



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: H.B. 196 of the 131st G.A.

Date: June 2, 2015

Status: As Introduced

Sponsor: Reps. Amstutz and Derickson

Local Impact Statement Procedure Required: Yes

Contents: Ohio Healthier Buckeye Council; local healthier buckeye councils: Healthier Buckeye Grant Program; Prevention, Retention, and Contingency Program; Workforce Innovation and Opportunity Act; and Comprehensive Case Management and Employment Program provisions

State Fiscal Highlights

- The bill establishes the Healthier Buckeye Grant Program. Funds for grants awarded under the program are to come from the Healthier Buckeye Fund, which is created by the bill. The fund is to consist of moneys appropriated to it and any grants and donations received.

Local Fiscal Highlights

- The requirement that each county in the state create a local healthier buckeye council could result in increased costs to the counties, though these might be at least partially offset by grants through the Healthier Buckeye Grant Program.
- The requirement that county Prevention, Retention, and Contingency (PRC) Program plans include all benefits and services required under the Ohio Department of Job and Family Services (ODJFS) Director's rules could result in a shift in the use of PRC funds and other Temporary Assistance for Needy Families (TANF) dollars by counties, depending on the rules specified by the ODJFS Director.

Detailed Fiscal Analysis

H.B. 196 contains a number of provisions which could have a fiscal impact.

Ohio Healthier Buckeye Council

Current law establishes the Ohio Healthier Buckeye Advisory Council within the Ohio Department of Job and Family Services (ODJFS). Among other duties, the Advisory Council is tasked with developing the means by which county healthier buckeye councils may reduce the reliance of individuals on publicly funded assistance programs. H.B. 196 renames the Advisory Council the Ohio Healthier Buckeye Council (OHBC), creates it as an entity separate from ODJFS, and adds additional members to OHBC. The bill requires OHBC to provide assistance establishing local healthier buckeye councils, identify barriers and gaps to achieving greater financial independence, and collect, analyze, and report performance measure information. Furthermore, the bill requires OHBC to prepare an annual report of its activities. The bill requires that ODJFS provide administrative assistance to OHBC¹ and specifies that OHBC members serve without compensation. The members, however, are to be reimbursed for actual and necessary expenses incurred in performing official duties.² While OHBC members are to serve without compensation, the expanded duties of OHBC could increase the actual and necessary expenses incurred by board members, and could also increase expenses associated with the administrative duties of OHBC.

Local healthier buckeye councils

Under current law, it is permissive for a board of county commissioners to establish a county healthier buckeye council. The bill, instead, requires each board of county commissioners to establish a local healthier buckeye council. The local council must be established by adopting a resolution not later than December 15, 2015. The bill provides that if a county healthier buckeye council was established under current law, the board may designate the county council to serve as the local council required by the bill.³ According to the County Commissioners' Association of Ohio, no county has established a local healthier buckeye council as of June 1, 2015. The bill requires the resolution establishing the local council to specify the council's organization and to designate a member to serve as staffing agent, and if necessary, a member to serve as fiscal agent. The compensation for such staffing requirements would be paid by the counties. The exact amount of this compensation is uncertain, as each county has a certain amount of latitude with respect to the size and scope of their respective local healthier buckeye council.

¹ R.C. 5101.91(D).

² R.C. 5101.91(E).

³ R.C. 355.02(A) and (B)(2).

The bill also changes permissive grants of authority in current law for county healthier buckeye councils to required actions for local healthier buckeye councils, and adds several other duties. Specifically, the bill requires each local council to do the following: (1) the promotion of health and independence, (2) the development of a Healthier Buckeye Plan, (3) meetings and organization, (4) data collection and analysis, and (5) annual report. Each local council must also submit certain information to the Joint Medicaid Oversight Committee and OHBC. The compensation for the bill's staffing requirements and the programs undertaken by each local healthier buckeye council would be paid by the counties. The exact amount of such costs is uncertain, as each county has a certain amount of latitude with respect to the size and scope of their respective local healthier buckeye council. The bill does, however, authorize local councils to apply for, receive, and oversee the administration of grants.⁴ A primary funding source of such grants is to be the Healthier Buckeye Grant Program, described below.

Healthier Buckeye Grant Program

The bill repeals the existing Healthier Buckeye Grant Program established in an uncodified provision of H.B. 483 of the 130th General Assembly (the general mid-biennium budget review),⁵ and reenacts it in the Revised Code with modifications. Under the bill, the program is to be administered by OHBC, with assistance from ODJFS, if requested. The program is to award grants to local healthier buckeye councils, other public and private entities, and individuals.⁶ Funds for the grants are to come from the Healthier Buckeye Fund, which the bill creates in the state treasury. The fund is to consist of moneys appropriated to it and any grants or donations received. Interest earned on money in the fund is to be credited to the fund.^{7 8}

Prevention, Retention, and Contingency Program

The Prevention, Retention, and Contingency (PRC) Program is one of the state's Temporary Assistance for Needy Families (TANF) programs. The PRC Program is administered by ODJFS on the state level. On the county level, it is administered by county departments of job and family services (CDJFSs).

⁴ R.C. 355.03(G).

⁵ Section 3.

⁶ R.C. 5101.93(A).

⁷ R.C. 5101.93(C).

⁸ Sub. H.B. 64, As Passed by the House, transfers \$50 million from the Medicaid Reserve Fund (Fund 5Y80) to the Healthier Buckeye Fund (Fund 5RC0), and appropriates \$8.5 million in FY 2016 and \$9.5 million in FY 2017 for the purposes of the Healthier Buckeye Grant Program.

Under the bill, a CDJFS's PRC Program plan is required to include all benefits and services that must be included according to the ODJFS Director's rules.⁹ The bill requires that all of the following be specified in the rules as required benefits and services: short-term supportive services that address the specific crisis or episode of need, disaster assistance, and any other benefits and services the Director specifies.¹⁰ A CDJFS's plan may include additional benefits and services.¹¹ If a CDJFS includes additional benefits and services in its PRC Program plan, it must establish eligibility requirements for the benefits and services that do not exceed the maximum eligibility requirements specified in the Director's rules.¹² The bill also specifies that work subsidies are not to be included in any required or additional benefit or service available under the PRC Program.¹³ The bill also specifies that required and additional benefits and services must have the primary purposes of (1) diverting families from participating in Ohio Works First (OWF) and (2) meeting an emergent need that, if not met, would threaten the safety, health, or well-being of one or more members of a family.¹⁴ These requirements could result in a shift in the use of PRC funds and other TANF dollars by counties, depending on the rules specified by the ODJFS Director.

Administration of the federal Work Innovation and Opportunity Act

The bill requires the ODJFS Director and ODJFS staff to administer the federal Work Innovation and Opportunity Act (WIOA).¹⁵ WIOA was enacted in 2014, and is in essence a continuation of the federal Workforce Investment Act (WIA) already administered by ODJFS. Under both WIA and WIOA, federal funds are allocated to the states by formula; the states then administer the program using these funds. WIOA funding is broken out by WIOA Youth Activities (\$28.6 million allotment for Ohio in program year (PY) 2015), WIOA Adult Activities (\$26.5 million in PY 2015), and WIOA Dislocated Worker Activities (\$33.8 million in PY 2015). As such, this provision would produce no additional costs to the state.

Comprehensive Case Management and Employment Program

The bill requires the ODJFS Director and ODJFS staff to develop a proposal for establishment of a Comprehensive Case Management and Employment Program

⁹ R.C. 5108.01(F), 5108.03(A)(1), and 5108.041.

¹⁰ R.C. 5108.03(B).

¹¹ R.C. 5108.01(A) and 5108.041.

¹² R.C. 5108.041.

¹³ R.C. 5108.021(A) to (C).

¹⁴ R.C. 5108.021(D).

¹⁵ R.C. 5101.90(B).

(CCMEP).¹⁶ The proposal must be developed in consultation with the Governor's Office of Workforce Transformation, the County Commissioners Association of Ohio, and the Ohio Job and Family Services Director's Association. The establishment of the CCMEP might result in the redirection of existing TANF and WIOA funding to the CCMEP. The bill also requires the state CCMEP and local CCMEP plans to be approved by OHBC and local healthier buckeye councils, respectively.

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¹⁶ R.C. 5101.90(C).