be distributed to each individual who has completed treatment with a community addiction services provider at the time of discharge from such treatment, and each individual who served a prison term for a drug offense.

(5) No provision.

(5) Provides that the patient may revoke a non-opioid directive form at any time.

(6) No provision.

(6) Provides immunity, generally, from criminal prosecution, civil liability, or professional disciplinary action to certain first responders, pharmacists or pharmacy interns, and prescribers

## Executive

## In House Finance

(7) No provision.

when providing an opioid analgesic to a person with a non-opioid director form in certain specified situations.

(7) Prohibits the existence or nonexistence of a non-opioid directive from: (a) affecting the sale, procurement, issuance, or renewal of a life insurance policy or annuity, (b) modifying or invalidating the terms of a life insurance policy or annuity that is in effect on this provision's effective date, and (c) impairing or invalidating a life insurance policy or annuity or any health benefit plan.

**Fiscal effect: Uncertain.**

## DPSCD25

## Recovery Ohio Law Enforcement

**Section: 373.20**

(1) Permits up to \$3,400,000 of GRF appropriation item 761403, Recovery Ohio Law Enforcement, in each fiscal year to be used to create narcotics task forces that focus on cartel trafficking interdiction.

(2) Permits up to \$3,250,000 of GRF appropriation item 761403, Recovery Ohio Law Enforcement, in each fiscal year to be used to establish a highly specialized Narcotics Intelligence Center consisting of personnel assigned to intelligence and computer forensic analysis that will assist Ohio narcotics task forces.

(3) Permits up to \$2,500,000 of GRF appropriation item 761403, Recovery Ohio Law Enforcement, in each fiscal year to be used by the Office of Criminal Justice Services to provide funding to Ohio's narcotics task forces to build new and strengthen existing partnerships with local law enforcement.

**Section: 373.20**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.



## Executive

## In House Finance

(4) Permits up to \$600,000 of GRF appropriation item 761403, Recovery Ohio Law Enforcement, in each fiscal year to be used to partner with the Department of Administrative Services' Office of Information Technology to develop, enhance, and maintain a uniform records management and data intelligence system for narcotics task forces.

(4) Same as the Executive.

## DPSCD26

## Justice Program Services

## Section: 373.20

Requires up to \$1,000,000 of GRF appropriation item 768425, Justice Program Services, in each fiscal year to be used to distribute grants to state and/or local law enforcement to conduct investigations on sexual assault kit testing results and related expenditures.

## Section: 373.20

Same as the Executive.

## DPSCD27

## Youthful Driver Safety

## Section: 373.20

Requires GRF appropriation item 769407, Youthful Driver Safety, to be used to enhance driver training for a statewide youthful driver safety program that uses best practices and technology to focus on behind-the-wheel driver training for drivers aged 16-24 in order to reduce the number of at-fault youthful fatal car crashes.

## Section: 373.20

Same as the Executive.

## Executive

## In House Finance

## DPSCD28

## School Safety

## Section: 373.20

Requires GRF appropriation item 769501, School Safety, to be used to pay for the costs of the Ohio Homeland Security Safer Schools Tipline, promotional materials to enhance awareness of the tipline, and analytic tools to proactively alert local officials to school security threats.

## Section: 373.20

Same as the Executive.

## DPSCD29

## Local disaster assistance

## Section: 373.20

(1) Requires GRF appropriation item 763511, Local Disaster Assistance, to be used to assist eligible local governments in meeting the match requirement necessary to utilize federal disaster assistance funds released as a result of the Major Disaster Declaration issued by the President of the United States on April 17, 2018.

(2) Reappropriates the unexpended, unencumbered balance of GRF appropriation item 763511, Local Disaster Assistance, at the end of FY 2019 to FY 2020 for the same purpose.

(3) Reappropriates the unexpended, unencumbered balance of GRF appropriation item 763511, Local Disaster Assistance, at the end of FY 2020 to FY 2021 for the same purpose.

## Section: 373.20

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

## Executive

## In House Finance

## DPSCD30

## State disaster relief

## Section: 373.20

Permits the State Disaster Relief Fund (Fund 5330) to be used for the following purposes:

- (1) Accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio Emergency Management Agency (Ohio EMA) disaster response costs and disaster program management costs.
- (2) Accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio EMA public assistance and mitigation program match costs to reimburse eligible local governments and private nonprofit organizations for disaster-related costs.
- (3) Accept transfers of cash to reimburse costs associated with the Emergency Management Assistance Compact (EMAC).
- (4) Accept disaster-related reimbursement from federal, state, and local governments, and permits the Director of Budget and Management to transfer cash from reimbursements received by Fund 5330 to other state funds from which transfers were originally approved by the Controlling Board.
- (5) Accept transfers of cash and appropriations from Controlling Board appropriation items to fund the State Disaster Relief Program, for disasters qualifying for the program by written authorization of the Governor, and the State Individual Assistance Program for disasters that have been declared by the federal Small Business Administration and that qualify for the

## Section: 373.20

Same as the Executive.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Same as the Executive.

## Executive

## In House Finance

program by written authorization of the Governor, and requires the Ohio EMA to publish and make available application packets outlining procedures for these two programs.

## DPSCD48

## Ohio Task Force One

No provision.

**Section: 373.20**

Requires GRF appropriation item 763512, Ohio Task Force One, to be distributed to the Ohio Task Force One – Urban Search and Rescue Unit for the purpose of paying for its operating expenses and developing new programs.

**Fiscal effect: The House budget provides \$250,000 per year to this newly created GRF line item.**

## DPSCD31

## Transfer from State Fire Marshal Fund to Emergency Management Agency Service Reimbursement Fund

**Section: 373.30**

(1) Requires the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$200,000 from the State Fire Marshal Fund (Fund 5460), used by the Department of Commerce, to the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30) used by the Department of Public Safety.

(2) Requires those amounts to be distributed to the Ohio Task Force One – Urban Search and Rescue Unit and other similar urban search and rescue programs around the state, and for maintenance of the statewide fire emergency response by an entity recognized by the Ohio Emergency Management Agency.

**Section: 373.30**

(1) Same as the Executive.

(2) Same as the Executive.

## Executive

## In House Finance

**DPSCD32 Drug Law Enforcement Fund****Section: 373.30**

Specifies that, notwithstanding R.C. 5502.68 (D), in each of fiscal years 2020 and 2021, the cumulative amount of funding provided to any single drug task force out of the Drug Law Enforcement Fund (Fund 5ET0) may not exceed \$500,000 in any calendar year.

**Section: 373.30**

Same as the Executive.

**DPSCD33 Community Police Relations****Section: 373.30**

Requires DPF Fund 5RS0 appropriation item 768621, Community Police Relations, to be used to implement key recommendations of the Ohio Task Force on Community-Police Relations, including a database on use of force and officer involved shootings, a public awareness campaign, and state-provided assistance with policy-making manuals.

**Section: 373.30**

Same as the Executive.

**DPSCD34 SARA Title III HAZMAAT Planning****Section: 373.30**

Authorizes the SARA Title III HAZMAT Planning Fund (Fund 6810) to receive grants from the Emergency Response Commission to implement the Ohio Emergency Management Agency's responsibilities under R.C. Chapter 3750.

**Section: 373.30**

Same as the Executive.

## Executive

## In House Finance

## DPSCD35

## Security Grants

## Section: 373.30

(1) Requires DPF Fund 5TJ0 appropriation item 763603, Security Grants, to be used to make competitive grants of up to \$100,000 to nonprofit organizations for eligible security improvements that assist the organization in preventing, preparing for, or responding to acts of terrorism.

(2) Requires the Emergency Management Agency (EMA) to administer and award the grants, as well as to establish procedures and forms by which applicants may apply for a grant, a competitive process for ranking applicants and awarding the grants, and procedures for distributing grants to recipients.

(3) Specifies that the EMA's procedures require each applicant do all of the following and requires the EMA to consider all of the following in evaluating grant applications:

(a) Identify and substantiate prior threats or attacks by a terrorist organization, network, or cell against the nonprofit organization.

(b) Indicate the symbolic or strategic value of one or more site that renders the site a possible target of terrorism.

(c) Discuss potential consequences to the organization if the site is damaged, destroyed, or disrupted by a terrorist.

(d) Describe how the grant will be used to integrate organizational preparedness with broader state and local preparedness efforts.

## Section: 373.30

(1) Same as the Executive, but also requires GRF appropriation item 763513, Security Grants, be used in the same manner.

(2) Same as the Executive.

(3) Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive.

(c) Same as the Executive.

(d) Same as the Executive.

## Executive

## In House Finance

(e) Submit a vulnerability assessment conducted by experienced security, law enforcement, or military personnel and a description of how the grant will be used to address the vulnerabilities identified in the assessment.

(e) Same as the Executive.

(4) Specifies that any grant submission described in R.C. 3313.536(I) or 149.433 is not a public record under R.C. 149.43 and is not subject to mandatory release or disclosure under that section.

(4) Same as the Executive.

(5) Permits the EMA to use up to 2.5% of the total amount appropriated to administer the program, a portion of which may be used to pay costs incurred by the Department of Public Safety to provide security-related or specialized assistance in reviewing vulnerability assessments and prioritizing grant applications.

(5) Same as the Executive.

(6) Defines “eligible security improvements” as: (a) physical security enhancement equipment or inspection and screening equipment included on the Authorized Equipment List published by the United States Department of Homeland Security, or (b) attendance fees and associated materials, supplies, and equipment costs for security-related training courses and programs regarding the protection of critical infrastructure and key resources, physical and cyber security, target hardening, or terrorism awareness or preparedness. Specifies that personnel and travel costs associated with training are not considered to be an eligible expense of the grant.

(6) Same as the Executive.

(7) Defines “nonprofit organization” as a corporation, association, group, institution, society, or other organization that is exempt from federal income taxation under section 501

(7) Same as the Executive.

## Executive

## In House Finance

(c) (3) of the "Internal Revenue Code of 1986," 100 Stat., 26 U.S.C 501 (c) (3), as amended.

(8) Reappropriates the unexpended, unencumbered balance of appropriation item 763603, Security Grants, at the end of FY 2020 for the same purpose in FY 2021.

(8) Same as the Executive.

**Fiscal effect: The House budget provides an additional \$2,750,000 per year to newly created GRF appropriation item 763513, Security Grants.**

## DPSCD37

## Radiological Calibration Laboratory relocation

**Sections: 501.10, 501.11, 501.12**

(1) Creates Administrative Building Fund (Fund 7026) capital appropriation item C76067, Radiological Calibration Laboratory Relocation, with an appropriation of \$2,250,000.

(2) Authorizes the Treasurer of State to issue and sell \$3,000,000 of original obligations in an aggregate principal amount to provide sufficient moneys to the credit of Fund 7026, in addition to the original issuance of obligations authorized by prior acts of the General Assembly.

**Sections: 501.10, 501.11, 501.12**

(1) Same as the Executive.

(2) Same as the Executive.

## DPSCD50

## Transportation budget corrections

No provision.

(1) No provision.

**Sections: 603.10, 603.11**

Amends Section 205.10 of H.B. 62, the recently enacted transportation budget of the 133rd G.A. to do the following:

(1) Decrease Fund 5TM0 appropriation item 764321, Operating Expense – Highway Patrol, by \$35 million in FY 2021. (The Introduced version of H.B. 62 transferred \$35 million cash from



## Executive

## In House Finance

(2) No provision.

the GRF to the Public Safety – Highway Purposes Fund (Fund 5TM0) to help support the appropriation to Fund 5TM0 appropriation item 764321. The Enacted version eliminated this cash transfer and instead created a new GRF appropriation item 761408, Highway Patrol Operating Expenses, with an appropriation of \$35 million in FY 2021. However, the appropriation for Fund 5TM0 appropriation item 764321 was not reduced by \$35 million in FY 2021.)

(2) Decrease Fund 83M0 appropriation item 765624, Operating – EMS, by \$431,000 in FY 2020 and \$501,000 in FY 2021. (Similarly, the Enacted version of H.B. 62 eliminated a \$500,000 per year cash transfer from the State Fire Marshal Fund (Fund 5460) to the Emergency Medical Services Fund (Fund 83M0) for EMS background checks that was included in the Introduced version of H.B. 62, but did not reduce the appropriation for Fund 83M0 appropriation item 765624 by the anticipated program costs.)

Executive

In House Finance

PUCCD3      Consumer rights regarding electric usage data

No provision.

R.C.      4928.02

Adds to the competitive retail electric service policy of the state certain rights and responsibilities regarding a customer's electric usage data, including customer ownership and sharing rights and standardization of data.

Fiscal effect: None.

PUCCD2      Electric utility significantly excessive earnings

No provision.

R.C.      4928.143

Specifies that, where current law requires the Public Utilities Commission (PUCO) to determine whether an electric distribution utility had or is likely to have significantly excessive earnings, for affiliated utilities that operate under a joint electric security plan, the total of the utilities' earned return on common equity must be used. Permits the PUCO, in making such a determination, to consider the revenue, expenses, or earnings of any affiliate that is an Ohio electric distribution utility.

Fiscal effect: No direct fiscal effect

Executive

In House Finance

PUCCD1

Nuclear electric facility assessment

R.C. 4937.05, 4937.01

Attempts to maintain the Utility Radiological Safety Board's (URSB) ability to make assessments against nuclear electric utilities after they stop producing electricity, by granting URSB authority to make assessments against those utilities based upon the utility decommissioning budgets.

Adds to the definition of "nuclear electric utility" under URSB law persons engaged in the storage of spent nuclear fuel arising from the production of electricity using nuclear energy.

**Fiscal effect: Attempts to keep the URSB funded up to a maximum annual level of \$2.9 million, as specified in Section 514.10 of the bill, but actual outcomes will depend on whether the U.S. Nuclear Regulatory Commission regards URSB funding as an allowable use of nuclear decommissioning trust fund assets. The provision is only applicable if one or both of Ohio's two nuclear electric facilities ceases operations. FirstEnergy previously announced its Davis-Besse Nuclear Power Station in Oak Harbor will close by May 31, 2020, and its Perry Nuclear Power Plant in Perry will close by May 31, 2021.**

R.C. 4937.05, 4937.01

Same as the Executive.

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

## Executive

## In House Finance

**PWCCD4            Clean Ohio Conservation General Obligation Bond Debt Service****Section:    377.20**

Requires GRF appropriation item 150904, Conservation General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs during the FY 2020-FY 2021 biennium for obligations issued for the Clean Ohio Conservation Program.

**Section:    377.20**

Same as the Executive.

**PWCCD5            Infrastructure Improvement General Obligation Bond Debt Service****Section:    377.20**

Requires GRF appropriation item 150907, Infrastructure Improvement General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs during the FY 2020-FY 2021 biennium for obligations issued for the State Capital Improvement Program.

**Section:    377.20**

Same as the Executive.

**PWCCD6            Clean Ohio Conservation Program Operating****Section:    377.20**

Requires Clean Ohio Conservation Fund (Fund 7056) appropriation item 150403, Clean Ohio Conservation Operating, to be used by PWC to administer the Clean Ohio Conservation Program.

**Section:    377.20**

Same as the Executive.

## Executive

## In House Finance

**PWCCD7 State Capital Improvement Program Operating****Section: 377.20**

Requires State Capital Improvements Fund (Fund 7038) appropriation item 150321, State Capital Improvement Program - Operating, to be used by PWC to administer the State Capital Improvement Program.

**Section: 377.20**

Same as the Executive.

**PWCCD8 Administrative costs of District Public Works Intergrating Committees****Section: 377.20**

Authorizes PWC to use proceeds of the State Capital Improvement Fund (Fund 7038) and the Local Transportation Improvement Program Fund (Fund 7052) for a District Administration Costs Program, which covers administrative costs incurred by individual District Public Works Integrating Committees (DPWICs). Permits no more than \$1,235,000 per fiscal year to be made available for reimbursement and prohibits any of the 19 DPWICs from receiving more than \$65,000 per fiscal year for these costs.

Requires PWC to define allowable costs for the program. Specifies that indirect costs, elected official salaries and benefits, and project-specific costs are not allowable.

Requires DPWICs to approve such costs in order to participate in the program.

**Section: 377.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

In House Finance

PWCCD9

Administrative costs of Natural Resource Assistance Councils

Section: 377.20

Authorizes PWC to use proceeds of the Clean Ohio Conservation Fund (Fund 7056) for a District Administration Costs Program, which covers administrative costs incurred by Natural Resource Assistance Councils (NRACs). Prohibits any of the 19 NRACs from receiving more than \$15,000 per fiscal year for these costs.

Requires PWC to define allowable costs of the program. Specifies that indirect costs, elected official salaries and benefits, and project-specific costs are not allowable.

Section: 377.20

Same as the Executive.

Same as the Executive.

Executive

In House Finance

RACCD1

Racetrack and casino operators and landlords limits

No provision.	<div>R.C.3772.19, 3769.07</div> <div>Allows a person to own more than two horse racing facilities or more than two casino facilities, provided that the person is not the operator of any additional facility and is not a management company for the operator.</div>
No provision.	<div>Clarifies and reorganizes provisions of continuing law that do all of the following:</div> <div><div>-Prohibit a person from operating more than two horse racing facilities or more than two casino facilities;</div><div>-Prohibit a person from being a management company for operators licensed to operate more than two horse racing facilities or more than two casino facilities;</div><div>-Prohibit a person from conducting thoroughbred horse racing meetings at more than one facility at any one time.</div></div> <div>Fiscal effect: None.</div>

## Executive

## In House Finance

**DRCCD16 Minimum standards for jails****R.C. 341.34, 753.21, 5120.10**

(1) Modifies an action by the Director of Rehabilitation and Correction to enjoin compliance with the minimum standards and minimum renovation, modification, and construction criteria for minimum security jails by expanding the applicable standards and criteria to those for jails instead of for minimum security jails.

(2) Makes conforming changes in the laws establishing minimum security jails in municipal corporations and counties to references to minimum standards and minimum renovation, modification, and construction criteria for jails instead of for minimum security jails.

**Fiscal effect: None, as these provisions codify current practice.**

**R.C. 341.34, 753.21, 5120.10**

(1) Same as the Executive.

(2) Same as the Executive.

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

**DRCCD12 Probation services****R.C. 2301.27**

Allows a county or counties without a probation department to contract with other agencies, associations, or organizations for the provision of probation and supervisory services regardless of whether or not the county or counties has entered into an agreement with the Adult Parole Authority to provide similar services.

**Fiscal effect: Uncertain.**

No provision.



## Executive

## In House Finance

**DRCCD13      Agreement for joint supervision of parolees****R.C.      2301.28, 2301.30, 2967.29**

(1) Changes the entity with whom a court of common pleas may enter into an agreement for joint supervision of offenders released from prison from the Department of Rehabilitation and Correction to the Adult Parole Authority (APA), and replaces the Parole Board with the APA as the supervising entity under those agreements.

(1) No provision.

(2) Requires a county probation department to receive into its legal custody or supervision persons paroled, released under a post-release control sanction, or conditionally pardoned if the court of common pleas has entered into an agreement with the APA for the joint supervision of offenders.

(2) No provision.

(3) Clarifies that a county probation department is required to furnish a written statement of the conditions of supervision to each person under its supervision or in its custody for a community control sanction or, pursuant to an agreement for joint supervision with the APA, under a post-release control sanction or on parole.

(3) No provision.

**Fiscal effect: None.**

**DRCCD9      Authority to limit probation services on county level****R.C.      2301.32**

(1) Allows the Adult Parole Authority (APA) to limit its provision of supplemental investigation and supervisory services and community control supervisory services to counties in order to meet its caseload and supervision standards.

(1) No provision.

## Executive

## In House Finance

(2) Allows the APA to choose not to enter into an agreement with a county to provide investigation or community control supervisory services if there is no existing agreement with a county.

(2) No provision.

(3) Allows the APA to terminate or choose not to renew an existing agreement with a county for its services, but requires that the county instead be offered funding from the Division of Parole and Community Services, provided the General Assembly has appropriated sufficient funds for that purpose.

(3) No provision.

**Fiscal effect: These provisions will potentially reduce APA caseloads and related annual expenditures relative to the supervisory services provided to 42 counties.**

## DRCCD7

## Community control sanctions list provided to courts

**R.C. 2929.13, 815.10**

Repeals a criterion in current law establishing a presumption in favor of a community control sanction, instead of a prison term, for most felonies of the fourth and fifth degree, that pertains to the Department of Rehabilitation and Correction (DRC) providing the court, upon the court's request, with a list of available community control sanctions.

**Fiscal effect: Potential minimal annual savings on DRC's operating budget, as the Department would no longer have to prepare, maintain, and distribute the detailed list of community control sanctions to the courts.**

**R.C. 2929.13, 815.10**

Same as the Executive.

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

## Executive

## In House Finance

**DRCCD17      Supervision of offenders serving community control sanctions****R.C.      2929.15**

(1) Clarifies when a sentencing court may place offenders subject to community control sanctions under the Adult Parole Authority's (APA) supervision, and permits, if a county lacks a probation department, offenders serving a community control sanction to be supervised by the APA if the court has entered into an agreement with the APA for its services.

(2) Clarifies that if an offender violates a community control sanction, condition of release, or law, or leaves the state without permission, the violation or departure must be reported to the APA if the court has entered into an agreement with the APA for its supervisory services.

**Fiscal effect: None.****R.C.      2929.15**

(1) Same as the Executive.

(2) Same as the Executive.

**Fiscal effect: Same as the Executive.****DRCCD14      Targeted community alternatives to prison****R.C.      2929.34, 5149.38**

Removes a requirement that certain prison terms imposed for a fifth degree felony be served in a county, multicounty, municipal, municipal-county, or multicounty-municipal jail or workhouse, in a community alternative sentencing center or district community alternative sentencing center, or in a community-based correction facility if the court that imposed the fifth degree felony term was a common pleas court of a "target county" ("target counties" are Franklin, Cuyahoga, Hamilton, Summit, Montgomery, Lucas, Butler, Stark, Loran, and Mahoning).

**R.C.      2929.34, 5149.38**

Same as the Executive.

## Executive

## In House Finance

**Fiscal effect: Uncertain, as this provision essentially makes participation voluntary.**

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

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**DRCCD5                      Supervision and custody of releasees**

**R.C.                      2967.02**

Clarifies that the Adult Parole Authority will supervise releasees and that the Department of Rehabilitation and Correction will have custody of releasees until the authority grants a termination.

No provision.

**Fiscal effect: None.**

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**DRCCD8                      Authority regarding medical release**

**R.C.                      2967.05**

(1) Assigns to the Director of Rehabilitation and Correction, rather than the Governor as under current law, responsibilities relating to the medical release of an inmate.

(1) No provision.

(2) Provides that the Director may order the release of an inmate who is terminally ill, medically incapacitated, or in imminent danger of death.

(2) No provision.

(3) Permits the Director, subsequent to an inmate's release, to order the return of the inmate to an institution if either of the following occurs: (a) the inmate's health so improves that the inmate is no longer terminally ill, medically incapacitated, or in imminent danger of death, or (b) the inmate violates any rules or conditions that apply to the inmate. (under current law, if (a) above occurs the inmate must be returned to an institution.)

(3) No provision.

Executive

In House Finance

(4) Requires the Director direct the Adult Parole Authority (APA) to investigate the inmate and make a recommendation, and requires the released inmate be supervised by the APA in accordance with this recommendation if it is approved by the Director (under current law, the Director is not required to direct the APA to investigate and make a recommendation).  
**Fiscal effect: Potential indeterminate annual savings effect on DRC's operating Budget.**

(4) No provision.

DRCCD15      Community-based correctional facility award agreements

**R.C.      5120.112**  
Modifies the effectivity of state financial assistance agreements between the Director of Rehabilitation and Correction (DRC) and Deputy Director of the Division of Parole and Community Services on the part of the state, and the facility governing board of a community-based correctional facility and program or district community-based correctional facility and program that outline the agreement's terms and conditions, from an annual basis or a period of one year from the date of the agreement to not longer than the state fiscal biennium in which the financial assistance is to be awarded.  
**Fiscal effect: Potential minimal annual savings effect on DRC's operating budget.**

**R.C.      5120.112**  
Same as the Executive.  
  
**Fiscal effect: Same as the Executive.**

## Executive

## In House Finance

**DRCCD4                      DRC authority to provide laboratory services****R.C.                      5120.135, 5119.44**

Repeals the Department of Rehabilitation and Correction's (DRC) authority to provide laboratory services to certain state departments, federal, state, county, or local agencies, public or private entities, and private persons.

**Fiscal effect: None, as DRC no longer provides laboratory services.**

**R.C.                      5120.135, 5119.44**

Same as the Executive.

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

**DRCCD6                      Office of Enterprise Development Advisory Board****R.C.                      5145.162**

Requires the Office of Enterprise Development Advisory Board to solicit business proposals offering job training, apprenticeship, education programs, and employment opportunities for the Department of Rehabilitation and Correction's Ohio Penal Industries. (Under current law, the Board advises and assists the Department with the creation of training programs and jobs for inmates and releasees through partnerships with private sector businesses, including soliciting business proposals.)

**Fiscal effect: None, as the Board already more or less provides such services to the Department.**

**R.C.                      5145.162**

Same as the Executive.

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

Executive

In House Finance

DRCCD10

Adult Parole Authority Field Services Section

R.C. 5149.01, 5149.06

- (1) Defines “caseload” as the number of persons who are under the supervision of any individual parole officer or field officer of the Field Services Section of the Adult Parole Authority (APA), including persons placed on probation, community control, judicial release, or another form of supervision imposed by a court and persons paroled, conditionally pardoned, or released to post-release control supervision.

(2) Specifies that the primary duty of the Field Services Section is to supervise persons released from prison who are paroled, conditionally pardoned, or released under post-release control supervision.

(3) Limits the Section’s existing authority to supervise probationers from local courts to situations in which the APA and the court have entered into an agreement for such supervision, and requires the APA to limit the provision of those services in order to meet supervision and caseload standards it develops for its officers.
- (1) No provision.

(2) No provision.

(3) No provision.

**Fiscal effect: These provisions will potentially reduce the caseloads and related annual expenditures of the APA relative to supervision services provided to 42 counties.**

## Executive

## In House Finance

## DRCCD11

## Adult Parole Authority supervision

## R.C. 5149.01, 5140.04

(1) Specifies that persons paroled, conditionally pardoned, or released from prison on post-release control (instead of those paroled, conditionally pardoned, or released to community control) are under the Adult Parole Authority's (APA) jurisdiction and supervised by its Field Services Section.

(1) No provision.

(2) Expands an existing provision that requires the Field Services Section's Superintendent to formulate and use an effective program of offender supervision, to require the program:

(2) No provision.

(a) Establish supervision standards for parole and field officers of persons under its jurisdiction, based on results of the single validated risk assessment tool selected under current law, so that higher risk probationers receive the most supervision.

(a) No provision.

(b) Specify caseloads for parole officers, taking into consideration available personnel and funds, and prioritize the supervision of persons paroled, conditionally pardoned, or released to post-release control under the APA's jurisdiction.

(b) No provision.

(c) Allow for limiting probation services provided to a court pursuant to an agreement entered into with the court, to the extent that doing so will allow the APA to meet effective caseload sizes for persons described in (b) above.

(c) No provision.

(3) Defines "caseload" as the number of persons who are under the supervision of any individual parole officer or field officer of the Field Services Section of the APA, including persons placed on probation, community control, judicial release, or another form of supervision imposed by a court and persons paroled,

(3) No provision.



Executive

In House Finance

conditionally pardoned, or released to post-release control supervision.

**Fiscal effect: These provisions will potentially reduce the caseloads and related annual expenditures of the APA relative to supervision services provided to 42 counties.**

DRCCD1

OSU medical charges

**Section: 383.10**

- (1) Requires The Ohio State University Medical Center, including the Arthur G. James Cancer Hospital and Richard J. Solove Research Institute and the Richard M. Ross Heart Hospital, at the request of the Department of Rehabilitation and Correction (DRC), to provide necessary care to persons who are confined in state adult correctional facilities.

(2) Requires the provision of necessary inpatient care billed to DRC to be reimbursed at the rate not to exceed the authorized reimbursement rate for the same service established by the Department of Medicaid under the Medicaid Program.

**Section: 383.10**

- (1) Same as the Executive.

(2) Same as the Executive.

## Executive

## In House Finance

**DRCCD2            Adult correctional facilities lease rental bond payments****Section:    383.10**

Requires GRF appropriation item 501406, Adult Correctional Facilities Lease Rental Bond Payments, to be used to meet all payments during the period from July 1, 2019, through June 30, 2021, by the Department of Rehabilitation and Correction pursuant to leases and agreements for buildings under R.C. Chapters 152. and 154. Specifies that the appropriations are the source of funds pledged for bond service charges on related obligations issued under R.C. Chapters 152. and 154.

**Section:    383.10**

Same as the Executive.

**DRCCD3            Probation Improvement and Incentive Grants****Section:    383.10**

Requires DPF Fund 5TZ0 appropriation item 501610, Probation Improvement and Incentive Grants, to be allocated by the Department of Rehabilitation and Correction to municipalities as grants with an emphasis on: (1) providing services to those addicted to opiates and other illegal substances, and (2) supplementing the programs and services funded by grants distributed from GRF appropriation item 501407, Community Nonresidential Programs, used by the Department.

**Section:    383.10**

Same as the Executive.

## Executive

## In House Finance

## DRCCD18

## Institution Education Services

## Section: 383.10

(1) No provision.

(1) Requires \$1,450,000 of GRF appropriation item 506321, Institution Education Services, in each fiscal year to be used to pay for the costs associated with providing postsecondary education programs to eligible students.

(2) No provision.

(2) Requires up to \$620,500 of GRF appropriation item 506321, Institution Education Services, in each fiscal year to be used to pay for the costs to expand postsecondary education programming to security level 3 and 4 correctional institutions. Provides the Director of Rehabilitation and Correction with sole discretion on the allocation of these funds based upon needs of the security level 3 and 4 correctional institutions and those individuals classified as such. Permits any unused balance of these funds in each fiscal year to be used to cover the costs of postsecondary education programs other than security level 3 and 4 correctional institutions or individuals classified as such.

(3) No provision.

(3) Requires \$329,293 of GRF appropriation item 506321, Institution Education Services, in each fiscal year to be used to pay for the costs to expand the current certificate offering for students eligible for postsecondary education programs to attain degree credentials in employments fields of study.

(4) No provision.

(4) Requires \$192,490 of GRF appropriation item 506321, Institution Education Services, in each fiscal year to be used to pay for the costs associated with increasing tuition for postsecondary education programming by 5%.

Executive

In House Finance

RDFCD1

State Revenue Distributions additional appropriations

Section: 387.20

Specifies that appropriation items in Section 387.10 are to be used for the purpose of administering and distributing the designated revenue distribution funds according to the Revised Code. Appropriates any additional amounts that are determined to be necessary for this purpose.

Section: 387.20

Same as the Executive.

RDFCD2

GRF transfers

Section: 387.20

Specifies that in FY 2020 and FY 2021, the Director of Budget and Management may (1) transfer from the GRF to the School District Tangible Property Tax Replacement Fund (Fund 7047) and the Local Government Tangible Property Tax Replacement Fund (Fund 7081) amounts necessary to reimburse local taxing units and school districts under sections 5709.92 and 5709.93 of the Revised Code, and (2) make temporary transfers from the GRF to ensure sufficient balances in Fund 7047 and Fund 7081 and to replenish the GRF for such transfers.

Section: 387.20

Same as the Executive.

Executive

In House Finance

RDFCD3

Municipal Income Tax

Section: 387.20

Specifies that appropriation item 110995, Municipal Income Tax, is to be used to make payments to municipal corporations under section 5745.05 of the Revised Code. Appropriates additional amounts if it is determined that additional amounts are necessary to make such payments.

Requires the Tax Commissioner, if the Municipal Income Tax Fund (Fund 7095) has insufficient cash to meet monthly distribution obligations under section 718.83 of the Revised Code, to certify to the Director of Budget and Management the amount of additional cash needed. Requires the Commissioner, in such a case, to submit a plan to the Director requesting the necessary cash be transferred from one or a combination of the following funds: the Municipal Tax Administrative Fund (Fund 5N50), the Local Sales Tax Administrative Fund (Fund 4350), the General School District Income Tax Administrative Fund (Fund 4380), the Motor Fuel Tax Administrative Fund (Fund 5V70), the Property Tax Administrative Fund (Fund 5V80), or the GRF.

Requires the plan to include a proposed repayment schedule to reimburse those funds for any cash transferred. Permits the Director, after receiving the certification and funding plan from the Tax Commissioner and determining that sufficient cash is available, to transfer the cash to Fund 7095 in accordance with the plan submitted by the Commissioner or as otherwise determined by the Director, and subsequently permits the Director to transfer cash from Fund 7095 to reimburse the funds from which cash was transferred.

Sections: 387.20, 812.20

Same as the Executive.

Same as the Executive.

Executive

In House Finance

Fiscal effect: Will facilitate administration of the municipal income tax. The Executive budget provides \$45 million in FY 2020 and \$50 million in FY 2021 to Fund 7095 item 110995, Municipal Income Tax.

Fiscal effect: The House budget reduces the appropriation to Fund 7095 item 110995, Municipal Income Tax, by \$30 million in FY 2020 and \$35 million in FY 2021 and moves this funding to a new line item (see TAXCD22) .

RDFCD4

Property Tax Reimbursement - Education

Section: 387.20

Specifies that appropriation item 200903, Property Tax Reimbursement - Education, be used to pay for the state's costs incurred because of the homestead exemption, the property tax rollback, and payments required under division (C) of section 5705.2110 of the Revised Code. Requires the Department of Education, in cooperation with the Department of Taxation, to distribute these funds directly to the appropriate school districts of the state, notwithstanding sections 321.24 and 323.156 of the Revised Code. Appropriates any additional amounts needed to make these payments. Requires each school district to distribute these amounts among the proper funds as if paid as real or tangible personal property taxes. (Payments for the costs of administration are to continue to be paid to the county treasurer and county auditor as provided in sections 319.54, 321.26, and 323.156 of the Revised Code.)

Section: 387.20

Same as the Executive.

Executive

In House Finance

RDFCD5

Homestead exemption, property tax rollback

Section:

387.20

Specifies that appropriation item 110908, Property Tax Reimbursement - Local Government, be used to pay the state's costs for the Homestead Exemption, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback. Requires the Tax Commissioner to distribute these funds directly to the appropriate local taxing districts, except for school districts, notwithstanding sections 321.24 and 323.156 of the Revised Code. Requires each local taxing district to distribute the amount among the proper funds as if paid as real property taxes. Appropriates any additional sums that may be needed to make these payments. (Payments for the costs of administration are to continue to be paid to the county treasurer and county auditor as provided in sections 319.54, 321.26, and 323.156 of the Revised Code.)

Section:

387.20

Same as the Executive.

RDFCD6

Public Library Fund

Section:

387.20

Specifies that the Director of Budget and Management is to credit 1.68% of total GRF tax revenue during the preceding month to the Public Library Fund (PLF, Fund 7065) in FY 2020 and FY 2021, notwithstanding the requirement in codified law that the percentage is 1.66%.

**Fiscal effect: Increases revenue to the PLF by about \$5 million in each year.**

Section:

387.20

Same as the Executive.

Executive

In House Finance

RDFCD7

Tangible personal property tax reimbursements

Section: 387.20

Specifies that in FY 2020 and FY 2021, any school district that has a nuclear power plant located within its territory is to receive the same payment amount under section 5709.92 of the Revised Code as in FY 2017.

**Fiscal effect: Perry Local School District in Lake County is estimated to receive an additional \$1.86 million in the biennium. Benton-Carroll-Salem Local School District in Ottawa County is estimated to receive an additional \$1.93 million in the biennium.**

Section: 387.20

Same as the Executive.



Executive

In House Finance

SOSCD10

Abolishment of the Election Reform/Health and Human Services Fund

R.C.111.28

Repeals the statutory provision that created the Election Reform/Health and Human Services Fund. (The accounting changes related to the abolishment of the fund are reflected in Section 516.10 of the bill, see OBMCD63.)

Fiscal effect: None.

R.C.111.28

Same as the Executive.

SOSCD1

Poll Workers Training

Section:395.20

Requires GRF appropriation item 050407, Poll Workers Training, to be used to reimburse county boards of elections for precinct election official (PEO) training pursuant to R.C. 3501.27. Reappropriates the unexpended, unencumbered portion of the line item at the end of FY 2020 for the same purpose in FY 2021.

Section:395.20

Same as the Executive.

## Executive

## In House Finance

**SOSCD2            Statewide Voting and Tabulation Equipment****Section:    395.20**

Specifies that an amount equal to the unexpended, unencumbered portion of GRF appropriation item 050508, Statewide Voting and Tabulation Equipment, at the end of FY 2019 be reappropriated for the same purposes in FY 2020. Requires the reappropriated amounts be used to reimburse counties in an amount up to, but not exceeding the county's allocated funding amount for expenditures related to the acquisition or lease of voting systems that were made on or after January 1, 2014, and prior to July 30, 2018.

**Section:    395.20**

Same as the Executive.

**SOSCD3            County Voting System Lease Rental Payments****Section:    395.20**

Requires GRF appropriation item 050509, County Voting System Lease Rental Payments, to be used to make payments during the FY 2020-FY 2021 biennium pursuant to leases and agreements entered into under Section 4 of S.B. 135 of the 132nd G.A., that were used to finance the costs of acquiring, developing, installing, and implementing county voting systems.

**Section:    395.20**

Same as the Executive.

Executive

In House Finance

SOSCD4

Board of Voting Machine Examiners

Section: 395.20

Requires that Fund 4S80 appropriation item 050610, Board of Voting Machine Examiners, be used for the services and expenses of the members of the Board of Voting Machine Examiners and for other expenses that are authorized to be paid from the Board of Voting Machine Examiners Fund (Fund 4S80). Requires that unused money be returned to the person or entity submitting equipment for examination. Permits the Secretary of State to request that the Director of Budget and Management approve additional appropriations if necessary, and appropriates the additional amounts approved.

Section: 395.20

Same as the Executive.

SOSCD5

Ballot Advertising Costs

Section: 395.20

Allows the Controlling Board, upon request of the Secretary of State, to approve cash and appropriation transfers from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the Statewide Ballot Advertising Fund (Fund 5FH0) in order to pay for the cost of public notices associated with statewide ballot initiatives.

Section: 395.20

Same as the Executive.

## Executive

## In House Finance

**SOSCD6 Absent Voter's Ballot Application Mailing****Section: 395.20**

Requires the Controlling Board, upon request of the Secretary of State, to approve cash and appropriation transfers from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the Absent Voter's Ballot Application Mailing Fund (Fund 5RG0) to be used by the Secretary of State to pay the costs of printing and mailing unsolicited applications for absent voters' ballots for the November 2020 general election.

**Section: 395.20**

Same as the Executive.

**SOSCD7 Address Confidentiality Program****Section: 395.20**

Authorizes the Director of Budget and Management, upon the request of the Secretary of State, to transfer up to \$50,000 in cash per fiscal year from the Business Services Fund (Fund 5990) to the Address Confidentiality Program Fund (Fund 5SN0).

**Section: 395.20**

Same as the Executive.

**SOSCD8 Corporate/Business Filing Refunds****Section: 395.20**

Requires that Fund R002 appropriation item 050606, Corporate/Business Filing Refunds, be used to hold revenues until they are directed to appropriate accounts or until they are refunded. Allows Secretary of State to determine if additional appropriations are needed and request that the Director of OBM approve such additional appropriations.

**Section: 395.20**

Same as the Executive.

Executive

In House Finance

SOSCD9

HAVA Funds

**Section: 395.20**  
Requires an amount equal to the unexpended, unencumbered portion of appropriation item 050616, Help America Vote Act (HAVA), at the end of FY 2019 and FY 2020, to be reappropriated for the same purposes in FY 2020 and FY 2021, respectively.

**Section: 395.20**  
Same as the Executive.

Executive

In House Finance

SENCD1

Operating Expenses

Section: 397.10

Permits the Clerk of the Senate, on July 1 of each fiscal year, or as soon as possible thereafter, to certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of GRF appropriation item 020321, Operating Expenses, to be reappropriated from FY 2019 to FY 2020, and similarly, from FY 2020 to FY 2021. Appropriates the amount certified.

Section: 397.10

Same as the Executive.

Executive

In House Finance

CSFCD2

Debt service costs

Section: 401.10

Specifies that appropriation items of the Commissioners of the Sinking Fund be used for the purpose of paying debt service and financing costs during the period from July 1, 2019 through June 30, 2021 on bonds or notes of the state issued under the Ohio Constitution and acts of the General Assembly. Appropriates additional amounts, if necessary, to fully fund debt service and financing costs.

Section: 401.10

Same as the Executive.

## Executive

## In House Finance

Personal Income Tax

## TAXCD21

## Opportunity Zone tax credit

R.C. 122.84, 107.036, 122.86, 5747.02, 5747.82, and 5747.98

Creates a new Opportunity Zone Investment tax credit equal to 10% of an individual's investment in an Opportunity Zone investment fund, up to \$1 million per biennium. Permits the credit to be used to reduce personal income tax liability and makes it nonrefundable. Prohibits the Director of Development Services, to whom applicants must apply to be issued a tax credit certificate, from issuing more certificates than would cause the tax credits claimed in any fiscal biennium from exceeding \$50 million. (Under federal income tax law, investments made in an Opportunity Zone fund and held for at least five years accrue the federal tax benefit of deferred and reduced taxable capital gains. The proposed Ohio credit does not have a minimum holding period.)

**Fiscal effect:** May reduce income tax revenue. The Executive estimates a GRF tax revenue loss of \$30 million in FY 2021. Would reduce transfers through the Local Government Fund (Fund 7069) and the Public Library Fund (PLF, Fund 7065), each by 1.66% of any GRF revenue reductions under codified law, to local governments and public libraries. A provision of H.B. 166 would transfer 1.68% of tax revenue to the PLF in FY 2020 and 2021. Amounts retained by the GRF would be reduced by 96.68% of any revenue reduction under codified law, and by 96.66% taking account of the higher PLF percentage specified in the bill for the upcoming biennium.

R.C. 122.84, 107.036, 122.86, 5747.02, 5747.82, and 5747.98

Same as the Executive.

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



## Executive

## In House Finance

**TAXCD38      Discontinue motion picture tax credit**

No provision.

**R.C.      122.85**

Repeals a refundable tax credit for motion picture production expenditures, meaning no new credits would be authorized after FY 2019, but credits certified before FY 2020 could continue to be claimed.

**Fiscal effect: Increases GRF revenues from the personal income tax, the commercial activity tax and the financial institutions tax. Potential revenue gain in FY 2020 of uncertain magnitude, dependent on credit certifications prior to July 1, 2019. Potential revenue gain in FY 2021 up to \$40 million.**

**TAXCD24      Lead abatement tax credit**

**R.C.      3742.50, 5747.02, 5747.08, 5747.26, and 5747.98;  
Section 757.10**

Authorizes taxpayers to apply to the Department of Health for a nonrefundable income tax credit for costs incurred to abate lead hazards in a dwelling built before 1978. Limits the amount of each credit to the lesser of actual lead abatement costs incurred, the amount of such costs listed on an application for the credit, or \$10,000. Authorizes the credits beginning in taxable years beginning on or after January 1, 2020. Authorizes any unused credit to be carried forward up to 7 years.

**Fiscal effect: Not more than \$5 million in total credits may be awarded in a biennium.**

**R.C.      3742.50, 5747.02, 5747.08, 5747.26, and 5747.98;  
Section 757.10**

Same as the Executive but increases the maximum credit amount from \$5 million per biennium to \$5 million per year.

**Fiscal effect: Not more than \$5 million in total credits may be awarded in a fiscal year.**

## Executive

## In House Finance

**TAXCD48      Repeal of certain income tax credits**

**R.C.      5747.01, 5747.02, 5747.98, 5747.29 and 5747.65  
(repealed), Section 757.140**

No provision.

Repeals the credit for campaign contributions, effective for the 2019 taxable year.

No provision.

Repeals the credit for a pass-through entity investor's share of financial institutions tax, effective for the taxable year 2019.

**Fiscal effect: According the Tax Expenditure Report published in conjunction with the executive operating budget proposal, these credits reduce GRF receipts by a combined \$8.0 million in FY 2020 and \$8.3 million in FY 2021. Repealing the credits will increase revenues by commensurate amounts.**

**TAXCD49      Changes to personal income tax business income deduction**

**R.C.      5747.01, 5747.02, 323.151, 5747.022, 5747.025,  
5747.05, 5747.054, 5747.055, and 5748.01;  
Sections 757.150 and 757.160**

No provision.

Reduces the maximum deduction for business income from \$250,000 to \$100,000, or from \$125,000 to \$50,000 for spouses filing separately. (Business income above that amount is subject to an existing 3% flat rate.)

No provision.

Modifies eligibility for several means-tested income tax credits such that high-income taxpayers with little nonbusiness income are not eligible for the tax credits.

**Fiscal effect: Increases income tax revenue by approximately \$193 million each year from the reduced deduction and changed eligibility requirements for claiming credits.**

## Executive

## In House Finance

TAXCD50

Modifications to income tax brackets and rates

No provision.

**R.C. 5747.02, 5747.01, 323.151, 5747.022, 5747.025, 5747.05, 5747.054, 5747.055, and 5748.01; Sections 757.150 and 757.160**

Modifies income tax rate structure such that the tax rate is reduced to zero in the current bottom two tax brackets, exempting from the income tax individuals whose income is \$22,250 or less. Reduces marginal tax rates by 4.7% in the two tax brackets above them - the marginal tax rate applicable to incomes starting at \$22,250 from 2.969% to 2.829% and the marginal rate applicable to incomes starting at \$44,400 from 3.465% to 3.302%. (Tax rates are unchanged for brackets beginning at income level \$88,800.)

**Fiscal effect: Reduces personal income tax revenue by approximately \$300 million per year.**

TAXCD35

Pass-through entity withholding tax

No provision.

**R.C. 5747.41, 5733.40, 5733.41; Section 757.50**

Reduces the rate of a tax paid by certain pass-through entities on a percentage of its nonresident investors' distributive income: from 5% to 3% for individual investors and from 8.5% to 3% for nonindividual investors. (The state income tax rate on business income above \$250,000 is 3%.)

No provision.

Authorizes a pass-through entity to avoid withholding the tax if a nonresident investor submits a statement, subject to the penalties of perjury, to the entity affirming that the investor intends to comply with and remit state income tax as required

Executive

In House Finance

by law. (Under continuing law, the pass-through entity tax collects income tax owed by nonresident pass-through entity investors.)

**Fiscal effect: Does not change any taxpayer's tax liability, but would reduce the amount of withholding taxes collected. To the extent that taxpayers do not claim all refunds to which they are entitled under current law, the reduction in withholding taxes collected may result in a decline in tax revenue, possibly ranging to millions of dollars, affecting primarily the GRF.**

TAXCD46      Income tax credit for hiring ex-felons

No provision.

**R.C.      5747.73, 5747.02, 5747.02, 5747.98 and Section 757.120**

Authorizes a nonrefundable income tax credit for a taxpayer eligible for the federal work opportunity tax credit (WOTC) for employing an ex-felon. (The maximum credit under the federal WOTC is \$2,400). The state credit equals 30% of the taxpayer's federal WOTC, and any unclaimed balance may be carried forward for seven years.

**Fiscal effect: Reduces revenue from the individual income tax by up to \$3 million annually. Revenue losses may be higher in certain future years due to the carryforward provision.**

Executive

In House Finance

Sales and Use Taxes

TAXCD29

Sales tax on transportation network companies

No provision.

**R.C. 5739.01, Section 757.60**

Makes changes to the sales taxation of transportation network company (TNC) services (those services are rendered when a rider uses a digital network to arrange transportation with a driver - e.g., Uber, Lyft).

No provision.

Specifies that the TNC providing the digital network is the vendor required to collect and remit sales taxes in such transactions, rather than the driver.

No provision.

Excludes from the taxable price of such services any fee charged for the service except the base fare or fees based on distance or time.

No provision.

Clarifies that such services are only subject to sales tax if the rider is picked up and dropped off in the state. (Currently, such services are subject to tax only if the transportation occurs entirely within the state.)

**Fiscal effect: Increases sales and use tax revenue by between \$16.2 million and \$24.3 million in FY 2020, and by between \$17.7 million and \$26.6 million in FY 2021. Increases revenue from permissive county and transit authorities taxes by \$4.0 million to \$6.0 million in FY 2020, and \$4.3 million and \$6.5 million in FY 2021.**

## Executive

## In House Finance

TAXCD47

Repeal of certain sales and use tax exemptions

**R.C. 5739.01, 122.175, 5739.02, 5739.025, 5739.03, 5739.05, Section 757.140**

No provision.

Repeals the sales and use tax exemptions listed below, effective October 2019:

No provision.

The exemption for aviation repair and maintenance services and parts;

No provision.

The exemption for sales of flight simulators;

No provision.

The exemption for sales of investment bullion and coins;

No provision.

The \$800 cap on sales of shares of qualified fractionally owned aircraft;

No provision.

The exemption for sales of property and services for maintenance and repair of qualified fractionally-owned aircraft;

No provision.

The exemption for sales of qualified property to qualified motor racing teams.

**Fiscal effect: According the Tax Expenditure Report published in conjunction with the executive operating budget proposal, repealing the credits will increase sales and use tax revenue by about \$33 million in FY 2020 and \$44 million in FY 2021. Increases revenue from permissive county and transit authorities taxes by about \$8 million in FY 2020 and \$11 million in FY 2021**

Executive

In House Finance

TAXCD43

Sales tax: Exemption for food manufacturing equipment

No provision.

**R.C. 5739.011, Section 757.130**

Expands an existing sales tax exemption for equipment and supplies used to clean equipment used to produce or process dairy products, to include equipment and supplies used to clean equipment that is used to produce or process any sort of food for human consumption.

**Fiscal effect: Reduces sales tax revenue to the GRF by between \$9.9 million and \$11.4 million in FY 2020, and by between \$10.1 million and \$11.7 million in FY 2021. Reduces revenue from permissive county and transit authorities sales taxes by \$2.4 million to \$2.8 million in FY 2020, and \$2.5 million and \$2.9 million in FY 2021.**

TAXCD44

Sales tax: Exemption for manufacturing cleaning supplies and services

No provision.

**R.C. 5739.011, Section 757.130**

Exempts from sales and use tax any supplies or janitorial services purchased to clean machinery in a manufacturing facility.

**Fiscal effect: Reduces sales tax revenue to the GRF by at least \$27.5 million in FY 2020 and \$27.7 million in FY 2021. Reduces revenue from permissive county and transit authorities sales taxes by at least \$6.7 million in FY 2020 and \$6.8 million in FY 2021.**

Executive

In House Finance

TAXCD31

Modification of substantial use tax nexus standard for remote sellers

**R.C. 5741.01, 5741.04, 5741.05, 5741.07, 5741.11, 5741.13, 5741.17, 5743.62, Sections 757.80 and 812.20**

No provision.

Modifies Ohio's substantial nexus assumptions as follows: (1) Adds a presumption of substantial nexus for sellers that have gross receipts in excess of \$100,000 from sales into Ohio or engage in 200 or more separate sales transactions into Ohio during the current or preceding calendar year. (2) Eliminates a presumption of substantial nexus for sellers with annual Ohio sales in excess of \$500,000 that either (a) use computer software stored or distributed in Ohio to make Ohio sales or (b) provide, or enter into an agreement with a third party to provide, content distribution networks in Ohio to accelerate or enhance the delivery of the seller's website to Ohio consumers. (3) Eliminates a presumption of substantial nexus for sellers that enter into "click-through" agreements with Ohio residents.

No provision.

Regarding the use tax collection by marketplace facilitators: (1) Requires persons that own, operate, or control a physical or electronic marketplace through which retail sales are facilitated on behalf of other sellers (i.e., "marketplace facilitators") to register as a seller and collect and remit the use tax due on all transactions facilitated through that marketplace. (2) Specifies that a marketplace facilitator is presumed to have substantial nexus with Ohio if (a) the gross receipts derived from sales made or facilitated into Ohio by the marketplace facilitator exceed \$100,000 during the current or preceding calendar year, or (b) if the marketplace facilitator makes or facilitates 200 or



## Executive

## In House Finance

No provision.

more sales into Ohio during the current or preceding calendar year. (3) Prohibits class action lawsuits against a marketplace facilitator related to an overpayment of use tax.

Changes the phrasing of three nexus-related references in R.C. 5743.62 involving sellers of tobacco products from "nexus in this state" to "substantial nexus with this state" in order to obtain consistency with R.C. 5741.01.

**Fiscal effect: Increases GRF revenue from the sales and use tax by \$15 million in FY 2020 and \$20 million in FY 2021. Revenue gains may be higher depending on remote sellers' behavior. Increases revenue from permissive county and transit authorities taxes by \$3.7 million in FY 2020 and \$4.9 million in FY 2021. Revenue gains may be higher depending on the behavioral response of remote sellers.**

Commercial Activity Tax

TAXCD37

CAT administrative earmark

No provision.

**R.C. 5751.02**

Reduces the percentage of commercial activity tax (CAT) revenue to be credited to the Revenue Enhancement Fund (Fund 2280) from the current 0.75% to 0.65% effective July 1, 2019.

**Fiscal effect: Reduces revenue to Fund 2280, which helps defray departmental costs of administering the CAT and other taxes, by about \$2.1 million in FY 2020 and \$2.2 million in FY 2021. Has the effect of increasing GRF revenue by corresponding amounts.**

## Executive

## In House Finance

TAXCD33

CAT: historic rehabilitation credit

No provision.

**Section: 757.40**

Extends, to July 1, 2021, a temporary provision authorizing owners of a historic rehabilitation tax credit certificate to claim the credit against the commercial activity tax (CAT) in addition to against the income tax, financial institutions tax, or the insurance company franchise taxes as authorized under continuing codified law. (A similar biennial authorization provision has been in effect since July 2013 and the current biennium's authorization is scheduled to expire after June 30, 2019.)

**Fiscal effect: Will reduce CAT revenues by an unknown amount in FY 2020 and FY 2021.**

Cigarette Taxes

TAXCD27

Legal age for a person to receive or purchase cigarettes

**R.C. 2927.02, 2927.022**

Increases from 18 to 21 the legal age for a person to receive or purchase cigarettes, other tobacco products, alternative nicotine products, or papers used to roll cigarettes.

Defines and includes vapor products within the definition of "alternative nicotine product."

Requires clear and visible posting of signage indicating the legal age at locations where cigarettes, tobacco, and alternative nicotine products are sold.

**R.C. 2927.02, 2927.022**

Same as the Executive, but changes the term "electronic cigarette" to "electronic smoking device" and modifies its definition for purposes of age restrictions on the purchase of tobacco products.

Same as the Executive, but modifies the definition of "tobacco product" to include any component or accessory used in the consumption of a tobacco product.

Same as the Executive.

Executive

In House Finance

Fiscal effect: The Executive estimates a GRF revenue loss of \$2.7 million in FY 2020 and \$4.0 million in FY 2021 under the sales and use tax from this provision, and GRF losses of \$14.3 million in FY 2020 and \$18.7 million in FY 2021 from cigarette tax effects. The provision may also increase the costs of local law enforcement agencies if it results in more violation cases.

Fiscal effect: Same as the Executive.

Financial Instituion Tax

TAXCD39

Financial institutions tax - limit on tax base

No provision.

R.C. 5726.04, Section 757.110

Limits the tax base upon which the financial institutions tax (FIT) is computed, such that equity capital in excess of 14% of an institution's total assets would not be included in the FIT base.

Fiscal effect: Loss of GRF revenue in FY 2021 up to \$10 million.  
Potential loss of GRF revenue in FY 2020 of uncertain magnitude.

Executive

In House Finance

Property Taxes and Transfer Fees

TAXCD40

Partial property tax reduction for child care centers

No provision.

**R.C. 319.302, 323.155, 323.16; Section 757.100**

Authorizes a partial real property tax exemption for child care centers that serve children from households that receive public assistance. Provides that the exemption equals 50% of the taxes due on the property if at least 25%, but less than 50%, of the children that attend the center reside in households that receive public assistance. Provides that if more than 50% of the children that attend the center reside in such households, the exemption equals 75%. Limits eligibility for the exemption to centers that 1) are licensed by ODJFS, 2) are not the administrator's main residence, and 3) are not used for any other commercial purpose. (Local taxing authorities are not reimbursed for the effect of the exemption on their tax revenues.)

**Fiscal effect: An increase in property tax exemptions would decrease revenues to schools and other units of local government, and would increase taxes of other property owners for levies designed to raise fixed sums of money.**

TAXCD51

Property tax homestead exemption

No provision.

**R.C. 323.151, Section 757.150**

Modifies eligibility for the homestead exemption by requiring deducted business income to be included in the income eligibility calculation. Applies property tax changes beginning in tax year 2019 (tax year 2020 for manufactured homes).

Executive

In House Finance

Fiscal effect: Would reduce GRF reimbursements to local governments by an estimated \$5.1 million per year initially. GRF savings would rise in subsequent years. The state reimburses local governments from the GRF for revenue losses resulting from the homestead exemption.

TAXCD34

Property tax exemption for fraternal and veterans organizations

No provision.

R.C.5709.17, Section 757.90

Modifies an existing tax exemption for property held or occupied by a fraternal organization by excluding rent received from other fraternal organizations in determining whether or not property qualifies for the exemption. (Under continuing law, property that generates more than \$36,000 in rental income in a year does not qualify for the exemption.)

No provision.

Similarly modifies an existing tax exemption for property held or occupied by certain veterans' organizations by excluding rent received from other veterans' organizations in determining whether or not the rental income produced by the property exceeds a similar \$36,000-per-year limit.

Fiscal effect: Easing the constraint on qualifying for property tax exemption would likely allow additional organizations to qualify. An increase in property tax exemptions would decrease revenues to schools and other units of local government, and would increase taxes of other property owners for levies designed to raise fixed sums of money.

Executive

In House Finance

TAXCD25

Tax increment financing term extension

R.C.

5709.40, 5709.41, 5709.73, 5709.78, and Section 757.20

Authorizes municipalities, townships, and counties, under certain conditions, to extend the term of a tax increment financing (TIF) property tax exemption by up to 30 additional years. Provides that, to be eligible for such an extension, the TIF (1) must generate \$1.5 million in service payments in the immediately preceding year, (2) must not generate more than \$1.5 million in any other preceding year (this requirement only applies after 2020), and (3) the property owner must compensate the school district fully for its property tax losses. (Current law limits the term of TIF tax exemptions to 30 years. TIFs exempt tax revenue on a specified percentage, up to 100%, of the increase in real property value, and redirects service payments equal in amount to taxes that would otherwise be due into a special fund used to pay for new infrastructure.)

**Fiscal effect: Some units of local government may incur ongoing tax revenue losses, relative to revenues from the increase in property value if the TIF was not in effect.**

R.C.

5709.40, 5709.41, 5709.73, 5709.78, and Section 757.20

Same as the Executive.

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

Executive

In House Finance

TAXCD41

Community school property tax exemption procedures

No provision.

R.C.5713.08, 5715.27

Removes existing law requirement that a community school file an annual exemption application for its property with the Tax Commissioner as a condition of receiving the exemption. Requires instead that a community school file an exemption application for only the first year for which the exemption is sought and thereafter the school need only file an annual statement attesting that its property continues to qualify for exemption. (Community school property used for an educational purpose qualifies for a property tax exemption. Currently, property owners, including community schools, are generally required to file an annual application with the Tax Commissioner or a county auditor to obtain an exemption).

Fiscal effect: None.

## Executive

## In House Finance

Other Taxation Provisions

## TAXCD23

## State administration of municipal income taxes

**R.C. 718.83, 321.24 and 5745.05**

Requires a municipal corporation to remit payment to the Treasurer of State if the net distribution amount for a municipal corporation's state-administered municipal income tax accounts is less than zero in any month. (Continuing law allows businesses to elect to have the Department of Taxation administer the business' municipal income taxes beginning in 2018. The Commissioner is required to distribute municipal income tax revenue on a monthly basis, after deducting 0.5% of such revenue to cover the Department's administrative expense. A municipal corporation's net distribution amount might be less than zero if audit adjustments and refunds exceed collections in a given month.)

Requires that the payment be remitted within thirty days of receiving notice of the deficiency. Allows the Commissioner to recover unpaid amounts by reducing a delinquent municipal corporation's municipal income tax distributions, electric light and telephone company income tax distributions, and property tax distributions.

Requires the Director of Budget and Management to transfer money from the GRF to the Municipal Income Tax Fund in the event that the balance of the Municipal Income Tax Fund is not sufficient to cover the required monthly distributions of municipal income tax revenue. Requires, in the event of such a transfer, for the Director and the Commissioner to develop a

**R.C. 718.83, 321.24 and 5745.05**

Same as the Executive.

Same as the Executive.

No provision.



## Executive

## In House Finance

plan to repay the GRF as soon as practical.

**Fiscal effect: Will facilitate administration of the state-administered municipal income tax.**

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

## TAXCD22

## Municipal Net Profit Tax Fund

**R.C. 718.85, 718.83 and 718.90; Section 701.20**

Creates a separate Municipal Net Profit Tax Fund to receive revenue from the state-administered municipal tax on business income, and from which to distribute this revenue to the municipal corporations to which it is owed. (Under current law, the revenue from that tax is deposited into the Municipal Income Tax Fund, Fund 7095, which also receives revenue from the state-administered municipal income tax on electric and telephone companies.) Requires the Director of Budget and Management to transfer all money balances in Fund 7095 that were collected from the state-administered municipal tax on business income into the new fund.

No provision.

**Fiscal effect: None.**

**R.C. 718.85, 718.83 and 718.90; Section 701.20**

Same as the Executive.

Specifies that Fund 5VR0 appropriation item 110902, Municipal Net Profit Tax, be used to make payments to municipal corporations of the net profits tax administered on their behalf by the Department of Taxation.

**Fiscal effect: The House budget creates a new Municipal Net Profit Tax Fund (Fund 5VR0) line item, Municipal Net Profit Tax, with an appropriation of \$30 million in FY 2020 and \$35 million in FY 2021 and reduces the appropriation to Fund 7095 line item 110995, Municipal Income Tax, by these same amounts (see RDFCD3).**

## Executive

## In House Finance

**TAXCD36      Local sales and use tax rate increments**

No provision.

**R.C.      5739.021, 5739.023, 5739.026**

Allows a county or transit authority to levy a sales and use tax in increments of 0.05%. (Under current law local sales and use taxes must be levied in increments of 0.1% or 0.25%)

**Fiscal effect: None.****TAXCD45      Extension of county agricultural society lodging tax**

No provision.

**R.C.      5739.09**

Allows for the extension of an existing county lodging tax, from the current five year limit to 15 years, that is levied by a county that hosts, or that has an independent agricultural society that hosts, an annual harness horse race with at least 40,000 one-day attendees (i.e., Delaware County). Provides that an extension must be approved by resolution of the board of county commissioners, would not be subject to voter approval, but would be subject to referendum. (A resolution levying the tax for the first time would continue to be subject to voter approval. Under continuing law, the maximum rate of the additional lodging tax is 3%. The proceeds of the tax are used to pay for the construction, maintenance, and operation of permanent improvements at sites where an agricultural society conducts fairs or exhibits.)

**Fiscal effect: Would allow for continuation of the current additional 3% tax for another ten years. In calendar year 2016 (latest available), the tax raised \$657,205.**

## Executive

## In House Finance

## TAXCD30

## Federal partnership level audits

No provision.

**R.C. 5747.10, Section 757.70**

Prescribes procedures for the reporting and payment of a partnership's partners' Ohio income tax liability arising from a federal partnership level audit.

Applies to changes in liability arising from federal adjustments with a final determination date of October 1, 2019, or thereafter.

**Fiscal effect: May result in an increase in personal income tax revenues.**

## TAXCD28

## Business Incentive Tax Credits

**Section: 757.30**

Provides a table that lists an estimate of the specified business incentive credits that may be authorized in each fiscal year of the FY 2020-FY 2021 biennium, an estimate of the credits expected to be claimed in each fiscal year, and an estimate of the amount of credits authorized that will remain outstanding at the end of the FY 2020-FY 2021 biennium.

Specifies that in totality, the table provides an estimate of the state revenue forgone due to business incentive credits in the FY 2020-FY 2021 biennium and future biennia.

**Section: 757.30**

Same as the Executive.

Same as the Executive.

## Executive

## In House Finance

Appropriation Language**TAXCD15****Tax refunds****Section: 409.20**

Specifies that appropriation item 110635, Tax Refunds, is to be used to pay refunds under section 5703.052 of the Revised Code. Appropriates any additional amounts that may be necessary for this purpose.

**Section: 409.20**

Same as the Executive.

**TAXCD16****Vendor's license payments****Section: 409.20**

Specifies that appropriation item 110631, Vendor's License Application, is to be used to make payments to county auditors under section 5739.17 of the Revised Code. Appropriates any additional amounts that may be necessary to make such payments.

**Section: 409.20**

Same as the Executive.

**TAXCD17****International Registration Plan administration****Section: 409.20**

Specifies that appropriation item 110616, International Registration Plan Administration, is to be used under section 5703.12 of the Revised Code for audits of persons with vehicles registered under the International Registration Plan.

**Section: 409.20**

Same as the Executive.

Executive

In House Finance

TAXCD18

Travel expenses for the Streamlined Sales Tax Project

Section: 409.20

Specifies that the Tax Commissioner may disburse funds, if available, for the purposes of paying travel expenses incurred by members of Ohio's delegation to the Streamlined Sales Tax Project, as appointed under section 5740.02 of the Revised Code, from appropriation item 110607, Local Tax Administration. Requires that any travel expense reimbursement paid for by the Department of Taxation is to be done in accordance with applicable state laws and guidelines.

Section: 409.20

Same as the Executive.

TAXCD19

Tobacco Settlement Enforcement

Section: 409.20

Specifies that appropriation item 110404, Tobacco Settlement Enforcement, is to be used by the Tax Commissioner to pay costs incurred in the enforcement of divisions (F) and (G) of section 5743.03 of the Revised Code.

Section: 409.20

Same as the Executive.

## Executive

## In House Finance

## TAXCD20

## Property tax administration

## Section: 409.20

Specifies that in FY 2020 and FY 2021, (1) the Tax Commissioner is not to compute or certify the amounts calculated under divisions (A) and (B) of section 321.24 of the Revised Code as amended by H.B. 166, (2) the Director of Budget and Management is not to transfer any amounts from the GRF to the Property Tax Administration Fund (Fund 5V80), and (3) the Tax Commissioner is not to subtract any amounts computed under section 5703.80 of the Revised Code from the payments made from the GRF to county treasurers under division (F) of section 321.24 of the Revised Code.

**Fiscal effect: Uses balances in Fund 5V80 to pay the Department of Taxation's costs to administer property taxes in the upcoming biennium. Reimburses local governments in full, rather than net of administrative charges, for tax revenues that would otherwise be lost because of the 10% and 2.5% rollbacks and homestead exemption. This provision continues a change in procedure begun for FY 2018 and FY 2019 by Section 757.30 of H.B. 26 of the 132nd G.A., the transportation budget.**

## Section: 409.20

Same as the Executive.

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

## Executive

## In House Finance

**DOTCD38            Removal of the requirement for ODOT to adopt a business plan****R.C.            5501.20**

Removes the requirement that ODOT adopt a business plan every two years outlining the Department's mission, business objectives, and strategies, as well as adopt procedures for certain professional employees' performance accountability.

**Fiscal effect: Minimal decrease in administrative costs.**

**R.C.            5501.20**

Same as the Executive.

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

**DOTCD42            Ohio Maritime Assistance Program**

(1) No provision.

(2) No provision.

(3) No provision.

**R.C.            5501.91, Section 411.20**

(1) Creates the Ohio Maritime Assistance Program under which certain port authorities may apply for grants to construct new marine cargo terminals or improve existing terminals on the shores of Lake Erie, on the shores of the Ohio River, or on a Lake Erie Tributary.

(2) Requires ODOT to determine criteria for grants under the program, but specifies that the criteria must address the following: (A) the degree to which the project will increase efficiency or capacity of terminal operations, (B) whether the project will result in the handling of new types of cargo or an increase in cargo volume, and (C) whether the project will meet an identified supply chain need or benefit Ohio firms that export goods to foreign markets, or import goods to Ohio for use in manufacturing or for value-added distribution.

(3) Lists the following permissible uses of grant awards under the program: (A) land acquisition or site development, including

## Executive

## In House Finance

demolition and environmental remediation; (B) construction of support infrastructure related to maritime commerce and harbor operations; (C) construction and repair of various logistics facilities related to marine cargo terminals; (D) acquisition of cargo handling equipment and machinery, and (E) planning and design services and other services associated with construction.

(4) No provision.

(4) Requires port authorities to provide matching funds on a 1:1 basis for each grant dollar awarded to the project.

(5) No provision.

(5) Requires OBM to transfer \$10.0 million cash from the Facilities Establishment Fund (Fund 7037) to the Ohio Maritime Assistance Fund (Fund 5QT0) in each of FY 2020 and FY 2021. Creates Fund 5QT0.

**Fiscal effect: Provides \$10.0 million in funding for the program under Fund 5QT0 line item 776670, Ohio Maritime Assistance Program, in FY 2020 and FY 2021. Decreases the amounts available for loans for land and building acquisition, construction, expansion or renovation under Fund 7037 by the same amount. Fund 7037 has an April 2019 cash balance of approximately \$299.7 million.**

DOTCD41

Audits and financial reports of the Ohio Turnpike and Infrastructure Commission

R.C. 5537.17

Eliminates the requirement that the Auditor of State make an unannounced annual audit of the Ohio Turnpike and Infrastructure Commission's accounts and transactions. Requires the Commission's books to be annually audited by certified public accountants approved by the Auditor of State instead of by any CPAs.

R.C. 5537.17

Same as the Executive.



## Executive

## In House Finance

Eliminates the requirement that, by July 1st of each year, the Commission make an annual report of its activities over the preceding calendar year, including a complete operating and financial statement, and provide the report to the Governor and the General Assembly.

Same as the Executive.

Requires the Commission to annually submit a comprehensive annual financial report containing its audited financial statements for the preceding calendar year, to the Governor, the General Assembly, and the Director of Budget and Management, by July 1st of each year. Specifies that such report must include a complete operating and financial statement covering the Commission's operations and funding of any Turnpike projects and infrastructure projects during the year.

Same as the Executive.

**Fiscal effect: Minimal decrease in administrative costs to the Commission.**

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

## DOTCD39

## Diesel Emissions Reduction Grant Program

## Section: 755.10

(1) Establishes a Diesel Emissions Reduction Grant Program (DERG) in the Highway Operating Fund (Fund 7002) and requires the Ohio Environmental Protection Agency (EPA) to administer the program and solicit, evaluate, score, and select projects submitted by public and private entities that are eligible for the federal Congestion Mitigation and Air Quality (CMAQ) Program. Requires ODOT to process Federal Highway Administration (FHWA) projects as recommended by EPA.

## Section: 755.10

(1) Same as the Executive.

(2) Specifies that in addition to the expenditures allowed under RC 122.861, listing the types of projects eligible for grants,

(2) Same as the Executive.

## Executive

## In House Finance

program funds also may be used to assist projects involving the purchase or use of hybrid and alternative fuel vehicles that are allowed under CMAQ guidance developed by FHWA.

(3) Requires public entities eligible to receive program funds to be reimbursed from moneys in Fund 7002. Requires private entities eligible to receive funds to be reimbursed at the discretion of the local public sector agency and upon approval by ODOT, through direct payments to the vendor in the prorated share of federal/state participation. Specifies that the reimbursements shall be made from moneys in Fund 7002.

(4) Specifies that expenditures for the program from Fund 7002 shall not exceed \$10 million in both FY 2020 and FY 2021.

(5) Specifies that any allocations under this section of the bill represent CMAQ program moneys within ODOT for program use by EPA, and that such allocations shall not reduce the amount of moneys designated for metropolitan planning organizations (MPOs).

(6) Requires EPA, in consultation with ODOT, to develop guidance for the distribution of funds and for the administration of the program. Requires the guidance to include a method of prioritization for projects, acceptable technologies, and procedures for awarding grants.

**Fiscal effect: The Diesel Emissions Reduction Grant Program has been authorized under temporary law of main operating budget bills in the same or a similar manner since the FY 2012-FY 2013 biennium. Up to \$10 million over the FY 2020-FY 2021 biennium may be used for the program from Fund 7002, the same amount allowed for the current FY 2018-FY 2019 biennium.**

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive.

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

Executive

In House Finance

TOSCD7

Ohio STABLE Account Program name change

R.C.113.50, 113.51, 113.53, 113.55, 113.56

Changes the name of Ohio's ABLE Account Program to the STABLE Account Program.

Fiscal effect: Minimal.

R.C.113.50, 113.51, 113.53, 113.55, 113.56

Same as the Executive.

TOSCD1

Office of the Sinking Fund

Section:413.20

Requires funds appropriated in ALI 090401, Office of the Sinking Fund, to be used to pay costs incurred by or on behalf of the Commissioners of the Sinking Fund and the Ohio Public Facilities Commission with respect to State of Ohio general obligation bonds or notes, and the Treasurer of State with respect to State of Ohio general obligation or special obligation bonds or notes. Specifies that costs may include, but are not limited to, printing, advertising, delivery, procurement of ratings, professional publications, membership in professional organizations, and other services referred to section 151.01 (D) of the Revised Code.

Requires the GRF to be reimbursed for such costs relating to the issuance and administration of Highway Capital Improvement bonds or notes authorized under Ohio Constitution, Article VIII, Section 2m and Chapter 151 of the Revised Code. Requires the reimbursement to be made from ALI 155902, Highway Capital Improvement Bond Retirement Fund, by intrastate transfer voucher pursuant to a certification by the Office of the Sinking

Section:413.20

Same as the Executive.

Same as the Executive.

Executive

In House Finance

Fund of the actual amounts used. Appropriates funds necessary to provide such reimbursements from the Highway Capital Improvement Bond Retirement Fund (Fund 7072).

TOSCD3

STABLE Account Administration

Section: 413.20

Specifies that GRF appropriation item 090613, STABLE Account Administration, must be used for administering the ABLE account program.

Section: 413.20

Same as the Executive.

TOSCD4

Tax refunds

Section: 413.20

Specifies that Fund 4250 appropriation item 090635, Tax Refunds, must be used to pay specified tax refunds. Appropriates additional amounts under that line item if the Director of Budget and Management determines that additional amounts are necessary.

Section: 413.20

Same as the Executive.

## Executive

## In House Finance

**TOSCD5 Treasury management system lease rental payments****Section: 413.30**

Specifies that GRF appropriation item 090406, Treasury Management System Lease Rental Payments, must be used for payments during the period from July 1, 2019, through June 30, 2021, pursuant to leases and agreements with respect to financing the costs associated with the acquisition, development, implementation, and integration of the Treasury Management System.

**Section: 413.30**

Same as the Executive.

**TOSCD6 OhioMeansJobs Workforce Development Revolving Loan Program****Section: 413.40**

Specifies that DPF appropriation item 090610, OhioMeansJobs Workforce Development, be used to provide loans to individuals for workforce training through the OhioMeansJobs Workforce Development Revolving Loan Program. Reappropriates unexpended and unencumbered funds from appropriation item 090610 at the end of FY 2020 for use in FY 2021. Earmarks up to \$250,000 in each fiscal year for the Treasurer of State to administer the program.

**Section: 413.40**

Same as the Executive.

Executive

In House Finance

DVSCD1 Veterans organizations’ rent

Section: 415.10

Requires GRF appropriation item 900408, Department of Veterans Services, to be used to pay veterans organizations' rent in buildings managed by the Department of Administrative Services.

Section: 415.10

Same as the Executive.

DVSCD2 Veterans Compensation General Obligation Bond Debt Service

Section: 415.10

Requires GRF appropriation item 900901, Veterans Compensation General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs during the period from July 1, 2019, through June 30, 2021, on obligations issued under Section 2r of Article VIII, Ohio Constitution.

Section: 415.10

Same as the Executive.

## Executive

## In House Finance

## DYSCD5

## Juvenile Justice and Delinquency Prevention Fund

## R.C. 5139.87

(1) Provides that the Department of Youth Services (DYS) serves as the state agent for the administration of federal (instead of all federal) juvenile justice grants to the state, and eliminates the requirement that a separate federal juvenile justice programs fund be established each federal fiscal year.

(2) Consolidates the Federal Juvenile Justice Programs funds into a single Juvenile Justice and Delinquency Prevention Fund, requires all federal grants and moneys received for federal juvenile programs be deposited into the Fund, and requires receipts deposited in the Fund be used for federal juvenile programs.

(3) Provides that all investment earnings on the cash balance in the Fund be credited to the Fund and eliminates the provision that they be credited for the appropriate federal fiscal year.

(4) Requires DYS to maintain a financial activity report of each individual grant within the Fund, including expenses and revenue credited to those individual grants.

(5) Eliminates the provision that all rules, orders, and determinations of the Office of Criminal Justice Services regarding the administration of federal juvenile justice grants in effect on September 26, 2003, must continue in effect as rules, orders, or determinations of DYS.

**Fiscal effect: None, as these provisions collectively unify the accounting process, clarify existing language, and remove obsolete language.**

## R.C. 5139.87

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

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

## Executive

## In House Finance

## DYSCD1

## Community programs

## Section: 421.10

Permits the Department of Youth Services, for purposes of implementing juvenile sentencing reforms, to use up to \$1,375,000 of the unexpended, unencumbered balance of the portion of GRF appropriation item 470401, RECLAIM Ohio, that is allocated to juvenile correctional facilities in each fiscal year to expand Targeted RECLAIM, the Behavioral Health Juvenile Justice Initiative, and other evidence-based community programs.

## Section: 421.10

Same as the Executive.

## DYSCD2

## Juvenile Correctional Facilities Lease Rental Bond Payments

## Section: 421.10

Requires GRF appropriation item 470412, Juvenile Correctional Facilities Lease Rental Bond Payments, to be used to meet all payments during the period from July 1, 2019, through June 30, 2021, by the Department of Youth Services under the leases and agreements for facilities under R.C. Chapters 152. and 154., and specifies that the appropriated amounts are the source of funds pledged for bond service charges on related obligations issued under R.C. Chapters 152. and 154.

## Section: 421.10

Same as the Executive.



Executive

In House Finance

DYSCD3

Education Services

Section: 421.10

Requires DPF Fund 1750 appropriation item 470613, Education Services, to be used to fund the operating expenses of providing educational services to youth supervised by the Department of Youth Services, including, but not limited to, teachers' salaries, maintenance costs, and educational equipment.

Section: 421.10

Same as the Executive.

DYSCD4

Flexible funding for children and families

Section: 421.10

Permits the juvenile court, in collaboration with that county's family and children first council, to transfer portions of its allocations from one or both of GRF appropriation items 470401, RECLAIM Ohio, and 470510, Youth Services, to a flexible funding pool as authorized by Section 337.180 (Family and Children First Flexible Funding Pool) of the bill.

Section: 421.10

Same as the Executive.

Executive

In House Finance

LOCCD22

Allow all municipalities to place liens for unpaid garbage fees

No provision.

R.C. 701.10

Authorizes all municipalities providing for garbage collection, not just municipalities within charter counties as under current law, to have unpaid garbage fees charged as a lien against real property.

Fiscal effect: Potentially results in revenue gains for those municipalities that exercise this authority, since they could attempt to collect any unpaid fees through these liens.

LOCCD20

Two-year window to amend local smaller subdivision rules

No provision.

R.C. 711.131

Enacts a new two-year window of time in which planning authorities may amend their local subdivision rules concerning approvals of proposed divisions of parcels of land without a plat and in which they may define an "original tract" for purposes of the limitation on approving not more than five lots without a plat. (This process, as well as the former two-year window, was created by S.B. 115 of the 125th G.A.)

Fiscal effect: None.

Executive

In House Finance

LOCCD21

Boards of elections compensation - Application of COLA to minimum compensation

No provision.

R.C.3501.12

Increases by 1.75% annually, through 2028, the statutory \$6,000 minimum amount paid to some members of boards of elections, providing the same COLA given to other board of elections members and other local elected officials under current law.  
**Fiscal effect: Increases board of elections compensation costs for the 44 counties that currently pay the statutory minimum annual compensation to their board of elections members. (The annual compensation for a member of a board elections is tiered according to county population, but with a \$6,000 minimum.)**

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CAS / CD	Subject	Page	CD Item	Subject	Page
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**LOC Local Government Provisions**

Also affected by the following item(s):

<b>AUDCD2</b>	Recovery of audit costs	54
<b>AUDCD3</b>	Local Government Audit Support Fund	55
<b>DDDCD1</b>	Developmental disabilities facilities lease-rental bond payments	125
<b>DDDCD33</b>	County Developmental Disabilities Medicaid Reserve Fund	124
<b>DPSCD51</b>	Non-opioid directives	469
<b>TAXCD25</b>	Tax increment financing term extension	524
<b>TAXCD27</b>	Legal age for a person to receive or purchase cigarettes	520



**MEMORANDUM**

TO: Amol Soin, M.D., Chair, Policy Committee  
Members, Policy Committee

FROM: Kimberly C. Anderson, Chief Legal Counsel

RE: Rule Review Progress

DATE: April 22, 2019

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Attached please find the Rule Review Spreadsheet and status of the rules under review.

**Action Requested: No Action Requested**

## **Legal Dept. Rules Schedule**

As of 4/23/19

### **To May Board for Adoption**

4761-11-03 (recission)  
4731-1-17      4731-27-03  
4731-27-02

### **To May Policy Committee**

4731-13-13      4731-33-02  
4731-33-01

### **Sent for Initial Comment - deadline 5/10/19**

4761-5-01      4761-5-04      4761-5-06  
4761-6-01      4761-7-04      4761-5-02  
4761-9-01      4761-9-04      4761-10-03  
4761-9-05      4761-9-07

### **Sent for Initial Comment – deadline 4/30/19**

4730 Chapters 1, 2 and 3

### **Sent for Initial Comment – deadline 4/12/19**

Military provisions for all license types  
4761-8-01      4761-9-02

### **RULES AT CSI**

4731-18 Chapter (anti-trust review)

### **Comment Deadline 5/13/19**

4730-3-01      4730-3-02  
4731-4-01      4731-4-02  
4759-4-11      4774-2-01  
4774-2-02      4778-2-01  
4778-2-02

### **Comment Deadline 4/10/19**

4731-11-01      4731-35-01  
4731-11-14      4731-35-02

### **Comment deadline 11/22/18**

4731-1-08

### **Comment deadline (resubmitted)**

4731-1-24

### **Comment deadline 8/24/17**

4731-1-01      4731-1-13  
4731-1-11      4731-1-18  
4731-1-19

### **Comment Deadline 10/12/18**

4731-1-05      4759 Chapter

### **RULES AT JCARR**

#### **No change – jurisdiction ends 5/5/19**

4731-27-01

#### **No change – jurisdiction ends 4/24/19**

4778-1-01      4778-1-03

#### **Hearing 3/12/19 – jurisdiction ends 4/12/19**

4761-11-03      4731-27-03      4731-27-02

#### **Hearing Scheduled 5/13/19**

4731-18-01	4731-6-14	4731-6-31
4731-25-08	4731-6-15	4731-6-32
4731-6-01	4731-6-16	4731-6-33
4731-6-02	4731-6-21	4731-6-34
4731-6-03	4731-6-22	4731-6-35
4731-6-05	4731-24-01	4731-1-02
4731-6-07	4731-24-02	4731-16-16
4731-6-10	4731-24-03	4731-31-01
4731-34-01	4731-6-30	

### **Anticipated Schedule for 2019 Policy Committee**

*January: Consult Agreements – sent for initial comment–deadline 2/8/19*

*February: 4731-7-01 (Method of Notice of Meetings) ;4731-9-01 (Record of Board Meetings) ;4731-4-01;4731-4-02 (Criminal Records Checks) – to February Policy Committee*

*March: Military Rules for all License Types*

*April: Respiratory Care Rules – 4761 – 2<sup>nd</sup> group*

*May: MAT Detox Rules  
Hearing Rule 4731-13-13*

*June: Dietetics Rules*

*July: 4731-11-03; 4731-11-04; 4731-11-041; 4731-11-05; 4731-11-11 (Controlled Substance Rules)*

Rule Number	Rule Description	Committee Agenda Date	Comm approval to send for initial comment	Sent for Initial Comment	Comm/Bd Agenda to review comments	Board Approval to File with CSI	CSI filing	CSI recom- mendation	Approved to File with JCARR	JCARR filing	Rules Hearing	JCARR Hearing	Board Adoption	New Effective Date	Current Review Date
4730-1-01	Regulation of Physician Assistants - Definitions		03/09/16	03/11/16		05/11/16	08/02/17			06/20/18	07/24/18		09/12/18	09/30/18	09/30/23
4730-1-02	Physician Assistant Practice		04/13/16	04/15/16		06/08/16	08/02/17			06/20/18	07/24/18			09/30/18	rescinded
4730-1-03	Duties of a Supervising Physician		04/13/16	04/15/16		06/08/16	08/02/17			06/20/18	07/24/18			09/30/18	rescinded
4730-1-04	Supervision		04/13/16	04/15/16		06/08/16	08/02/17			06/20/18	07/24/18			09/30/18	rescinded
4730-1-05	Quality Assurance System		03/09/16	12/22/17 3/11/2016		03/14/18	04/02/18			06/20/18	07/24/18				08/07/23
4730-1-06	Licensure as a physician assistant		04/13/16	3/22/19 6/20/17 4/15/2016		7/12/17 6/8/2016	8/2/2017			07/02/18 6/20/2018	07/24/18		09/12/18	09/30/18	09/30/23
4730-1-06.1	Military provisions related to certificate to practice as a physician assistant			03/22/19						06/20/18	07/24/18				09/30/20
4730-1-07	Miscellaneous Provisions		04/13/16	04/15/16		06/08/16	08/02/17			06/20/18	07/24/18		09/12/18	09/30/18	09/30/23
4730-1-08	Physician assistant delegation of medical tasks and administration of drugs		11/04/15	11/06/15			02/01/16	04/13/16		05/05/16	06/13/16			07/31/16	07/31/21
4730-2-01	Physician Delegated Prescriptive Authority - Definitions			05/13/16		08/10/16	08/02/17			06/20/18	07/24/18		09/12/18	Amended 9/30/18	03/19/19
4730-2-02	Educational Requirements for Prescriptive Authority		03/09/16	03/11/16		05/11/16	08/02/17			06/20/18	07/24/18			09/30/18	rescinded
4730-2-03	Application for a Provisional Certificate to Prescribe			04/15/16		06/08/16	08/02/17			06/20/18	07/24/18			09/30/18	rescinded
4730-2-04	Period of on-site supervision of physician-delegated prescriptive authority			12/22/17		03/14/18	04/02/18			08/20/18	09/26/18		11/14/18	11/30/18	11/15/23
4730-2-05	Addition of valid prescriber number after initial licensure			12/22/17		03/14/18	04/02/18			08/20/18	09/26/18		11/14/18	11/30/18	11/15/23
4730-2-06	Physician Assistant Formulary			05/13/16											06/30/19
4730-2-07	Standards for Prescribing			05/13/16		08/10/16	08/02/17			06/20/18	07/24/18			Amended 9/30/18	06/30/19
4730-2-08	Standards for Personally Furnishing Drugs and Therapeutic Devices			05/13/16		08/10/16	08/02/17			06/20/18	07/24/18			09/30/18	rescinded
4730-2-09	Standards for Personally Furnishing Samples of Drugs and Therapeutic Devices			05/13/16		08/10/16	08/02/17			06/20/18	07/24/18			09/30/18	rescinded
4730-2-10	Standards and Procedures for use of OARRS		03/09/16	03/11/16		05/11/16	08/02/17			06/20/18	07/24/18		09/12/18	09/30/18	09/30/23



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4730-3-01	Criminal Records Checks - (For Physician Assistants) - Definitions		04/13/16	04/15/16		06/08/16	04/23/19			06/20/18	07/24/18			Amended 9/30/18	06/30/19
4730-3-02	Criminal Records Checks		04/13/16	04/15/16		06/08/16	04/23/19			06/20/18	07/24/18			Amended 9/30/18	06/30/19
4730-4-01	Definitions			02/21/18		07/11/18	08/03/18			4/10/19 refiled 2/15/19 10/24/2018	11/28/18		04/10/19	04/30/19	04/30/24
4730-4-03	Office Based Treatment for Opioid addiction			02/21/18		07/11/18	08/03/18			4/10/19 refiled 2/15/19 10/24/2018	11/28/18		04/10/19	04/30/19	04/30/24
4730-4-04	Medication assisted treatment using naltrexone	5/8/2019		02/21/18		07/11/18	08/03/18			4/10/19 refiled 2/15/19 10/24/2018	11/28/18		04/10/19	04/30/19	04/30/24
4731-1-01	Limited Practitioners - Definition of Terms			5/15/17 7/13/2016		7/12/17 9/14/2016	08/07/17							01/24/12	01/24/17
4731-1-02	Application of Rules Governing Limited Branches of Medicine or Surgery		12/10/14 05/13/15	05/14/18		09/14/16	09/24/18			4/10/19 7/1/2015	05/13/19		09/09/15	09/30/15	09/30/20
4731-1-03	General Prohibitions			07/13/16		09/14/16	09/26/17			08/31/18			no change		08/31/23
4731-1-04	Scope of Practice: Mechanotherapy		04/13/16	04/15/16		09/14/16	09/26/17			12/12/18 9/24/2018	10/25/18		12/12/18	12/31/18	12/31/23
4731-1-05	Scope of Practice: Massage Therapy			6/20/18 7/13/2016		09/14/16	9/26/2017			09/24/18	10/25/18		12/12/18	12/31/18	12/31/23
4731-1-06	Scope of Practice: Naprapathy		04/13/16	04/15/16		09/14/16	09/26/17			08/31/18			no change		08/31/23
4731-1-07	Eligibility of Electrologists Licensed by the Ohio State Board of Cosmetology to Obtain Licensure as Cosmetic Therapists Pursuant to Chapter 4731 ORC and Subsequent Limitations					09/14/16	09/26/17			09/24/18	10/25/18		12/12/18	12/31/18	12/31/23

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4731-1-08	Continuing Cosmetic Therapy Education Requirements for Registration or Reinstatement of a License to Practice Cosmetic Therapy			07/18/18		09/14/16	10/31/18 2/20/2018								12/31/17
4731-1-09	Cosmetic Therapy Curriculum Requirements			07/13/16		09/14/16	09/26/17			08/31/18			no change		08/31/23
4731-1-10	Distance Education			07/13/16		09/14/16	09/26/17			09/24/18	10/25/18		01/09/19	01/31/19	01/31/24
4731-1-11	Application and Certification			5/15/17 7/13/2016		07/12/17 9/14/2016	08/07/17								01/24/17
4731-1-12	Examination		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		08/16/16	09/19/16		11/09/16	11/30/16	11/30/21
4731-1-13	Examination Failure; Additional Training			5/15/17 7/13/2016		7/12/17 9/14/2016	08/07/17								01/24/17
4731-1-14	<i>Preliminary Education Certificate</i>					09/14/16									<i>rescinded</i>
4731-1-15	Determination of Standing of School, College or Institution			07/13/16		09/14/16	09/26/17			09/24/18	10/25/18		12/12/18	12/31/18	12/31/23
4731-1-16	Massage Therapy curriculum rule (Five year review)		12/09/15	6/20/18 12/11/2015		02/10/16	8/24/18 3/7/2016	05/11/16		10/24/18 8/16/2016	11/28/18 9/19/2016		1/9/19 11/9/2016	01/31/19	11/30/21
4731-1-17	Instructional Staff			07/13/16		09/14/16	09/26/17			09/24/18	10/25/18		05/08/19	05/31/19	01/24/17
4731-1-18	Grounds for Suspension, Revocation or Denial of Certificate of Good Standing, Hearing Rights			5/15/17 7/13/2016		7/12/17 9/14/2016	08/07/17								01/24/17
4731-1- 19	Probationary Status			5/15/17 7/13/2016		7/12/17 9/14/2016	08/07/17								01/24/17
4731-1-23	<i>Home Study Schools</i>														<i>rescinded</i>
4731-1-24	Massage Therapy Continuing Education		2nd - 3/29/17 3/9/2016	03/09/16			10/26/16								
4731-1-25	<i>Determination of Equiv. Military Educ. For CT/MT</i>		05/13/15	3/22/19 7/23/15			07/23/15			7/1/2015 9/24/15	11/02/15		12/09/15	12/31/15	12/31/20
4731-2-01	Public Notice of Rules Procedure		10/14/15	04/15/16		06/08/16		11/08/17 7/12/2017		09/19/17	10/25/17			12/07/17	12/07/22
4731-4-01	Criminal Records Checks - Definitions			02/20/19			04/23/19								06/29/19
4731-4-02	Criminal Records Checks			02/20/19			04/23/19								06/29/19
4731-5-01	Admission to Examinations			2/8/17 5/13/2016		07/13/16				06/09/17	no change				06/09/22

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4731-5-02	Examination Failure; Inspection and Regrading			2/8/17 5/13/2016		07/13/16				06/09/17	no change				06/09/22
4731-5-03	Conduct During Examinations			2/8/17 5/13/2016		07/13/16				06/09/17	no change				06/09/22
4731-5-04	Termination of Examinations			2/8/17 5/13/2016		07/13/16				06/09/17	no change				06/09/22
4731-6-01	Medical or Osteopathic Licensure: Definitions			2/26/18 2/8/17 5/13/2016		07/13/16	09/25/18			4/10/19 5/23/17	5/13/19 6/23/17		08/09/17	08/31/17	08/31/22
4731-6-02	Preliminary Education for Medical and Osteopathic Licensure			2/26/18 2/8/17 5/13/2016		07/13/16	09/25/18			4/10/19 6/9/2017	05/13/19				06/09/22
4731-6-03	Eligibility for the Medical and Osteopathic Examination			2/26/18 2/8/17 5/13/2016		07/13/16	09/25/18			4/10/19 6/9/2017	05/13/19				06/09/22
4731-6-04	Demonstration of proficiency in spoken English			2/26/18 2/8/17 5/13/2016		07/13/16	09/25/18			06/09/17	no change				06/09/22
4731-6-05	Format of Medical and Osteopathic Examination			2/26/18 2/8/17 5/13/2016		07/13/16	09/25/18			4/10/19 5/23/17	5/13/19 6/23/17		06/09/17	08/31/17	08/31/22
4731-6-07	Passing Average on Examination			2/26/18 2/8/17 5/13/2016		07/13/16	09/25/18			4/10/19 6/9/2017	05/13/19				06/09/22
4731-6-10	Clinical Competency Examination			2/26/18 2/8/17 5/13/2016		07/13/16	09/25/18			4/10/19 5/23/17	5/13/19 6/23/17		06/09/17	08/31/17	06/09/22
4731-6-14	Examination for physician licensure			2/26/18 2/8/2017		07/13/16	09/25/18			4/10/19 6/9/2017	05/13/19				04/29/19
4731-6-15	Eligibility for Licensure of National Board Diplomats and Medical Council of Canada Licentiates			2/26/18 2/8/17 5/13/2016		07/13/16	09/25/18			4/10/19 6/9/2017	05/13/19				06/09/22
4731-6-16	Eligibility for Medical or Osteopathic Licensure by Endorsement of Licenses Granted by Other States			2/26/18 2/8/2017		07/13/16	09/25/18			4/10/19 6/9/2017	05/13/19				04/29/19

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4731-6-20	<i>Requests for medical or osteopathic licensure application</i>														<i>rescinded</i>
4731-6-21	Application Procedures for Certificate Issuance; Investigation; Notice of Hearing Rights			2/26/18 2/8/17 5/13/2016		07/13/16	09/25/18			4/10/19 5/23/17	5/13/19 6/23/17		08/09/17	08/31/17	08/31/22
4731-6-22	Abandonment and Withdrawal of Medical and Osteopathic Licensure Applications			2/26/18 2/8/17 5/13/2016		07/13/16	09/25/18			4/10/19 5/23/17	5/13/19 6/23/17		08/09/17	08/31/17	08/31/22
4731-6-30	Training Certificates			2/26/18 2/8/17 5/13/2016		07/13/16	09/25/18			4/10/19 5/23/17	5/13/19 6/23/17		08/09/17	08/31/17	08/31/22
4731-6-31	Limited Preexamination Registration and Limited Certification			2/26/18 2/8/17 5/13/2016		07/13/16	09/25/18			4/10/19 6/9/2017	05/13/19				06/09/22
4731-6-32	Visiting Faculty Certificates			2/26/18 2/8/17 5/13/2016		07/13/16	09/25/18			4/10/19 5/23/17	5/13/19 6/23/17		08/09/17	08/31/17	08/31/22
4731-6-33	Special Activity Certificates			2/26/18 2/8/17 5/13/2016		07/13/16	09/25/18			4/10/19 5/23/17	5/13/19 6/23/17		08/09/17	08/31/17	08/31/22
4731-6-34	Volunteer's Certificates			2/26/18 2/8/17 5/13/2016		07/13/16	09/25/18			4/10/19 5/23/17	5/13/19 6/23/17		08/09/17	08/31/17	08/31/22
4731-6-35	<i>Processing applications from service members, veterans, or spouses of service members or veterans.</i>		05/13/15	3/22/19 2/26/18 2/8/17			9/25/18 1/8/2015			4/10/19 6/9/2017	05/13/19		09/09/15	09/30/15	09/30/20
4731-7-01	Method of Notice of Meetings								04/08/19					12/31/15	12/31/20
4731-8-01	Personal Information Systems			02/20/19										no change	04/21/21
4731-8-02	Definitions													no change	04/21/21
4731-8-03	Procedures for accessing confidential personal information													no change	04/21/21
4731-8-04	Valid reasons for accessing confidential personal information													no change	04/21/21

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4731-8-05	Confidentiality Statutes			01/15/16				04/13/16		05/05/16	06/13/16			07/31/16	07/31/21
4731-8-06	Restricting & Logging access to confidential personal information			01/15/16				04/13/16		04/21/16					04/21/21
4731-9-01	Record of Board Meetings; Recording, Filming, and Photographing of Meetings			02/20/19		04/08/19									09/30/20
4731-10-01	Definitions		06/08/16	06/09/16		08/10/16	07/31/17			02/02/18					02/02/23
4731-10-02	Requisite Hours of Continuing Medical Education for License Renewal or Reinstatement		06/08/16	6/20/17 6/9/2016		08/10/16	09/26/17						05/09/18	05/31/18	05/31/23
4731-10-03	CME Waiver		06/08/16	06/09/16		08/10/16	07/31/17			02/02/18			05/09/18	05/31/18	05/31/23
4731-10-04	Continuing Medical Education Requirements for Restoration of a License		06/08/16	06/09/16		08/10/16	07/31/17						05/09/18	05/31/18	05/31/23
4731-10-05	Out-of-State Licensees		06/08/16	06/09/16		08/10/16	07/31/17			02/02/18			05/09/18	05/31/18	05/31/23
4731-10-06	Licensure After Cutoff for Preparation of Registration Notices		06/08/16	06/09/16		08/10/16	07/31/17			02/02/18			05/09/18	05/31/18	05/31/23
4371-10-07	Internships, Residencies and Fellowships		06/08/16	06/09/16		08/10/16	07/31/17			02/02/18			05/09/18	05/31/18	05/31/23
4371-10-08	Evidence of Continuing Medical Education		06/08/16	6/20/17 6/9/2016		08/10/16	09/26/17						05/09/18	05/31/18	05/31/23
4731-10-09	Continuing Medical Education Requirement for Mid-term Licensees		06/08/16	6/20/17 6/9/2016		08/10/16	09/26/17						05/09/18	05/31/18	05/31/23
4731-10-10	Continuing Medical Education Requirements Following License Restoration		06/08/16	6/20/17 6/9/2016		08/10/16	09/26/17						05/09/18	05/31/18	05/31/23
4731-10-11	Telemedicine Certificates		06/08/16	06/09/16		08/10/16	07/31/17			02/02/18			05/09/18	05/31/18	05/31/23
4731-11-01	Controlled substances; General Provisions Definitions		8/13/2014 4/13/16	5/11/18 Revision 4/13/17 revision 9/19/16 1/22/15 4/15/16		6/13/18 6/8/2016	refiled 3/21/19 6/14/18 05/11/17 7/5/2016	11/08/17		Refiled 10/16/18 refiled 8/20/18 refiled 9/19/17 refiled 6-16-17 refiled 2/8/17 refiled 1/13/17 11/3/2016	9/26/18 10/25/17 07/26/17 12/8/2016		12/12/18	12/23/18	12/07/22

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4731-11-02	Controlled Substances - General Provisions		10/8/14 05/13/15	5/11/18 Revision 4/13/17		06/13/18	6/14/18 05/11/17 1/8/2015			Refilled 10/16/18 8/20/18 6/16/17 8/24/15 7/1/2015	9/26/18 07/26/17 11/2/2015		12/12/18	4/30/19 12/23/18	rescinded
4731-11-03	Schedule II Controlled Substance Stimulants		10/8/14 5/13/15				01/08/15			8/24/15 7/1/2015	11/02/15		10/14/2015	12/31/15	12/31/20
4731-11-04	Controlled Substances: Utilization for Weight Reduction		11/12/14 05/13/15				01/08/15			1/5/16 8/24/15 7/1/2015	11/02/15			02/29/16	02/28/21
4731-11-04.1	Controlled substances: Utilization for chronic weight management		9/10/14 05/13/15				01/08/15			8/24/15 7/1/2015	11/02/15		10/14/15	12/31/15	12/31/20
4731-11-05	Use of Drugs to Enhance Athletic Ability		10/8/14 05/13/15				01/08/15			8/24/15 7/1/2015	11/02/15		12/09/15	12/31/15	12/31/20
4731-11-06	Waivers for new uses														rescinded
4731-11-07	Research Utilizing Controlled Substances		9/10/14 05/13/15				01/08/15			07/01/15			09/09/15	09/30/15	09/30/20
4731-11-08	Utilizing Controlled Substances for Self and Family Members		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		08/17/16					08/17/21
4731-11-09	Prescribing to persons the physician has never personally examined.		revision 9/19/16 1/14/15 05/13/15 10/8/14 4/13/16	1/22/2015 4/15/16		06/08/16	07/05/16			refiled 2/8/17 refiled (res &new) 1/13/17 11/3/2016	12/08/16			03/23/17	03/23/22
4731-11-11	Standards and procedures for review of "Ohio Automated Rx Reporting System" (OARRS).		revision 1/14/15 05/13/15 10/8/14	7/23/15 1/22/2015			07/23/15			09/24/15	11/02/15		12/09/15	12/31/15	12/31/20
4731-11-12	Office-Based Opioid Treatment		08/31/14				rescind filing 8/3/18 3/28/2014			4/10/19 10/24/18 10/20/14	11/28/18 11/24/14		04/10/19	04/30/19	rescinded
4731-11-13	Prescribing of Opioid Analgesics for Acute Pain			04/13/17			05/11/17				07/26/17		filed 8/21/17	08/31/17	08/31/22
4731-11-14	Prescribing for subacute and chronic pain			05/11/18		06/13/18	Refilled 3/21/19 6/14/2018			Refilled 10/16/18 8/20/2018	09/26/18		12/12/18	12/23/18	12/23/23

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4731-12-01	Preliminary Education for Licensure in Podiatric Medicine and Surgery		02/10/16	7/13/16 2/12/2016		04/13/16	07/11/16	09/14/16		03/28/17	05/03/17		06/14/17	06/30/17	06/30/22
4731-12-02	Standing of Colleges of Podiatric Surgery and Medicine		02/10/16	7/13/16 2/12/2016		04/13/16	07/11/16	09/14/16		03/28/17	05/03/17		06/14/17	06/30/17	06/30/22
4731-12-03	Eligibility for the Examination in Podiatric Surgery and Medicine (see note below)		02/10/16	7/13/16 2/12/2016		04/13/16	07/11/16	09/14/16		04/19/17	NA				04/19/22
4731-12-04	Eligibility of Licensure in Podiatric Medicine and Surgery by Endorsement from Another State		02/10/16	7/13/16 2/12/2016		04/13/16	07/11/16	09/14/16		03/28/17	05/03/17		06/14/17	06/30/17	06/30/22
4731-12-05	Application Procedures for Licensure in Podiatric Medicine and Surgery, Investigation, Notice of Hearing Rights.		02/10/16	7/13/16 2/12/2016		04/13/16	07/11/16	09/14/16		03/28/17	05/03/17		06/14/17	06/30/17	06/30/22
4731-12-06	Visiting Podiatric Faculty Certificates		02/10/16	7/13/16 2/12/2016		04/13/16	07/11/16	09/14/16		03/28/17	05/03/17		06/14/17	06/30/17	06/30/22
4731-12-07	Podiatric Training Certificates		02/10/16	7/13/16 2/12/2016		04/13/16	07/11/16			03/28/17	05/03/17		06/14/17	06/30/17	06/30/22
4731-13-01	Conduct of Hearings - Representative; Appearances		11/04/15	11/06/15			02/01/16	04/13/16		05/05/16	06/13/16			07/31/16	07/31/21
4731-13-02	Filing Request for Hearing		11/04/15	11/06/15			02/01/16	04/13/16		05/05/16	06/13/16			07/31/16	07/31/21
4731-13-03	Authority and Duties of Hearing Examiners		11/04/15	12/12/16 11/6/2015			7/31/17 2/1/2016	6/13/18 4/13/2016		6/20/18 5/5/2016	7/24/18 6/13/2016		09/12/18	09/30/18	07/31/21
4731-13-04	Consolidation		11/04/15	11/06/15			02/01/16	04/13/16		04/21/16	--				04/21/21
4731-13-05	Intervention		11/04/15	11/06/15			02/01/16	04/13/16		04/21/16	--				04/21/21
4731-13-06	Continuance of Hearing		11/04/15	11/06/15			02/01/16	04/13/16		8/4/16 5/5/2016	06/13/16		09/14/16	09/30/16	09/30/21
4731-13-07	Motions		11/04/15	12/12/16 11/6/2015			7/31/17 2/1/2016	6/13/18 4/13/2016		6/20/18 5/5/2016	07/24/18		09/12/18	09/30/18	04/21/21
4731-13-07.1	Form and page limitations for briefs and memoranda			12/12/16			07/31/17	06/13/18		06/20/18	07/24/18		09/12/18	09/30/18	09/30/23
4731-13-08	Filing		11/04/15	11/06/15			02/01/16	04/13/16		05/05/16	06/13/16			07/31/16	07/31/21
4731-13-09	Service		11/04/15	11/06/15			02/01/16	04/13/16		05/05/16	06/13/16			07/31/16	07/31/21
4731-13-10	Computation and Extension of Time		11/04/15	11/06/15			02/01/16	04/13/16		05/05/16	06/13/16			07/31/16	07/31/21
4731-13-11	Notice of Hearings		11/04/15	11/06/15			02/01/16	04/13/16		05/05/16	06/13/16			07/31/16	07/31/21
4731-13-12	Transcripts		11/04/15	11/06/15			02/01/16	04/13/16		05/05/16	06/13/16			07/31/16	07/31/21

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4731-13-13	Subpoenas for Purposes of Hearing	5/8/2019													07/31/21
4731-13-14	Mileage Reimbursement and Witness Fees		11/04/15	11/06/15			02/01/16	04/13/16		04/21/16	--				04/21/21
4731-13-15	Reports and Recommendations		11/04/15	11/06/15			02/01/16	04/13/16		05/05/16	06/13/16			07/31/16	07/31/21
4731-13-16	Reinstatement or Restoration of Certificate		11/04/15	11/06/15			02/01/16	04/13/16		05/05/16	06/13/16			07/31/16	07/31/21
4731-13-17	Settlements, Dismissals, and Voluntary Surrenders		11/04/15	11/06/15			02/01/16	04/13/16		04/21/16	--				04/21/21
4731-13-18	Exchange of Documents and Witness Lists		11/04/15	11/06/15			02/01/16	04/13/16		05/05/16	06/13/16			07/31/16	07/31/21
4731-16-19	<i>Prehearing conference</i>														<i>rescinded</i>
4731-13-20	Depositions in Lieu of Live Testimony and Transcripts in place of Prior Testimony		11/04/15	11/06/15			02/01/16	04/13/16		05/05/16	06/13/16			07/31/16	07/31/21
4731-13-20.1	Electronic Testimony									05/05/16	06/13/16			07/31/16	07/31/21
4731-13-21	Prior Action by the State Medical Board		11/04/15	11/06/15			02/01/16	04/13/16		04/21/16	--				04/21/21
4731-13-22	Stipulation of Facts		11/04/15	11/06/15			02/01/16	04/13/16		04/21/16	--				04/21/21
4731-13-23	Witnesses		11/04/15	11/06/15			02/01/16	04/13/16		8/4/16 5/5/2016	06/13/16			09/14/16	09/30/21
4731-13-24	Conviction of a Crime		11/04/15	11/06/15			02/01/16	04/13/16		04/21/16	--				04/21/21
4731-13-25	Evidence						02/01/16	04/13/16		05/05/16	06/13/16			07/31/16	07/31/21
4731-13-26	Broadcasting and Photographing Administrative Hearings		11/04/15	11/06/15			02/01/16	04/13/16		04/21/16	--				04/21/21
4731-13-27	Sexual Misconduct Evidence		11/04/15	11/06/15			02/01/16	04/13/16		04/21/16	--				04/21/21
4731-13-28	Supervision of Hearing Examiners		11/04/15	11/06/15			02/01/16	04/13/16		04/21/16	--				04/21/21
4731-13-29	<i>Requirements for pre-hearing exchange of information</i>														<i>rescinded</i>
4731-13-30	Prehearing Conference		11/04/15	11/06/15			02/01/16	04/13/16		04/21/16	--				04/21/21
4731-13-31	Transcripts of Prior Testimony		11/04/15	11/06/15			02/01/16	04/13/16		04/21/16	--				04/21/21
4731-13-32	Prior Statements of the Respondent		11/04/15	11/06/15			02/01/16	04/13/16		04/21/16	--				04/21/21
4731-13-33	Physician's Desk Physician		11/04/15	11/06/15			02/01/16	04/13/16		04/21/16	--				04/21/21
4731-13-34	Ex Parte Communication		11/04/15	11/06/15			02/01/16	04/13/16		05/05/16	06/13/16			07/31/16	07/31/21
4731-13-35	Severability		11/04/15	11/06/15			02/01/16	04/13/16		04/21/16	--				04/21/21
4731-13-36	Disciplinary Actions		11/04/15	11/06/15			02/01/16	04/13/16		05/05/16	06/13/16			07/31/16	07/31/21
4731-14-01	Pronouncement of Death		11/04/15	11/06/15			02/01/16	03/09/16		03/15/16	04/20/16			06/30/16	06/30/21
4731-15-01	Licensee Reporting Requirement; Exceptions		06/08/16	06/09/16		08/10/16	07/31/17			11/17/17					11/17/22



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4731-15-02	Healthcare Facility Reporting Requirement		06/08/16	06/09/16		08/10/16	07/31/17			11/17/17					11/17/22
4731-15-03	Malpractice Reporting Requirement		06/08/16	06/09/16		08/10/16	07/31/17			11/17/17					11/17/22
4731-15-04	Professional Society Reporting		06/08/16	06/09/16		08/10/16	07/31/17			11/17/17					11/17/22
4731-15-05	Liability; Reporting Forms; Confidentiality and Disclosure		06/08/16	06/09/16		08/10/16	07/31/17			11/17/17					11/17/22
4731-16-01	Rules governing impaired physicians and approval of treatments programs - Definitions		06/08/16	06/09/16		08/10/16	08/29/17			11/17/17					11/17/22
4731-16-02	General Procedures in Impairment Cases		06/08/16	06/09/16		08/10/16	08/29/17			11/17/17					11/17/22
4731-16-03	<i>Mental or physical impairment</i>														<i>rescinded</i>
4731-16-04	Other Violations		06/08/16	06/09/16		08/10/16	08/29/17			11/17/17					11/17/22
4731-16-05	Examinations		06/08/16	06/09/16		08/10/16	08/29/17			11/17/17					11/17/22
4731-16-06	Consent Agreements and Orders for Reinstatement of Impaired Practitioners		06/08/16	06/09/16		08/10/16	08/29/17			11/17/17					11/17/22
4731-16-07	Treatment Provider Program Obligations		06/08/16	06/09/16		08/10/16	08/29/17			11/17/17					11/17/22
4731-16-08	Criteria for Approval		06/08/16	06/09/16		08/10/16	08/29/17			11/17/17					11/17/22
4731-16-09	Procedures for Approval		06/08/16	06/09/16		08/10/16	08/29/17			11/17/17					11/17/22
4731-16-10	Aftercare Contracts		06/08/16	06/09/16		08/10/16	08/29/17			11/17/17					11/17/22
4731-16-11	Revocation, Suspension, or Denial of Certificate of Good Standing		06/08/16	06/09/16		08/10/16	08/29/17			11/17/17					11/17/22
4731-16-12	Out-of-State Impairment Cases		06/08/16	06/09/16		08/10/16	08/29/17			11/17/17					11/17/22
4731-16-13	Patient Consent; Revocation of Consent		06/08/16	06/09/16		08/10/16	08/29/17			11/17/17					11/17/22
4731-16-14	Caffeine, Nicotine, and Over-The Counter Drugs		06/08/16	06/09/16		08/10/16	08/29/17			11/17/17					11/17/22
4731-16-15	Patient Rights		06/08/16	06/09/16		08/10/16	08/29/17			11/17/17					11/17/22
4731-16-16	<i>Practice Prohibition</i>		06/08/16	12/17/18 6/9/2016		08/10/16	1/11/19 8/29/2017			4/10/19 11/17/17	05/13/19				11/17/22
4731-16-17	Requirements for the one-bite program			03/21/18			05/30/18			10/24/18	11/28/18		01/09/19	01/31/19	01/31/24
4731-16-18	Eligibility for the one-bite program			03/21/18			05/30/18			10/24/18	11/28/18		01/09/19	01/31/19	01/31/24
4731-16-19	Monitoring organization for one-bite program			03/21/18			05/30/18			10/24/18	11/28/18		01/09/19	01/31/19	01/31/24

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4731-16-20	Treatment providers in the one-bite program			03/21/18			05/30/18			10/24/18	11/28/18		01/09/19	01/31/19	01/31/24
4731-16-21	Continuing care for the one-bite program			03/21/18			05/30/18			10/24/18	11/28/18		01/09/19	01/31/19	01/31/24
4731-17-01	Exposure-Prone Invasive Procedure Precautions - Definitions		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		10/20/16 8/16/2016	09/19/16		12/14/16	12/31/16	12/31/21
4731-17-02	Universal Precautions		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		08/16/16	09/19/16		11/09/16	11/30/16	11/30/21
4731-17-03	Hand Washing		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		08/17/16					08/17/21
4731-17-04	Disinfection and Sterilization		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		10/20/16 8/16/2016	09/19/16		12/14/16	12/31/16	12/31/21
4731-17-05	Handling and Disposal of Sharps and Wastes		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		08/17/16					08/17/21
4731-17-06	Barrier Techniques		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		08/17/16					08/17/21
4731-17-07	Violations		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		08/16/16	09/19/16		10/19/16	11/09/16	11/30/21
4731-18-01	<i>Standards for Surgery</i>			1/17/18 1/15/2016		03/14/18	06/27/18			04/10/19	05/13/19				05/04/00
4731-18-02	Use of Light Based Medical Devices			1/17/18 1/15/2016		03/14/18									06/30/05
4731-18-03	Delegation of the Use of Light Based Medical Devices			1/17/18 1/15/2016		03/14/18									06/30/05
4731-18-04	Delegation of the Use of Light Based Medical Devices; Exceptions			1/17/18 1/15/2016		03/14/18									05/31/07
4731-19-01	<i>Duty of License to Report HIV or HBV Infection; Confidentiality</i>		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		08/16/16	09/19/16		Rescinded1 1/9/2016	11/30/16	Rescinded1 1/9/2016
4731-19-02	<i>Licensee's Duty to Report Infection with HIV or HBV</i>		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		08/16/16	09/19/16		Rescinded 11/9/2016	11/30/16	Rescinded 11/9/2016
4731-19-03	<i>Confidentiality; Reporting by Board</i>		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		08/16/16	09/19/16		Rescinded1 1/9/2016	11/30/16	Rescinded1 1/9/2016
4731-19-04	<i>Voluntary Compliance</i>		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		08/16/16	09/19/16		Rescinded 11/9/2016	11/30/16	Rescinded 11/9/2016
4731-19-05	<i>Duty to Refrain from Certain Procedures</i>		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		08/16/16	09/19/16		Rescinded1 1/9/2016	11/30/16	Rescinded1 1/9/2016

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4731-19-06	Board Procedures		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		08/16/16	09/19/16		Rescinded 11/9/2016	11/30/16	Rescinded 11/9/2016
4731-19-07	Confidential Monitoring Program		12/09/15	12/11/15		02/10/16	03/07/16	05/11/16		08/16/16	09/19/16		Rescinded1 1/9/2016	11/30/16	Rescinded1 1/9/2016
4731-20-01	Surgery Privileges of Podiatrist - Definition of Foot		03/09/16	03/11/16		05/11/16	07/31/17	02/14/18					05/09/18	05/31/18	05/31/23
4731-20-02	Surgery: Ankle Joint		03/09/16	03/11/16			07/31/17	02/14/18					05/09/18	05/31/18	05/31/23
4731-21-01	Drug Treatment of Intractable Pain - Definitions		03/09/16	7/13/16 3/11/2016		06/13/18	6/14/18 7/11/2016	10/19/16		Refiled 10/16/18 rescind filed 8/20/18 5/23/2017	06/23/17		08/09/17	08/31/17	rescinded 12/23/18
4731-21-02	Utilizing Prescription Drugs for the Treatment of Intractable Pain		03/09/16	7/13/16 3/11/2016		06/13/18	6/14/18 7/11/2016	10/19/16		Refiled 10/16/18 rescind filed 8/20/18 5/23/2017	06/23/17		08/09/17	08/31/17	rescinded 12/23/18
4731-21-03	Continuing Medical Education		03/09/16	7/13/16 3/11/2016		06/13/18	6/14/18 7/11/2016	10/19/16		Refiled 10/16/18 rescind filed 8/20/18 5/23/2017	06/23/17		08/09/17	08/31/17	rescinded 12/23/18
4731-21-04	Tolerance, Physical Dependence and Addiction		03/09/16	7/13/16 3/11/2016		06/13/18	6/14/18 7/11/2016	10/19/16		Refiled 10/16/18 rescind filed 8/20/18 5/23/2017	06/23/17		08/09/17	08/31/17	rescinded 12/23/18
4731-21-05	Violations		03/09/16	7/13/16 3/11/2016		06/13/18	6/14/18 7/11/2016	10/19/16		Refiled 10/16/18 rescind filed 8/20/18 5/23/2017	no change				rescinded 12/23/18

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4731-21-06	Exceptions		03/09/16	7/13/16 3/11/2016		06/13/18	6/14/18 7/11/2016	10/19/16		Refiled 10/16/18 rescind filed 8/20/18 5/23/2017	06/23/17		08/09/17	08/31/17	rescinded 12/23/18
4731-22-01	Emeritus Registration - Definitions		03/09/16	7/13/16 3/11/2016			07/11/16	09/14/16		(Revised 6-5- 17 for XML version) 5/23/2017	06/23/17		08/09/17	08/31/17	08/31/22
4731-22-02	Application		03/09/16	7/13/16 3/11/2016			07/11/16	09/14/16		05/23/17	06/23/17		08/09/17	08/31/17	08/31/22
4731-22-03	Status of Registrant		03/09/16	7/13/16 3/11/2016			07/11/16	09/14/16		05/12/17					05/12/22
4731-22-04	Continuing Education Requirements		03/09/16	7/13/16 3/11/2016			07/11/16	09/14/16		05/12/17					05/12/22
4731-22-05	Documentation of Status														rescinded
4731-22-06	Renewal of Cycle of Fees		03/09/16	7/13/16 3/11/2016			07/11/16	09/14/16		05/12/17					05/12/22
4731-22-07	Change to Active Status		03/09/16	7/13/16 3/11/2016			07/11/16	09/14/16		05/23/17	06/23/17		08/09/17	08/31/17	08/31/22
4731-22-08	Cancellation of or Refusal to Issue an Emeritus Registration		03/09/16	7/13/16 3/11/2016			07/11/16	09/14/16		05/12/17					05/12/22
4731-23-01	Delegation of Medical Tasks - Definitions			01/15/16			04/04/16	05/11/16		08/16/16	09/19/16		11/09/16	11/30/16	11/30/21
4731-23-02	Delegation of Medical Tasks			01/15/16			04/04/16	05/11/16		08/16/16	09/19/16		11/09/16	11/30/16	11/30/21
4731-23-03	Delegation of Medical Tasks: Prohibitions			01/15/16			04/04/16	05/11/16		08/17/16					08/17/21
4731-23-04	Violations			01/15/16			04/04/16	05/11/16		08/17/16					08/17/21
4731-24-01	Anesthesiologist Assistants - Definitions			10/30/18			1/11/19 11/7/2013			4/10/19 2/19/14	05/13/19				03/19/19
4731-24-02	Anesthesiologist Assistants; Supervision			10/30/18			1/11/19 11/7/2013			4/10/19 2/19/14	05/13/19				03/19/19

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4731-24-03	Anesthesiologist Assistants; Enhanced Supervision			10/30/18			1/11/19 11/7/2013			4/10/19 2/19/14	05/13/19				03/19/19
4731-24-04	Anesthesiologist Assistants; Prohibitions						11/07/13			06/17/14	04/23/14		06/11/14	06/17/14	rescinded
4731-24-05	Military Provisions Related to Certificate to Practice as an Anesthesiologist Assistant			03/22/19			01/11/19		04/08/19						09/30/20
4731-25-01	Office-Based Surgery - Definition of Terms		10/19/16 05/11/16	01/15/16			07/31/17	02/14/18							03/01/23
4731-25-02	General Provisions			01/15/16		05/11/16	07/31/17	02/14/18					05/09/18	05/31/18	05/31/23
4731-25-03	Standards for Surgery Using Moderate Sedation/Analgesia			01/15/16		05/11/16	07/31/17	02/14/18					05/09/18	05/31/18	08/31/23
4731-25-04	Standards for Surgery Using Anesthesia Services			01/15/16		05/11/16	07/31/17	02/14/18					05/09/18	05/31/18	05/31/23
4731-25-05	Liposuction in the Office Setting			01/15/16		05/11/16	07/31/17	02/14/18							03/01/23
4731-25-07	Accreditation of Office Settings			01/15/16		05/11/16	07/31/17	02/14/18					05/09/18	05/31/18	05/31/23
4731-25-08	Standards for Surgery			01/17/18			06/27/18			04/10/19	05/13/19				
4731-26-01	Sexual Misconduct - Definitions		11/04/15	11/06/15			02/01/16	03/09/16		03/15/16	04/20/16			06/30/16	06/30/21
4731-26-02	Prohibitions		11/04/15	11/06/15			02/01/16	03/09/16		03/15/16	04/20/16				06/14/21
4731-26-03	Violations; Miscellaneous		11/04/15	11/06/15			02/01/16	03/09/16		03/15/16	04/20/16			06/30/16	06/30/21
4731-27-01	Definitions			05/11/18			08/03/18			02/03/19					02/02/24
4731-27-02	Dismissing a patient from the medical practice			05/11/18			08/03/18			02/06/19	03/12/19		05/08/19	05/31/19	06/29/19
4731-27-03	Notice of termination of physician employment or physician leaving a practice, selling a practice, or retiring from the practice of medicine			05/11/18			08/03/18			02/06/19	03/12/19		05/08/19	05/31/19	06/29/19
4731-28-01	Mental or Physical Impairment		12/09/15	12/11/15		02/10/16	03/07/16			05/23/17	06/23/17		08/09/17	08/31/17	08/31/22
4731-28-02	Eligibility for confidential monitoring program			04/10/17			02/06/18			05/30/18	07/09/18		08/08/18	08/31/18	08/31/23
4731-28-03	Participation in the confidential monitoring program			04/10/17			02/06/18			05/30/18	07/09/18		08/08/18	08/31/18	08/31/23
4731-28-04	Disqualification from continued participation in the confidential monitoring program			04/10/17			02/06/18			05/30/18	07/09/18		08/08/18	08/31/18	08/31/23

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4731-28-05	Termination of the participation agreement for the confidential monitoring program			04/10/17			02/06/18			05/30/18	07/09/18		08/08/18	08/31/18	08/31/23
4731-29-01	Standards and procedures for operation of a pain management clinic.			07/13/16			07/11/16	12/14/16		03/28/17	05/03/17		06/14/17	06/30/17	06/30/22
4731-30-01	Internal Management Definitions												09/12/18	09/23/18	
4731-30-02	Internal Management Board Metrics												09/12/18	09/23/18	
4731-31-01	Requirements for assessing and granting clearance for return to practice or competition. (concussion rule)		05/13/15	02/26/18			5/16/18 6/2/2015			4/10/19 9/8/2015	05/13/19		09/09/15	09/18/15	09/18/20
4731-32-01	Definition of Terms						03/23/17			06/09/17	07/10/17		08/09/17	09/08/17	09/08/22
4731-32-02	Certificate to Recommend Medical Marijuana						03/23/17			06/09/17	07/10/17		08/09/17	09/08/17	09/08/22
4731-32-03	Standard of Care						03/23/17			06/09/17	07/10/17		08/09/17	09/08/17	09/08/22
4731-32-04	Suspension and Revocation of Certificate to Recommend						03/23/17			06/09/17	07/10/17		08/09/17	09/08/17	09/08/22
4731-32-05	Petition to Request Additional Qualifying Condition or Disease						03/23/17			06/09/17	07/10/17		08/09/17	09/08/17	09/08/22
4731-33-01	Definitions		02/14/18	02/21/18			08/03/18			4/10/19 refiled 2/15/19 10/24/2018	11/28/18		04/10/19	04/30/19	04/30/24
4731-33-03	Office-Based Treatment for Opioid Addiction		02/14/18	02/21/18			08/03/18			4/10/19 refiled 2/15/19 10/24/2018	11/28/18		04/10/19	04/30/19	04/30/24
4731-33-04	Medication Assisted Treatment Using Naltrexone	5/8/2019					08/03/18			4/10/19 refiled 2/15/19 10/24/2018	11/28/18		04/10/19	04/30/19	04/30/24
4731-34-01	Standards and Procedures to be followed by physicians when prescribing a dangerous drug that may be administered by a pharmacist by injection.		04/11/18	04/19/18			06/27/18			04/10/19	05/13/19				

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4731-35-01	Consult Agreements			01/18/19			03/21/19								
4731-35-02	Standards for managing drug therapy			01/18/19			03/21/19								
4731-36-01	Military provisions related to education and experience requirements for licensure		03/13/19	03/22/19											
4731-36-02	Military provisions related to renewal of license and continuing education		03/13/19	03/22/19											
4731-36-03	Processing applications from service members, veterans, or spouses of service members or veterans.		03/13/19	03/22/19											
4759-1-01	<i>Public notice of rule adoption</i>		04/11/18	04/19/18		07/11/18	09/25/18								<i>To be rescinded</i>
4759-1-02	<i>Notice of board meeting</i>		04/11/18	04/19/18		07/11/18	09/25/18								<i>To be rescinded</i>
4759-1-03	<i>Personal information systems</i>		04/11/18	04/19/18		07/11/18	09/25/18								<i>To Be rescinded</i>
4759-2-01	Definitions		04/11/18	04/19/18		07/11/18	09/25/18								<i>To be rescinded</i>
4759-3-01	<i>Duties of Board members</i>		04/11/18	04/19/18		07/11/18	09/25/18								<i>To be rescinded</i>
4759-3-02	<i>Executive secretary/executive director</i>		04/11/18	04/19/18		07/11/18	09/25/18								<i>To be rescinded</i>
4759-3-03	<i>Minutes of board meetings</i>		04/11/18	04/19/18		07/11/18	09/25/18								<i>To be rescinded</i>
4759-3-04	<i>Cooperation and communication with professional organizations</i>		04/11/18	04/19/18		07/11/18	09/25/18								<i>To be rescinded</i>
4759-3-05	<i>Advisory committees</i>		04/11/18	04/19/18		07/11/18	09/25/18								<i>To be rescinded</i>
4759-3-06	<i>Parliamentary procedures</i>		04/11/18	04/19/18		07/11/18	09/25/18								<i>To be rescinded</i>
4759-3-07	<i>Adjudication hearings</i>		04/11/18	04/19/18		07/11/18	09/25/18								<i>To be rescinded</i>
4759-4-01	Applications		04/11/18	04/19/18		07/11/18	09/25/18								
4759-4-02	Preprofessional experience		04/11/18	04/19/18		07/11/18	09/25/18								
4759-4-03	Examination		04/11/18	04/19/18		07/11/18	09/25/18								
4759-4-05	<i>Licensure by reciprocity</i>														<i>To be rescinded</i>
4759-4-06	<i>Status categories</i>														<i>To be rescinded</i>
4759-4-07	<i>Failure to maintain licensure</i>														<i>To be rescinded</i>
4759-4-08	Limited permit		04/11/18	04/19/18		07/11/18	09/25/18								
4759-4-09	License certificates and permits		04/11/18	04/19/18		07/11/18	09/25/18								

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4759-10-05	<i>Restricting &amp; Logging access to confidential personal information in computerized personal information systems</i>		04/11/18	04/19/18		07/11/18	09/25/18								To be rescinded
4759-11-01	Miscellaneous Provisions		04/11/18	04/19/18		07/11/18	09/25/18								
4761-1-01	<i>Public hearings on adoption, amendment, or rescission of rules: methods of public notice</i>													02/28/19	Rescinded
4761-1-02	<i>Notice of board meetings</i>													02/28/19	Rescinded
4761-2-01	<i>Board Organization</i>									01/19/19				02/28/19	Rescinded
4761-2-02	<i>Personnel</i>									01/19/19				02/28/19	Rescinded
4761-2-03	Board Records		04/11/18	04/19/18		07/11/18	09/25/18			11/15/18	12/17/18			02/28/19	02/28/24
4761-2-05	<i>Personal information systems</i>													02/28/19	Rescinded
4761-3-01	Definition of terms		04/11/18	04/19/18		07/11/18	09/25/18			11/15/18	12/17/18			02/28/19	02/28/24
4761-4-01	Approval of educational programs		04/11/18	04/19/18		07/11/18	09/25/18			11/15/18	12/17/18			02/28/19	02/28/24
4761-4-02	Monitoring of Ohio respiratory care educational programs									11/15/18	12/17/18			02/28/19	02/28/24
4761-4-03	<i>Recognition of military educational programs for active duty military members and/or military veterans</i>			03/22/19						11/15/18	no change				11/15/23
4761-5-01	Waiver of licensing requirements pursuant to division (B) of section 4761.04 or the Revised Code		04/10/19	04/23/19											04/24/18
4761-5-02	Admission to the Ohio credentialing examination		04/10/19	04/23/19											05/06/15
4761-5-04	License application procedure		04/10/19	04/23/19											
4761-5-05	<i>Non-resident practice of respiratory care</i>									01/19/19				02/28/19	Rescinded
4761-5-06	Respiratory care practice by polysomnographic technologists		04/10/19	04/23/19											12/31/17
4761-5-07	<i>Criminal records check</i>													02/28/19	Rescinded
4761-6-01	Limited permit application procedure		04/10/19	04/23/19											02/28/24
4761-7-01	Original license or permit, identification card or electronic license verification		04/11/18	04/19/18		07/11/18	09/25/18			11/15/18	12/17/18			02/28/19	02/28/24

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4761-7-03	Scope of respiratory care defined									11/15/18	no change				11/15/23
4761-7-04	Supervision		04/10/19	04/23/19											11/15/23
4761-7-05	Administration of medicines									11/15/18	no change				11/15/23
4761-8-01	Renewal of license or permits			03/22/19											08/15/18
4761-8-02	<i>Licenses not in active practice</i>									01/19/19				02/28/19	Rescinded
4761-9-01	Definition of respiratory care continuing education		04/10/19	04/23/19											02/28/24
4761-9-02	Gemera; RCCE requirements and reporting mechanism			03/22/19											
4761-9-03	Activities which do not meet the Ohio RCCE requirements		04/11/18	04/19/18		07/11/18	09/25/18			11/15/18	12/17/18			02/28/19	02/28/24
4761-9-04	Ohio respiratory care law and professional ethics course criteria		04/10/19	04/23/19											02/28/24
4761-9-05	Approved sources of RCCE		04/10/19	04/23/19											02/28/24
4761-9-07	Auditing for compliance with RCCE requirements		04/10/19	04/23/19											
4761-10-01	Ethical and professional conduct		04/11/18	04/19/18		07/11/18	09/25/18			11/15/18	12/17/18			02/28/19	02/28/24
4761-10-02	Proper use of credentials									11/15/18	no change				11/15/23
4761-10-03	Providing information to the Board		04/10/19	04/23/19											
4761-11-01	<i>Filing of complaints</i>									01/19/19				02/28/19	Rescinded
4761-11-02	<i>Administrative procedure for refusal to issue or renew a license or permit, deny, suspend, or revoke a certificate or license</i>									01/19/19				02/28/19	Rescinded
4761-11-03	<i>Board imposition of penalties</i>									02/06/19	03/12/19		05/08/19	05/31/19	To be rescinded
4761-11-04	<i>Representation; appearance; communication applicability</i>													02/28/19	Rescinded
4761-11-05	<i>Authority and duties of the board or hearing examiner</i>													02/28/19	Rescinded
4761-11-06	<i>Continuance of Hearing</i>													02/28/19	Rescinded
4761-11-07	<i>Filing</i>									01/19/19				02/28/19	Rescinded
4761-11-08	<i>Service</i>													02/28/19	Rescinded
4761-11-09	<i>Computation and Extension of Time</i>													02/28/19	Rescinded

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4761-11-10	Motions													02/28/19	Rescinded
4761-11-11	Transcripts									01/19/19				02/28/19	Rescinded
4761-11-12	Subpoenas for Purposes of Hearing													02/28/19	Rescinded
4761-11-13	Mileage Reimbursement and Witness Fees									01/19/19				02/28/19	Rescinded
4761-11-14	Reports and Recommendations									01/19/19				02/28/19	Rescinded
4761-11-15	Exchange of Documents and Witness Lists													02/28/19	Rescinded
4761-11-16	Depositions and transcripts of prior testimony									01/19/19				02/28/19	Rescinded
4761-11-17	Witnesses													02/28/19	Rescinded
4761-11-18	Expert testimony									01/19/19				02/28/19	Rescinded
4761-11-19	Exhibits													02/28/19	Rescinded
4761-12-01	Initial application fee			03/22/19											
4761-12-02	Renewal fees									01/19/19				02/28/19	Rescinded
4761-12-03	Replacement of license or certificate													02/28/19	Rescinded
4761-13-01	Definitions for accessing confidential personal information									01/19/19				02/28/19	Rescinded
4761-13-02	Procedures for accessing confidential personal information									01/19/19				02/28/19	Rescinded
4761-13-03	Valid reasons for accessing confidential personal information									01/19/19				02/28/19	Rescinded
4761-13-04	Confidentiality Statutes									01/19/19				02/28/19	Rescinded
4761-13-05	Restricting & Logging access to confidential personal information in computerized personal information systems									01/19/19				02/28/19	Rescinded
4761-14-01	Accepting and storing hyperbaric technologist certifications													02/28/19	Rescinded
4761-15-01	Miscellaneous Provisions		04/11/18	04/19/18		07/11/18	09/25/18			11/15/18	12/17/18			02/28/19	02/28/24





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MEMORANDUM

TO: Amol Soin, M.D., Chair, Policy Committee  
Members, Policy Committee

FROM: Sallie Debolt, Senior Counsel

RE: Rules 4731-33-01 and 4731-33-02

DATE: April 23, 2019

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Section 4731.056, Ohio Revised Code, requires the Medical Board to adopt a rule that establishes standards and procedures to be followed by physicians in the use of drugs approved by the FDA for use in medication-assisted treatment, including detoxification. Section 4730.55, ORC, requires the adoption of such rules applicable to physician assistants.

Attached to this memo are proposed amended rule 4731-33-01, Definitions, and new rule 4731-33-02, Standards and procedures for withdrawal management for drug or alcohol addiction. The physician assistant rules will be virtually the same, only with reference to “physician assistant” instead of “physician.” The draft rules reflect the input of the Ohio Board of Nursing staff and the Ohio Department of Mental Health and Addiction Services. Upon approval, the physician assistant rules will be drafted using the same language.

**Rule 4731-33-01** is amended by adding definitions for “Withdrawal management” and “Ambulatory detoxification.” The exemptions for providers of ambulatory detoxification are the same as the exemptions for office-based opioid treatment.

**New rule 4731-33-02:**

Paragraph (A): Requires the physician to inform the patient that detoxification is not treatment for substance use disorder. The paragraph also spells out the actions that must be taken to comply with Section 3719.04, ORC.

***Paragraph (B): Ambulatory detoxification for opioid addiction***

- (1) Sets out conditions under which ambulatory detoxification may be appropriate.
  - (2) Requires the provision to be consistent with the American Society of Addiction Medicine’s Level I-D or II-D level of care.
  - (3) Requires the performance of an assessment focusing on signs and symptoms associated with opioid addiction.
  - (4) Requires a biomedical and psychosocial evaluation of the patient.
  - (5) Requires a review of the patient’s OARRS report.
  - (6) Requires information be given to the patient concerning risks of relapse and of overdose
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- (7) Requires an individualized treatment plan.
- (8) Requires patient counseling to be offered when the treatment is expected to last less than six months.
- (9) Requires periodic urine and/or other toxicological screenings, but is not specific as to frequency. Requires the physician to consider referral of a patient who has a positive screen.
- (10) Lists permissible and not permissible drugs that may be used; sets limits on the number of days allowed for prescriptions for take-home medications.
- (11) Requires the physician to offer a prescription for a naloxone kit.
- (12) Requires steps to reduce the chances of diversion.

***Paragraph (C) Ambulatory detoxification from benzodiazepines or other sedatives***

Requires compliance with paragraph (A) of the rule and TIP 45.

- (1) Stipulates the conditions under which ambulatory detoxification may be provided.
- (2) Requires an assessment using a scale such as the "Clinical Institute Withdrawal Assessment for Benzodiazepines."
- (3) Requires a biomedical and psychosocial evaluation of the patient.
- (4) Requires that the patient be instructed not to drive during treatment.
- (5) Requires regular assessment to include urine and/or toxicological screenings. Requires steps to reduce chances of diversion.

***Paragraph (D) Ambulatory detoxification from alcohol***

Requires compliance with paragraph (A) of the rule and TIP 45.

- (1) Sets standards for when ambulatory detoxification may be appropriate.
- (2) Requires an assessment focusing on signs and symptoms associated with alcohol use disorder.
- (3) Requires a biomedical and psychosocial evaluation.
- (4) Requires on-going urine and/or other toxicological screenings.
- (5) Requires that the physician recommend that the patient who successfully completes withdrawal enter a long-term treatment program.

It should be noted that a provision of the Revised Code effective in August 2019 will require that materials that are "incorporated by reference," such as the various assessment scales and the ASAM Criteria, be readily accessible to the persons affected by the rule, including review with no fee at the Medical Board office. Research is still underway as to how best to cite the sources to comply with the new ORC requirements. The quandary is expected to be solved by the time the rules come back to the Policy Committee for approval to file with the Common Sense Initiative Office.

**REQUESTED ACTION:** Please approve the proposed rules to be circulated to interested parties for their input.

4731-33-01

**Definitions.**

- (A) "Office-based opioid treatment" or "OBOT" means medication-assisted treatment, as that term is defined in this rule, in a private office or public sector clinic that is not otherwise regulated, by practitioners authorized to prescribe outpatient supplies of medications approved by the United States food and drug administration for the treatment of opioid addiction or dependence, prevention of relapse of opioid addiction or dependence, or both. OBOT includes treatment with all controlled substance medications approved by the United States food and drug administration for such treatment. OBOT does not include treatment that occurs in the following settings:
- (1) A state or local correctional facility, as defined in section 5163.45 of the Revised Code;
  - (2) A hospital, as defined in section 3727.01 of the Revised Code;
  - (3) A provider certified to provide residential and inpatient substance use disorder services, including withdrawal management, by the Ohio department of mental health and addiction services;
  - (4) An opioid treatment program certified by SAMHSA and accredited by an independent SAMHSA-approved accrediting body; or
  - (5) A youth services facility, as defined in section 103.75 of the Revised Code.
- (B) "SAMHSA" means the United States substance abuse and mental health services administration.
- (C) "Medication-assisted treatment" means alcohol or drug addiction services that are accompanied by medication that has been approved by the United States food and drug administration for the treatment of substance use disorder, prevention of relapse of substance use disorder, or both.
- (D) "Substance use disorder" includes misuse, dependence, and addiction to alcohol and/or legal or illegal drugs, as determined by diagnostic criteria in the "Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition" or "DSM-5."
- (E) "OARRS" means the "Ohio Automated Rx Reporting System" drug database established and maintained pursuant to section 4729.75 of the Revised Code.
- (F) For purposes of the rules in Chapter 4731-33 of the Administrative Code:
- (1) "Qualified behavioral healthcare provider" means the following who is practicing within the scope of the professional license:



- (a) Board certified addictionologist, board certified addiction psychiatrist, or psychiatrist, licensed under Chapter 4731. of the Revised Code;
  - (b) Licensed independent chemical dependency counselor-clinical supervisor, licensed independent chemical dependency counselor, licensed chemical dependency counselor III, licensed chemical dependency counselor II, or licensed chemical dependency counselor assistant licensed under Chapter 4758. of the Revised Code;
  - (c) Professional clinical counselor, licensed professional counselor, licensed independent social worker, licensed social worker, or marriage and family therapist, licensed under Chapter 4757. of the Revised Code;
  - (d) Advanced practice registered nurse, licensed as a clinical nurse specialist under Chapter 4723. of the Revised Code, who holds certification as a psychiatric mental health clinical nurse specialist issued by the American nurses credentialing center.
  - (e) Advanced practice registered nurse, licensed as a nurse practitioner under Chapter 4723. of the Revised Code, who holds certification as a psychiatric mental health nurse practitioner issued by the American nurses credentialing center;
  - (f) Psychologist, as defined in division (A) of section 4732.01 of the Revised Code, licensed under Chapter 4732. of the Revised Code; or
  - (g) An advanced practice registered nurse, licensed under Chapter 4723. of the Revised Code, who holds subspecialty certification as a certified addiction registered nurse-advanced practice issued by the addictions nursing certification board.
- (2) Nothing in this paragraph shall be construed to prohibit a physician assistant licensed under Chapter 4730. of the Revised Code who practices under a supervision agreement with a board certified addiction psychiatrist, board certified addictionologist, or psychiatrist who is licensed as a physician under Chapter 4731. of the Revised Code, from providing services within the normal course of practice and expertise of the supervising physician, including addiction services, other mental health services, and physician delegated prescriptive services in compliance with Ohio and federal laws and rules.
- (G) "Community addiction services provider," has the same meaning as in section 5119.01 of the Revised Code.

- (H) "Community mental health services provider," has the same meaning as in section 5119.01 of the Revised Code.
- (I) "Induction phase," means the phase of opioid treatment during which maintenance medication dosage levels are adjusted until a patient attains stabilization.
- (J) "Stabilization phase," means the medical and psychosocial process of assisting the patient through acute intoxication and withdrawal management to the attainment of a medically stable, fully supported substance-free state, which may include the use of medications.
- (K) "Withdrawal management" or "detoxification" means the process of safely removing additive substances from the body. It includes the term "medically-assisted stabilization," which aims to reduce discomfort and potential physical harm for individuals who are experiencing withdrawal. Withdrawal management does not constitute substance abuse treatment or rehabilitation.
- (L) "Ambulatory detoxification" means withdrawal management delivered in a medical office, public sector clinic, or urgent care facility by trained practitioners authorized to prescribe outpatient supplies of drugs approved by the United States food and drug administration for the treatment of addiction, prevention of relapse of drug addiction, or both. Ambulatory detoxification is the provision of medically supervised evaluation, withdrawal management, and referral services without extended onsite monitoring. Ambulatory detoxification does not include withdrawal management that occurs in the following settings:
- (1) A state or local correctional facility, as defined in section 5163.45 of the Revised Code;
  - (2) In-patient treatment in a hospital, as defined in section 3727.01 of the Revised Code;
  - (3) A provider certified to provide residential and inpatient substance use disorder services, including withdrawal management, by the Ohio department of mental health and addition services;
  - (4) An opioid treatment program certified by SAMHSA and accredited by an independent SAMHSA-approved accrediting body; or
  - (4) A youth services facility, as defined in section 103.75 of the Revised Code.

**Rule 4731-33-02 Standards and procedures for withdrawal management for drug or alcohol addiction.**

- (A) Prior to providing ambulatory detoxification, as that term is defined in rule 4731-33-01 of the Administrative Code, for any substance use disorder the physician shall inform the patient that ambulatory detoxification alone is not substance abuse treatment. If the patient prefers substance abuse treatment, the physician shall comply with the requirements of section 3719.064 of the Revised Code, by completing all of the following actions:
- (1) Both orally and in writing, give the patient information about all drugs approved by the U.S. Food and Drug Administration for use in medication-assisted treatment. That information was given shall be documented in the patient's medical record.
  - (2) If the patient agrees to enter opioid treatment and the physician determines that such treatment is clinically appropriate, the physician shall refer the patient to an opioid treatment program licensed or certified by the Ohio department of mental health and addiction services to provide such treatment or to a physician, physician assistant, or advanced practice registered nurse who provides treatment using Naltrexone or who holds the DATA 2000 waiver to provide office-based treatment for opioid use disorder. The name of the program, physician, physician assistant, or advanced practice registered nurse to whom the patient was referred, and the date of the referral shall be documented in the patient record.
- (B) Ambulatory detoxification for opioid addiction.
- (1) The physician shall provide ambulatory detoxification only when all of the following conditions are met:
    - (a) A positive and helpful support network is available to the patient.
    - (b) The patient has a high likelihood of treatment adherence and retention in treatment.
    - (c) There is little risk of medication diversion.
  - (2) The physician shall provide ambulatory detoxification under a defined set of policies and procedures or medical protocols consistent with American Society of Addiction Medicine's Level I-D or II-D level of care, under which services are designed to treat the patient's level of clinical severity, to achieve safe and comfortable withdrawal from a mood-altering drug, and to effectively facilitate the patient's transition into treatment and recovery. The ASAM Criteria, Third Edition, can be obtained from the website of the American Society of Addiction Medicine at <https://www.asam.org/>. A copy of the ASAM Criteria may be reviewed at the Medical Board office, 30 East Broad Street, Third Floor, Columbus, Ohio, during normal business hours.
  - (3) Prior to providing ambulatory detoxification, the physician shall perform an assessment of the patient. The assessment shall include a thorough medical history and physical examination. The assessment must focus on signs and symptoms

associated with opioid addiction and include assessment with a nationally recognized scaled, such as one of the following:

- (a) Objective Opioid Withdrawal Scale ("OOWS");
  - (b) Clinical Opioid Withdrawal Scale ("COWS"); or
  - (c) Subjective Opioid Withdrawal Scale ("SOWS").
- (4) Prior to providing ambulatory detoxification, the physician shall conduct a biomedical and psychosocial evaluation of the patient, to include the following:
- (a) A comprehensive medical and psychiatric history;
  - (b) A brief mental status exam;
  - (c) Substance abuse history;
  - (d) Family history and psychosocial supports;
  - (e) Appropriate physical examination;
  - (f) Urine drug screen or oral fluid drug testing;
  - (g) Pregnancy test for women of childbearing age and ability;
  - (h) Review of the patient's prescription information in OARRS;
  - (i) Testing for human immunodeficiency virus;
  - (j) Testing for hepatitis B;
  - (k) Testing for hepatitis C; and
  - (l) Consideration of screening for tuberculosis and sexually-transmitted diseases in patients with known risk factors.
  - (m) For other than toxicology tests for drugs and alcohol, appropriate history, substance abuse history, and pregnancy test, the physician may satisfy the assessment requirements by reviewing records from a physical examination and laboratory testing of the patient that was conducted within a reasonable period of time prior to the visit. If any part of the assessment cannot be completed prior to the initiation of treatment, the physician shall document the reason in the medical record.
- (5) The physician shall request and document review of an OARRS report on the patient.
- (6) The physician shall inform the patient about the following before the patient is undergoing withdrawal from opioids:

- (a) The detoxification process and potential subsequent treatment for substance use disorder, including information about all drugs approved by the United States food and drug administration for use in medication-assisted treatment;
  - (b) The risk of relapse following detoxification without entry into medication-assisted treatment;
  - (c) The high risk of overdose and death when there is a relapse following detoxification;
  - (d) The safe storage and disposal of the medications.
- (7) The physician shall not establish standardized routines or schedules of increases or decreases of medications but shall formulate a treatment plan based on the needs of the specific patient.
- (8) For persons projected to be involved in withdrawal management for six months or less, the physician shall offer the patient counseling as described in paragraphs (F) and (G) of rule 4731-33-03 of the Administrative Code.
- (9) The physician shall require the patient to undergo urine and/or other toxicological screenings during withdrawal management in order to demonstrate the absence of use of alternative licit and/or illicit drugs. The physician shall consider referring a patient who has a positive urine/and or toxicological screening to a higher level of care, with such consideration documented in the patient's medical record.
- (10) The physician shall comply with the following requirements for the use of medication:
- (a) The physician may treat the patient's withdrawal symptoms by use of any of the following drugs as determined to be most appropriate for the patient.
    - (i) Buprenorphine without naloxone (buprenorphine mono-product) when a buprenorphine/naloxone combination product is contraindicated, with the contraindication documented in the patient record;
    - (ii) A drug specifically FDA approved for the alleviation of withdrawal symptoms;
    - (iii) An alpha-2 adrenergic agent along with other non-narcotic medications as recommended in the American Society of Addiction Medicine's National Practice Guideline (<https://www.asam.org/>);
    - (iv) A combination of buprenorphine and low dose naloxone (buprenorphine/naloxone combination product).
  - (b) The physician shall not use any of the following drugs to treat the patient's withdrawal symptoms:
    - (i) Methadone;

(ii) Anesthetic agents

(c) The physician shall comply with the following:

- (i) The physician shall not initiate treatment with buprenorphine to manage withdrawal symptoms until between twelve and eighteen hours after the last dose of short-acting agonist such as heroin or oxycodone, and twenty-four to forty-eight hours after the last dose of long-acting agonist such as methadone. Treatment with a buprenorphine product must be in compliance with the United States food and drug administration approved "Risk Evaluation and Mitigation Strategy" for buprenorphine products, which can be found on the United States food and drug administration website at the following address:  
<https://www.accessdata.fda.gov/scripts/cder/remis/index.cfm>.
- (ii) The physician shall determine on an individualized basis the appropriate dosage of medication to ensure stabilization during withdrawal management.
  - (a) The dosage level shall be that which is well tolerated by the patient.
  - (b) The dosage level shall be consistent with the minimal standards of care.
- (iii) In withdrawal management programs of thirty days or less duration, the physician shall not allow more than one week of unsupervised or take-home medications for the patient.
- (iv) In withdrawal management programs of more than thirty days duration, the physician may allow the patient to have the opportunity for up to thirty days of take-home medications.

(11) The physician shall offer the patient a prescription for a naloxone kit.

- (a) The physician shall ensure that the patient receives instruction on the kit's use including, but not limited to, recognizing the signs and symptoms of overdose and calling 911 in an overdose situation.
- (b) The physician shall offer the patient a new prescription for naloxone upon expiration or use of the old kit.
- (c) The physician shall be exempt from this requirement if the patient refuses the prescription. If the patient refuses the prescription the physician shall provide the patient with information on where to obtain a kit without a prescription.

(12) The physician shall take steps to reduce the chances of medication diversion by using the appropriate frequency of office visits, pill counts, and weekly checks of OARRS.

(C) The physician who provides ambulatory detoxification with medication management for withdrawal from benzodiazepines or other sedatives shall comply with paragraph (A) of this

rule and “TIP 45, A Treatment Improvement Protocol for Detoxification and Substance Abuse Treatment” by the Substance Abuse and Mental Health Services Administration available from the Substance Abuse and Mental Health Services Administration website at the following link: <https://store.samhsa.gov/>. (Search for “TIP 45”)

- (1) The physician shall provide ambulatory detoxification with medication management only when a positive and helpful support network is available to the patient whose use of benzodiazepines was mainly in therapeutic ranges and who does not have polysubstance dependence. The patient should exhibit no more than mild to moderate withdrawal symptoms, have no comorbid medical condition or severe psychiatric disorder, and no past history of withdrawal seizures or withdrawal delirium.
  - (2) Prior to providing ambulatory detoxification, the physician shall perform and document an assessment of the patient that focuses on signs and symptoms associated with benzodiazepine or other sedative use disorder and include assessment with a nationally recognized scale, such as the “Clinical Institute Withdrawal Assessment for Benzodiazepines” (“CIWA-B”).
  - (3) Prior to providing ambulatory detoxification, the physician shall conduct and document a biomedical and psychosocial evaluation of the patient meeting the requirements of paragraph (B)(4) of this rule.
  - (4) The physician shall instruct the patient not to drive or operate dangerous machinery during treatment.
  - (5) During the ambulatory detoxification, the physician shall regularly assess the patient during the course of treatment so that dosage can be adjusted if needed.
    - (a) The physician shall require the patient to undergo urine and/or other toxicological screenings during withdrawal management in order to demonstrate the absence of use of alternative licit and/or illicit drugs.
    - (b) The physician shall document consideration of referring the patient who has a positive urine and/or toxicology screening to a higher level of care.
    - (c) The physician shall take steps to reduce the chances of diversion by using the appropriate frequency of office visits, pill counts, and weekly checks of OARRS.
- (D) The physician who provides ambulatory detoxification with medication management of withdrawal from alcohol addiction shall comply with paragraph (A) of this rule and “TIP 45, A Treatment Improvement Protocol for Detoxification and Substance Abuse Treatment” by the Substance Abuse and Mental Health Services Administration available from the Substance Abuse and Mental Health Services Administration website at the following link: <https://store.samhsa.gov/>. (Search for “TIP 45”)
- (1) The physician shall provide ambulatory detoxification from alcohol with medication management only when a positive and helpful support network is available to the patient who does not have a polysubstance dependence. The patient should exhibit no more than mild to moderate withdrawal symptoms, have no comorbid medical

conditions or severe psychiatric disorders, and no past history of withdrawal seizures or withdrawal delirium.

- (2) Prior to providing ambulatory detoxification, the physician shall perform and document an assessment of the patient. The assessment must focus on signs and symptoms associated with alcohol use disorder and include assessment with a nationally recognized scale, such as the "Clinical Institute Withdrawal Assessment for Alcohol-revised" ("CIWA-AR").
- (3) Prior to providing ambulatory detoxification, the physician shall perform and document a biomedical and psychosocial evaluation meeting the requirements of paragraph (B)(4) of this rule.
- (4) During the course of ambulatory detoxification, the physician shall assess the patient regularly:
  - (a) The physician shall adjust the dosage as medically appropriate;
  - (b) The physician shall require the patient to undergo urine and/or other toxicological screenings in order to demonstrate the absence of illicit drugs;
  - (c) The physician shall document the consideration of referring a patient who has a positive urine and/or toxicological screening to a higher level of care;
- (5) The physician shall recommend that the patient who is successfully treated for alcohol withdrawal symptoms enter a long-term treatment program to maintain abstinence.



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**MEMORANDUM**

TO: Amol Soin, M.D., Chair, Policy Committee  
Members, Policy Committee

FROM: Kimberly C. Anderson, Chief Legal Counsel

RE: Rule 4731-13-13, OAC

DATE: April 22, 2019

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Changes are proposed to Rule 4731-13-13, related to hearing subpoenas which request the production of books, records and papers (*subpoenas duces tecum*).

In 2015, the language stated the following:

- (B) . . . With respect to the production of books, records and papers, such request may specify a date of compliance not more than seven days prior to hearing.

In 2016, the language was changed to state the following:

- (B) . . . With respect to the production of books, records and papers, such request may not specify a date of compliance less than fourteen days prior to hearing.

The change in 2015 was made to ensure that there was sufficient time for the parties to review the documents so that parties would not need to request hearing continuances.. However, the new language is moving the document requests up much earlier in the process and creating a discovery process, which is not contemplated in 119 hearings.

In order to give some additional time for the review of records, but to address the concerns with the current language, the following language is proposed:

- (B) . . . With respect to the production of books, records and papers, such request may ~~not~~ specify a date of compliance ~~not more less~~ than fourteen days prior to hearing.

The entire rule is attached.

**Action Requested: Approve initial circulation to interested parties.**

#### **4731-13-13 Subpoenas for purposes of hearing.**

(A) Upon written request, the board shall issue subpoenas for purposes of hearing to compel the attendance and testimony of witnesses and production of books, records and papers. Each subpoena shall indicate on whose behalf the witness is required to testify. Copies of such subpoenas shall be issued to each representative of record.

(B) For purposes of a hearing conducted pursuant to Chapter 119. of the Revised Code, subpoena requests shall specify the name and address of the individual to be served and the date and time at which the individual is to appear. With respect to the production of books, records and papers, such request may ~~not~~ specify a date of compliance ~~not more~~less than fourteen days prior to hearing.

(C) Except upon leave of the board or its hearing examiner, subpoena requests are to be filed with the board as provided in rule 4731-13-08 of the Administrative Code at least twenty-one days in advance of the requested date of compliance in order to allow sufficient time for preparation and service of the subpoenas.

(D) In the event that the number of subpoenas requested appears to be unreasonable, the board or its hearing examiner may require a showing of necessity therefore and, in the absence of such showing, may limit the number of subpoenas. Absent such a limitation, subpoenas shall be issued within seven days of request. Failure to issue subpoenas within this time may constitute sufficient grounds for the granting of a continuance.

(E) After the hearing has commenced the hearing examiner may order the issuance of subpoenas for purposes of hearing to compel the attendance and testimony of witnesses and production of books, records and papers. Copies of such subpoenas shall be issued to each representative of record.

(F) Upon motion and for good cause, the hearing examiner may order any subpoena be quashed. Motions to quash shall be made in the manner provided in rules 4731-13-07 and 4731-13-08 of the Administrative Code, except that motions to quash shall be filed at least seven days prior to the date of compliance. The non-moving party may file a response no later than five days after service of the motion to quash or at least one day prior to the date of compliance whichever is earlier. Unless a motion to quash has been granted, a witness shall attend the hearing to which he or she was subpoenaed. The board shall make a reasonable attempt to contact any witness whose subpoena has been quashed.

(G) Witnesses shall not be subpoenaed to prehearing conferences.

Effective: 7/31/2016

Five Year Review (FYR) Dates: 05/05/2016 and 07/31/2021

Promulgated Under: 119.03

Statutory Authority: 4731.05

Rule Amplifies: 119.09

Prior Effective Dates: 6/30/89, 3/27/97, 2/28/04



**MEMORANDUM**

TO: Amol Soin, M.D., Chair  
Members Policy Committee

FROM: Sallie Debolt, Senior Counsel

RE: Referral of Rule 4731-1-05 to CSI by Northwest Ohio Academy of Chiropractic

DATE: April 25, 2019

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On March 21, 2018, the Northwest Ohio Academy of Chiropractic referred Rule 4731-1-05, Scope of practice: Massage Therapy, to the Common Sense Initiative Office for possible violation of antitrust laws. The allegation is that by prohibiting massage therapists from performing therapeutic ultrasound, electrical neuromuscular stimulation, and diathermy the Medical Board violated the antitrust laws by preventing chiropractic physicians from delegating the three modalities to massage therapists.

The decision of CSI was received on April 25, 2019. It states that the matter is resolved by the proposed change to Rule 4731-1-05, which will allow massage therapists to perform the three modalities at issue under the on-site supervision of specified licensed health professionals, including chiropractors, acting within the scope of their professional licenses.

The CSI letter of determination is attached to the memo. No Medical Board action is required at this time.

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## Common Sense Initiative

**Mike DeWine**, Governor  
**Jon Husted**, Lt. Governor

**Carrie Kuruc**, Director

### MEMORANDUM

**TO:** Matthew Gajkowski, D.C., Northeast Ohio Academy of Chiropractic

**FROM:** Common Sense Initiative Office

**DATE:** April 25, 2019

**RE:** R.C. §107.56 Referral—*Northeast Ohio Academy of Chiropractic*

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On March 21, 2018, the Northeast Ohio Academy of Chiropractic referred for review under Ohio Revised Code (R.C.) §107.56 a rule prescribed by the Ohio State Medical Board (“Medical Board”), Ohio Administrative Code (“O.A.C”) §4731-1-05, Scope of Practice: Massage Therapy. The referral alleged the Medical Board’s violation of antitrust laws by “not allowing chiropractic physicians to delegate services to licensed massage therapists.”<sup>1</sup>

O.A.C. §4731-1-05 establishes the scope of practice for massage therapy, one of the two limited branches of medicine the Medical Board is required to regulate under O.R.C. §4731.05 and §4731.15. The statutes clearly require the Medical Board to adopt rules “to carry out the purposes of the chapter” and “to govern” the practice of massage therapy.

When the Northeast Ohio Academy of Chiropractic referred O.A.C. §4731-1-05 to CSI, the version of the rule then in effect prohibited licensed massage therapists from performing three specific modalities, ultrasound, diathermy, and electrical muscle stimulation.<sup>2</sup> However, since that time, the Medical Board has revisited its policy considerations for a licensed massage therapist’s scope of practice and proposed an amendment to O.A.C. §4731-1-05 that will permit the performance of those three previously prohibited modalities under the on-site supervision of licensed practitioners. The newly proposed language allows for licensed massage therapists to perform “ultrasound, electrical neuromuscular stimulation, or substantially similar modalities” as long as the treatment is supervised by a physician, podiatric physician, physician assistant, *chiropractor*, advanced practice registered nurse, or physical

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<sup>1</sup> See Referral, Question 7.a.

<sup>2</sup> See Referral, Appendix A.

therapist acting within the scope of the professional license.<sup>3</sup> With that change, chiropractors will be able to delegate to licensed massage therapists treatments that fall within their scope of practice as prescribed by the Ohio State Medical Board, resolving the issue raised in the Northeast Academy of Chiropractic's March 21, 2018 referral.

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<sup>3</sup> See, Medical Board Referral Response dated June 15, 2018, along with the Medical Board rule package filing for CSI review on September 25, 2018.



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**MEMORANDUM**

TO: Amol Soin, M.D., Chair, Policy Committee  
Members, Policy Committee

FROM: Kimberly C. Anderson, Chief Legal Counsel

RE: Consultation on Pharmacy Board Rules Regarding Authority to Dispense Epinephrine  
Without a Prescription-Rules 4729:1-3-06 and 4729:2-3-06

DATE: April 29, 2019

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Section 4729.47, Ohio Revised Code, allows a pharmacist or pharmacy intern to dispense epinephrine without a prescription to adult patients under the use of a protocol developed by a physician. The statute requires the Board of Pharmacy to adopt rules to implement this section not later than 90 days after the effective date and after consulting with the Medical Board.

Attached please find the draft rules from the Board of Pharmacy and a copy of the statute authorizing the rules. I have also attached a copy of the draft rules in which the statutory requirements are highlighted. In order to meet the timeline, the Board of Pharmacy needs any comments from the Medical Board no later than May 28, 2019.

**Action Requested: Refer to the full Board to provide feedback to the Board of Pharmacy**

**4729:1-3-06 – Dispensing of epinephrine autoinjectors by pharmacists.**

(A) A pharmacist may dispense an epinephrine autoinjector without a prescription to either of the following in accordance with a protocol specified in paragraph (B) of this rule:

(1) An individual who there is reason to believe is experiencing or at risk of experiencing anaphylaxis if the pharmacy affiliated with the pharmacist has a record of previously dispensing epinephrine to the individual in accordance with a prescription issued by a licensed health professional authorized to prescribe drugs;

(2) An individual acting on behalf of a qualified entity, as defined in section [3728.01](#) of the Revised Code.

(B) A physician-established protocol for the dispensing of epinephrine autoinjectors by a pharmacist or pharmacy intern under the direct supervision of a pharmacist shall include, but is not limited to, the following:

(1) Indications for use of an epinephrine autoinjectors, including criteria for identifying persons eligible to receive an autoinjector under the protocol.

(2) Precautions and contraindications concerning dispensing of epinephrine autoinjectors.

(3) Epinephrine autoinjectors authorized to be dispensed, including all the following information:

(a) Name of product;

(b) Dose;

(c) Quantity to be dispensed; and

(c) Directions for use.

(4) Any patient instructions in addition to the training specified in this rule and rule 4729:2-3-06 of the Administrative Code.

**(C)**

(1) A pharmacist who dispenses an epinephrine autoinjector under this rule shall instruct the individual to whom the epinephrine autoinjector is dispensed verbally or in writing to summon emergency services as soon as practicable either before or after administering epinephrine.

(2) A pharmacist who dispenses an epinephrine autoinjector to an individual identified in paragraph (A) of this rule shall provide notification of the dispensing to the individual's primary care provider, if known, or to the prescriber who issued the individual the initial prescription for an epinephrine autoinjector. Notification shall be conducted using one of the following methods that is capable of confirming delivery of the required notification:

- (a) Electronic mail;
- (b) Interoperable electronic medical records system;
- (c) Facsimile;
- (d) Electronic prescribing system;
- (e) Electronic pharmacy record system;
- (f) Documented verbal communication;
- (g) Any other method of notification that might reasonably be expected to allow for the confirmed transmission of the required notification.

(D) When a pharmacist dispenses an epinephrine autoinjector pursuant to this rule, the pharmacist, or a pharmacy intern under the direct supervision of a pharmacist, shall provide to the person receiving the device instruction on the proper method of administering epinephrine with the device. The pharmacist or pharmacy intern shall also encourage the person to see a healthcare provider to obtain a valid prescription for future dispensing.

(E) A terminal distributor of dangerous drugs shall ensure that all pharmacists that dispense epinephrine autoinjectors pursuant to this rule are trained on the use of epinephrine and can meet the training requirements listed in paragraphs (C) and (D) of this rule.

(F) A pharmacist may document the dispensing of an epinephrine autoinjector by the pharmacist or pharmacy intern under the direct supervision of a pharmacist on a prescription form. The form may be assigned a number for record-keeping purposes.

(G) This rule does not affect the authority of a pharmacist to:

(1) Dispense a new prescription or refill for epinephrine; or

(2) Contact a prescriber to obtain a new oral prescription for an epinephrine autoinjector in accordance with the applicable provisions of division 4729:5 of the Administrative Code.

(H) All physician-established protocols must be signed and dated by the physician prior to implementation and maintained by the terminal distributor of dangerous drugs. The protocols shall be renewed by a physician on a biennial basis.

(1) A physician may sign one protocol for multiple locations licensed as terminal distributors of dangerous drugs.

(2) Each location licensed as a terminal distributor of dangerous drugs shall maintain a copy of the protocol on-site for inspection by an agent, inspector or employee of the state board of pharmacy.



**4729:2-3-06 – Dispensing of epinephrine autoinjectors by pharmacy interns.**

(A) A pharmacy intern under the direct supervision of a pharmacist may dispense epinephrine autoinjector without a prescription to either of the following in accordance with an approved protocol specified in paragraph (B) of rule 4729:1-3-06 of the Administrative Code:

(1) An individual who there is reason to believe is experiencing or at risk of experiencing anaphylaxis if the pharmacy affiliated with the pharmacist has a record of previously dispensing epinephrine to the individual in accordance with a prescription issued by a licensed health professional authorized to prescribe drugs;

(2) An individual acting on behalf of a qualified entity, as defined in section [3728.01](#) of the Revised Code.

**(B)**

(1) A pharmacy intern under the direct supervision of a pharmacist who dispenses an epinephrine autoinjector under this rule shall instruct the individual to whom the epinephrine autoinjector is dispensed verbally or in writing to summon emergency services as soon as practicable either before or after administering epinephrine.

(2) A pharmacy intern who dispenses an epinephrine autoinjector to an individual identified in paragraph (A) of this rule shall provide notification of the dispensing to the individual's primary care provider, if known, or to the prescriber who issued the individual the initial prescription for an epinephrine autoinjector. Notification shall be conducted using one of the following methods that is capable of confirming delivery of the required notification:

- (a) Electronic mail;
- (b) Interoperable electronic medical records system;
- (c) Facsimile;
- (d) Electronic prescribing system;
- (e) Electronic pharmacy record system;
- (f) Documented verbal communication;
- (g) Any other method of notification that might reasonably be expected to allow for the confirmed transmission of the required notification.

(C) When a pharmacy intern dispenses an epinephrine autoinjector pursuant to this rule, the pharmacy intern shall provide to the person receiving the device instruction on the proper method of administering epinephrine with the device. The pharmacy intern shall also encourage the person to see a healthcare provider to obtain a valid prescription for future dispensing.

(D) A terminal distributor of dangerous drugs shall ensure that all pharmacy interns that dispense epinephrine autoinjectors pursuant to this rule are trained on the use of epinephrine and can meet the training requirements listed in paragraphs (B) and (C) of this rule.

(E) This rule does not affect the authority of a pharmacy intern to contact a prescriber to obtain a new oral prescription for an epinephrine autoinjector in accordance with the applicable provisions of division 4729:5 of the Administrative Code.

## **4729.47 Authority to dispense epinephrine without a prescription.**

(A) As used in this section:

(1) "Board of health" means a board of health of a city or general health district or an authority having the duties of a board of health under section [3709.05](#) of the Revised Code.

(2) "Physician" means an individual authorized under Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery.

(B) If use of a protocol that has been developed pursuant to rules adopted under division (G) of this section has been authorized under section 3707.60 or 4731.961 of the Revised Code, a pharmacist or pharmacy intern may dispense epinephrine without a prescription in accordance with that protocol to either of the following individuals so long as the individual is at least eighteen years of age:

(1) An individual who there is reason to believe is experiencing or at risk of experiencing anaphylaxis if the pharmacy affiliated with the pharmacist or intern has a record of previously dispensing epinephrine to the individual in accordance with a prescription issued by a licensed health professional authorized to prescribe drugs;

(2) An individual acting on behalf of a qualified entity, as defined in section [3728.01](#) of the Revised Code.

(C)

(1) A pharmacist or pharmacy intern who dispenses epinephrine under this section shall instruct the individual to whom epinephrine is dispensed to summon emergency services as soon as practicable either before or after administering epinephrine.

(2) A pharmacist or pharmacy intern who dispenses epinephrine to an individual identified in division (B)(1)(a) of this section shall provide notice of the dispensing to the individual's primary care provider, if known, or to the prescriber who issued the individual the initial prescription for epinephrine.

(D) A pharmacist may document the dispensing of epinephrine by the pharmacist or a pharmacy intern supervised by the pharmacist on a prescription form. The form may be assigned a number for record-keeping purposes.

(E) This section does not affect the authority of a pharmacist or pharmacy intern to fill or refill a prescription for epinephrine.

(F) A board of health that in good faith authorizes a pharmacist or pharmacy intern to dispense epinephrine without a prescription in accordance with a protocol developed pursuant to rules adopted under division (G) of this section is not liable for or subject to any of the following for any action or omission of the individual to whom the epinephrine is dispensed: damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action.

A physician who in good faith authorizes a pharmacist or pharmacy intern to dispense epinephrine without a prescription in accordance with a protocol developed pursuant to rules adopted under division (G) of this section is not liable for or subject to any of the following for any action or omission of the individual to whom the epinephrine is dispensed: damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action.

A pharmacist or pharmacy intern authorized under this section to dispense epinephrine without a prescription who does so in good faith is not liable for or subject to any of the following for any action or omission of the individual to whom the epinephrine is dispensed: damages in any civil action, prosecution in any criminal proceeding, or professional disciplinary action.

(G) Not later than ninety days after the effective date of this section, the state board of pharmacy shall, after consulting with the state medical board, adopt rules to implement this section. The rules shall specify minimum

requirements for protocols established by physicians under which pharmacists or pharmacy interns may dispense epinephrine without a prescription.

All rules adopted under this section shall be adopted in accordance with Chapter 119. of the Revised Code.

Added by 132nd General Assembly File No. TBD, HB 101, §1, eff. 4/8/2019.

**Related Legislative Provision:** *See 132nd General Assembly File No. TBD, HB 101, §3.*

**4/29/2019**

The following information is being provided pursuant to the requirements of Executive Order 2011-01K and Senate Bill 2 of the 129th General Assembly, which require state agencies, including the State of Ohio Board of Pharmacy, to draft rules in collaboration with stakeholders, assess and justify an adverse impact on the business community (as defined by S.B. 2), and provide an opportunity for the affected public to provide input on the following rules.

**New**

- 4729:1-3-06: Specifies the protocols and other requirements under which a pharmacist may dispense an epinephrine autoinjector without a prescription.
- 4729:2-3-06: Specifies the protocols and other requirements under which a pharmacy intern may dispense an epinephrine autoinjector without a prescription.

Comments on the proposed rules will be accepted until close of business on **May 17, 2019**. Please send all comments to the following email address: [Ali.Simon@pharmacy.ohio.gov](mailto:Ali.Simon@pharmacy.ohio.gov)

In addition, please copy your comments to: [CSIPublicComments@governor.ohio.gov](mailto:CSIPublicComments@governor.ohio.gov)

# CSI - Ohio

The Common Sense Initiative

## Business Impact Analysis

Agency Name: State of Ohio Board of Pharmacy

Regulation/Package Title: Epinephrine Autoinjectors

Rule Number(s):

New:

- 4729:1-3-06
- 4729:2-3-06

Date: 4/29/2019

Rule Type:

New

Amended

5-Year Review

Rescinded

The Common Sense Initiative was established by Executive Order 2011-01K and placed within the Office of the Lieutenant Governor. Under the CSI Initiative, agencies should balance the critical objectives of all regulations with the costs of compliance by the regulated parties. Agencies should promote transparency, consistency, predictability, and flexibility in regulatory activities. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

### Regulatory Intent

1. Please briefly describe the draft regulation in plain language.

New

- 4729:1-3-06: Specifies the protocols and other requirements under which a pharmacist may dispense an epinephrine autoinjector without a prescription.
- 4729:2-3-06: Specifies the protocols and other requirements under which a pharmacy intern may dispense an epinephrine autoinjector without a prescription.

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**2. Please list the Ohio statute authorizing the Agency to adopt this regulation.**

The proposed rule is authorized by sections 4729.26 and 4729.47 of the Ohio Revised Code.

**3. Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program?**

These rules do not implement a federal requirement nor are required to obtain/maintain federal approval.

**4. If the regulation includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.**

This rule package exceeds federal requirements because division (G) of section 4729.47 of the Revised Code requires the Board to adopt rules governing the dispensing of epinephrine autoinjectors without a prescription.

**5. What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?**

Section 4729.26 of the Ohio Revised Code authorizes the Board of Pharmacy to adopt rules governing the practice of pharmacy and distribution of dangerous drugs.

Section 4729.47 of the Ohio Revised Code requires the Board of Pharmacy to adopt rules pertaining to the dispensing of epinephrine autoinjectors by pharmacists and pharmacy interns pursuant to a physician-approved protocol.

Without these regulations, the Board of Pharmacy would not be able to ensure uniform standards for the dispensing of epinephrine autoinjectors without a prescription and would not be in compliance with Ohio law.

**6. How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?**

The success of the regulations will be measured by having rules written in plain language, licensee compliance with the rules, and minimal questions from licensees regarding the provisions of the rules.

## **Development of the Regulation**

### **7. Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.**

This rule package was reviewed by the Board's Rules Review Committee. The Committee, composed of pharmacists from a number of practice settings, is responsible for reviewing and approving all rules prior to their legislatively mandated five-year date.

Prior to filing with CSI, the rules were reviewed and approved by the Board of Pharmacy.

### **8. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?**

For the proposed rules, the Board of Pharmacy Rules Review Committee reviewed the proposed changes. The committee recommended specifying quantity to the protocol requirements and requiring pharmacists and interns to instruct patients on the importance of seeing a prescriber to obtain a valid prescription for future dispensing.

### **9. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?**

Scientific data was not used to develop or review this rule package.

### **10. What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives?**

As the regulations are essential to protecting the public's safety by ensuring uniform standards for the practice of pharmacy and distribution of dangerous drugs, the State of Ohio Board of Pharmacy did not consider any regulatory alternatives.

### **11. Did the Agency specifically consider a performance-based regulation? Please explain. *Performance-based regulations define the required outcome, but don't dictate the process the regulated stakeholders must use to achieve compliance.***

The agency did not consider a performance-based regulation for this rule package. It is the Board's responsibility to ensure uniform practice standards across Ohio. At this juncture, it was the determination of the Board that the rule package did not lend itself to performance-based regulations.



**12. What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?**

The Board of Pharmacy's Director of Policy and Communications reviewed the proposed rules to ensure that the regulations do not duplicate another State of Ohio Board of Pharmacy regulation.

**13. Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.**

The rules will be posted on the Board of Pharmacy's web site, information concerning the rules will be included in materials e-mailed to licensees, and notices will be sent to associations, individuals and groups. Board of Pharmacy staff are also available via phone or email to answer questions regarding implementation of the rules. In addition, the Board's compliance agents are trained to educate licensees on current and/or new regulations during on-site inspections.

Board of Pharmacy staff receive regular updates on rules via a monthly internal newsletter, biannual staff meetings featuring a regulatory update, mandatory all-day law reviews for new employees, email updates and quarterly webinars from the Director of Policy and feedback from the Board's legal department for every citation submitted.

**Adverse Impact to Business**

**14. Provide a summary of the estimated cost of compliance with the rule. Specifically, please do the following:**

**a. Identify the scope of the impacted business community;**

The rule package impacts the following:

- Pharmacists;
- Pharmacy interns;
- Pharmacies.

**b. Identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance); and**

Violation of this rule may result in administrative licensure discipline for a pharmacist, intern or terminal distributor of dangerous drugs. Discipline might include reprimand, suspension of a license, required coursework (intern/pharmacist), monetary fine and/or revocation of a license.

**c. Quantify the expected adverse impact from the regulation.**

**New**

- 4729:1-3-06: Specifies the protocols and other requirements under which a pharmacist may dispense an epinephrine autoinjector without a prescription. The parts of the rule that are not included in the law that may pose an adverse impact include the following:
  - Components of the physician-established protocol and the requirements that such protocols be reviewed every two years. A pharmacy that opts to offer this service will experience administrative costs associated with implementing this requirement. However, it should be noted that these requirements mirror the requirements for immunization protocols, which are offered by a majority of pharmacies in the state. Therefore, the burden of this requirement may be minimal if the pharmacies opt to use the same authorizing physician.
  - Required pharmacist training. The rule requires pharmacists or pharmacy interns to conduct patient training on the proper method of administering epinephrine. It is estimated that this required training may take between 2-5 minutes per dispensing.
- 4729:2-3-06: Specifies the protocols and other requirements under which a pharmacy intern may dispense an epinephrine autoinjector without a prescription. The parts of the rule that are not included in the law that may pose an adverse impact include the following:
  - Required pharmacy intern training. The rule requires a pharmacy intern to conduct patient training on the proper method of administering epinephrine. It is estimated that this required training may take between 2-5 minutes per dispensing.

**15. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?**

The Board believes that the regulatory intent of the proposed rules is necessary to protect the health and safety of all Ohioans by providing uniform epinephrine autoinjector dispensing by pharmacists and pharmacy interns. Additionally, the rules are required by Ohio law.

**Regulatory Flexibility**

**16. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain.**

The rules do not provide any exemptions or alternative means of compliance for small businesses. The law does not differentiate on the size of the business and therefore the regulations are uniform across Ohio.

**17. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?**

The State of Ohio Board of Pharmacy does not fine licensees or impose penalties for first-time paperwork violations. However, any failure of a standard of care in the practice of pharmacy or the distribution of dangerous drugs is not considered a paperwork error but a quality assurance issue by the licensee that is necessary for the protection of the public.

**18. What resources are available to assist small businesses with compliance of the regulation?**

Board of Pharmacy staff is available by telephone and e-mail to answer questions. Board staff members also provide presentations to groups and associations who seek updates on current regulations and host regional meetings to discuss changes to Ohio laws and rules. Additionally, staff are trained to educate licensees on compliance with all Board of Pharmacy rules and regulations.

**4729:1-3-06 – Dispensing of epinephrine autoinjectors by pharmacists.**

(A) A pharmacist may dispense an epinephrine autoinjector without a prescription to either of the following in accordance with a protocol specified in paragraph (B) of this rule:

(1) An individual who there is reason to believe is experiencing or at risk of experiencing anaphylaxis if the pharmacy affiliated with the pharmacist has a record of previously dispensing epinephrine to the individual in accordance with a prescription issued by a licensed health professional authorized to prescribe drugs;

(2) An individual acting on behalf of a qualified entity, as defined in section [3728.01](#) of the Revised Code.

(B) A physician-established protocol for the dispensing of epinephrine autoinjectors by a pharmacist or pharmacy intern under the direct supervision of a pharmacist shall include, but is not limited to, the following:

(1) Indications for use of an epinephrine autoinjectors, including criteria for identifying persons eligible to receive an autoinjector under the protocol.

(2) Precautions and contraindications concerning dispensing of epinephrine autoinjectors.

(3) Epinephrine autoinjectors authorized to be dispensed, including all the following information:

(a) Name of product;

(b) Dose;

(c) Quantity to be dispensed; and

(c) Directions for use.

(4) Any patient instructions in addition to the training specified in this rule and rule 4729:2-3-06 of the Administrative Code.

(C)

(1) A pharmacist who dispenses an epinephrine autoinjector under this rule shall instruct the individual to whom the epinephrine autoinjector is dispensed verbally or in writing to summon emergency services as soon as practicable either before or after administering epinephrine.

(2) A pharmacist who dispenses an epinephrine autoinjector to an individual identified in paragraph (A) of this rule shall provide notification of the dispensing to the individual's primary care provider, if known, or to the prescriber who issued the individual the initial prescription for

an epinephrine autoinjector. Notification shall be conducted using one of the following methods that is capable of confirming delivery of the required notification:

- (a) Electronic mail;
- (b) Interoperable electronic medical records system;
- (c) Facsimile;
- (d) Electronic prescribing system;
- (e) Electronic pharmacy record system;
- (f) Documented verbal communication;
- (g) Any other method of notification that might reasonably be expected to allow for the confirmed transmission of the required notification.

(D) When a pharmacist dispenses an epinephrine autoinjector pursuant to this rule, the pharmacist, or a pharmacy intern under the direct supervision of a pharmacist, shall provide to the person receiving the device instruction on the proper method of administering epinephrine with the device. The pharmacist or pharmacy intern shall also encourage the person to see a healthcare provider to obtain a valid prescription for future dispensing.

(E) A terminal distributor of dangerous drugs shall ensure that all pharmacists that dispense epinephrine autoinjectors pursuant to this rule are trained on the use of epinephrine and can meet the training requirements listed in paragraphs (C) and (D) of this rule.

(F) A pharmacist may document the dispensing of an epinephrine autoinjector by the pharmacist or pharmacy intern under the direct supervision of a pharmacist on a prescription form. The form may be assigned a number for record-keeping purposes.

(G) This rule does not affect the authority of a pharmacist to:

- (1) Dispense a new prescription or refill for epinephrine; or
- (2) Contact a prescriber to obtain a new oral prescription for an epinephrine autoinjector in accordance with the applicable provisions of division 4729:5 of the Administrative Code.

(H) All physician-established protocols must be signed and dated by the physician prior to implementation and maintained by the terminal distributor of dangerous drugs. The protocols shall be renewed by a physician on a biennial basis.

(1) A physician may sign one protocol for multiple locations licensed as terminal distributors of dangerous drugs.

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(2) Each location licensed as a terminal distributor of dangerous drugs shall maintain a copy of the protocol on-site for inspection by an agent, inspector or employee of the state board of pharmacy.

**4729:2-3-06 – Dispensing of epinephrine autoinjectors by pharmacy interns.**

(A) A pharmacy intern under the direct supervision of a pharmacist may dispense epinephrine autoinjector without a prescription to either of the following in accordance with an approved protocol specified in paragraph (B) of rule 4729:1-3-06 of the Administrative Code:

(1) An individual who there is reason to believe is experiencing or at risk of experiencing anaphylaxis if the pharmacy affiliated with the pharmacist has a record of previously dispensing epinephrine to the individual in accordance with a prescription issued by a licensed health professional authorized to prescribe drugs;

(2) An individual acting on behalf of a qualified entity, as defined in section [3728.01](#) of the Revised Code.

(B)

(1) A pharmacy intern under the direct supervision of a pharmacist who dispenses an epinephrine autoinjector under this rule shall instruct the individual to whom the epinephrine autoinjector is dispensed verbally or in writing to summon emergency services as soon as practicable either before or after administering epinephrine.

(2) A pharmacy intern who dispenses an epinephrine autoinjector to an individual identified in paragraph (A) of this rule shall provide notification of the dispensing to the individual's primary care provider, if known, or to the prescriber who issued the individual the initial prescription for an epinephrine autoinjector. Notification shall be conducted using one of the following methods that is capable of confirming delivery of the required notification:

(a) Electronic mail;

(b) Interoperable electronic medical records system;

(c) Facsimile;

(d) Electronic prescribing system;

(e) Electronic pharmacy record system;

(f) Documented verbal communication;

(g) Any other method of notification that might reasonably be expected to allow for the confirmed transmission of the required notification.

(C) When a pharmacy intern dispenses an epinephrine autoinjector pursuant to this rule, the pharmacy intern shall provide to the person receiving the device instruction on the proper

method of administering epinephrine with the device. The pharmacy intern shall also encourage the person to see a healthcare provider to obtain a valid prescription for future dispensing.

(D) A terminal distributor of dangerous drugs shall ensure that all pharmacy interns that dispense epinephrine autoinjectors pursuant to this rule are trained on the use of epinephrine and can meet the training requirements listed in paragraphs (B) and (C) of this rule.

(E) This rule does not affect the authority of a pharmacy intern to contact a prescriber to obtain a new oral prescription for an epinephrine autoinjector in accordance with the applicable provisions of division 4729:5 of the Administrative Code.