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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
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Legislative Budget
Office

Synopsis of Senate Committee Amendments

(This synopsis does not address amendments that may have been adopted on the Senate Floor.)

H.B. 45 of the 134th General Assembly

Senate Finance

Sam Benham, Division Chief

Tax amnesty

- Instead of requiring a tax amnesty on set dates in 2021, grants OBM discretion on whether to authorize the amnesty, which it may do if it finds that the GRF is in need of revenue from the amnesty for calendar year 2023.
- If OBM authorizes the amnesty, authorizes the Tax Commissioner to select a two month period within 2023 to hold the amnesty.
- Adjusts appropriation to fund the amnesty from \$250,000 from Controlling Board funds in FY 2021 (with FY 2022 rollover) to \$1,000,000 from the GRF in FY 2023 (with FY 2024 rollover).

Delinquent tax list publication

- Authorizes the second publication of a county delinquent property tax list to be made online, provided the list's first publication continues to be made in a newspaper of general circulation.

Workforce incentive payments for freestanding dialysis centers

- Requires the Medicaid Director to make a one-time payment to each licensed freestanding dialysis center that is in good standing, to be used exclusively for direct care staff compensation.
- Specifies a formula to determine the amount of the payment.
- Appropriates \$15.0 million of the enhanced federal medical assistance percentage enacted in the Families First Coronavirus Response Act to fund the one-time payment to dialysis centers.

Critical Access Pharmacy Grant program

- Requires the Department of Medicaid to administer a Critical Access Pharmacy Grant program to award grants to pharmacies within counties that have no more than one retail pharmacy that participates in Medicaid.
- Authorizes up to \$100,000 in FY 2023 to fund the grant program.

Department of Medicaid

- Appropriates \$350 million in American Rescue Plan Act funds in FY 2023 to the Department of Medicaid for lump-sum payments to nursing facilities for workforce support.
- Requires the Department to distribute the funds in January 2023, as follows: (1) 40% as payments to nursing facilities based on each facility's total number of Medicaid days in calendar year 2021 and (2) 60% as payments to nursing facilities based on enumerated quality metrics.
- Specifies how each nursing facility's quality payment amount is to be calculated.
- Repeals law that requires nursing facility providers to spend 70% of any additional dollars received as a result of a rebasing on direct care costs.
- States that it is the General Assembly's intent to include a rebasing of the direct care, ancillary and support, and tax cost centers in the next main operating budget.
- States that it is the General Assembly's intent to require the Department and industry stakeholders to submit legislative proposals to: (1) replace the capital costs center formula and (2) provide a private room incentive payment.

Hospital provider relief payments

- Earmarks \$62 million of the enhanced Federal Medical Assistance Percentage under the federal "Families First Coronavirus Response Act" to the Department of Medicaid for health care provider relief payments for critical access and rural hospitals.
- Appropriates \$100 million in "American Rescue Plan Act" funds and authorizes the Medicaid Director and the Director of Budget and Management to make payments to critical access and rural hospitals that are Medicaid providers, and requires that the payments be used exclusively for direct care staff compensation.
- Appropriates \$6.5 million (\$2.3 million state share) in FY 2023 in GRF to provide for one-time provider relief payments to hospitals located in counties with a population of 350,000 to 380,000, to be calculated based on Medicaid enrollee patient discharge.

PACE program

- Requires the Department of Aging to expand to the following counties the existing Medicaid component known as the Program of All-inclusive Care for the Elderly (PACE): Franklin, Hamilton, Montgomery, Lorain, Lucas, and Summit.

- Appropriates \$50 million in FY 2023 to expand PACE in accordance with the bill.
- Regarding the existing Home First component of PACE, eliminates various references to documentation being “in writing.”

Ohio Adoption Grant Program

- Establishes the Ohio Adoption Grant Program, administered by the Department of Job and Family Services (JFS), to provide one of the following as one-time payment to adoptive parents for each eligible adopted child adopted on or after January 1, 2023: \$10,000, \$15,000 (if the adoptive parent was a foster caregiver for the child), or \$20,000 (if the child has diagnosed special needs).
- Authorizes an income tax deduction for grant payments.
- Requires the JFS Director to adopt rules, exempt from the regulatory restriction reduction requirements under Ohio law, to administer and implement the Grant Program, including a rule to authorize federal income tax withholding.
- Prohibits an application fee for the Grant Program.
- Permits the Director to require the submission of any court or legal document to prove the adoption and for any state agency or division to provide documents relating to the adoption, provided that the documents do not change public records status upon being submitted to JFS.
- Appropriates \$15 million from GRF in FY 2023 to administer grants.

Adoption tax credit

- Repeals the state’s existing income tax credit for the adoption of children.

Adoption petition fee

- Reduces the probate court adoption petition fee from \$50 to \$20.

Putative father registry fund

- Removes the requirement that a portion of the collected adoption petition fee be deposited into the Putative Father Registry Fund, and updates an incorrect cross-reference.
- Appropriates \$500,000 from GRF in FY 2023 to the fund.

Connect Our Kids Family Connections

- Appropriates \$250,000 from GRF in FY 2023 to support the Connect Our Kids Family Connections training.

Ohio Parenting and Pregnancy Program

- Appropriates \$3 million from GRF in FY 2023 to support the Ohio Parenting and Pregnancy Program.

College grants for adopted Ohio residents

- Establishes a grant program providing a one-time \$2,500 award to eligible adopted Ohio residents attending a state institution of higher education or private college in Ohio to apply toward the cost of attendance.

Publicly funded child care

- Establishes additional exceptions to the current law requirement that a licensed child care program be rated in the Step Up to Quality Program to provide publicly funded child care, including exempting type A and licensed type B family day-care homes.
- Eliminates the requirement that the JFS Director establish enhanced reimbursement rates for providers maintaining quality ratings under the Step Up to Quality Program.
- Eliminates the requirement that the Director weigh any reductions in reimbursement more heavily against providers that do not participate in Step Up to Quality or do not maintain quality ratings under the program.

Activities to encourage family day-care home licensure

- Requires JFS to engage in activities to encourage the establishment and licensure of family day-care homes and connect families and caretaker parents in need of child care with family day-care homes not meeting their license capacity.
- Permits the JFS Director to contract with third-party entities to assist the Director in performing the activities.
- Requires the Director to submit to the General Assembly – by May 30, 2023, and periodically thereafter – a report documenting barriers that may prevent the establishment or licensure of family day-care homes.

School raffles

- Allows a school district, community school, STEM school, or chartered nonpublic school to conduct a raffle to raise money for the school district or school.

ACE Educational Savings Account Program

- Extends operation of the Afterschool Child Enrichment Educational Savings Account Program (ACE) through FY 2024.
- Increases the amount that a student's account may be credited under the program from \$500 to \$1,000 for FY 2023 and FY 2024.
- Amends the eligibility requirements for a savings account.
- Unless funds are misused or the student graduates high school, prohibits the Department of Education or vendor operating the program from reclaiming any funds credited to a student's account.

Disadvantaged pupil impact aid phase-in

- For FY 2023, increases the phase-in percentage for disadvantaged pupil impact aid from 14% to 33.33%.

School district transportation payment

- Revises how the number of miles driven for school bus service are factored into the calculation of school district transportation payments.

Eliminate school storm shelter requirement

- Prohibits the Board of Building Standards from requiring storm shelters in school buildings.

Prelicensure nursing bachelor's degree programs

- Requires the Chancellor of Higher Education to approve a prelicensure nursing bachelor's degree program proposal submitted by a community, state community, or technical college prior to September 30, 2022.

Accrued vacation leave cash conversion

- Beginning in December 2023, increases, from 40 to 80, the maximum hours of accrued unused vacation leave certain state employees exempt from collective bargaining may convert to cash, provided the employee has at least 200 hours of unused accrued vacation leave.
- Beginning in December 2023, allows an employee described above who has at least 100 hours of unused accrued vacation leave to convert 40 hours to cash.
- Exempts employees of the Supreme Court, the General Assembly, the Legislative Service Commission, the Secretary of State, the Auditor of State, the Treasurer of State, and the Attorney General from the cash conversion unless the employees' employer notifies the Director of Administrative Services in writing before October 1, 2023, that the employees are eligible.

Reimbursements for peace officer and trooper training

- Regarding the current pilot program providing state funding for professional training programs for peace officers and Ohio State Highway Patrol troopers which is scheduled to end on December 31, 2022:
 - Specifies that if a law enforcement agency that receives money under the program does not use all of the money received for the salaries of its peace officers and troopers receiving training, the agency is to retain all of the money not used and use the retained money only for paying the cost of future continuing professional training programs;
 - Extends the pilot program until June 30, 2023, and modifies the mechanism for making the payments under it during the extension period.

- Appropriates an additional \$5 million from GRF in FY 2023 to support reimbursements for peace officer and trooper continuing professional training and administrative costs related to the extended pilot program.

Low income housing tax credit properties

- Disqualifies a project involving the rehabilitation of federal low income housing tax credit (LIHTC) property from an existing state tax credit for rehabilitating historic buildings.
- Authorizes a county auditor to value LIHTC property by using one or more of three existing appraisal methods.

Special improvement districts

- Modifies the law that applies to an existing qualified nonprofit corporation that forms a special improvement district (SID) by limiting the circumstances under which the Ethics Law, the Open Meetings Law, and the Public Records Law apply to the corporation.
- Specifies that the corporation is considered a SID only when it acts with respect to a purpose for which the SID is created, and not when it acts with respect to any other purpose for which it is organized.

Timely recording of satisfaction of mortgages

- Prohibits a mortgagor or current owner of real property from collecting, through a class action lawsuit, \$250 in damages for failure on the part of the mortgagee, during calendar year 2020, to record the satisfaction of a mortgage within 90 days of the mortgage's satisfaction.
- Specifies that this prohibition does not preclude or affect any other legal remedies or damages available to the mortgagor or current owner.

Professional sports logo license plates

- Regarding a sports commission formed to create and receive contributions for a specialty license plate with a professional sports team logo:
 - Modifies the number of sports commission board members from 21 to at least 15; and
 - Eliminates the requirements specifying what person or entity appoints the members.

Veterans Memorial and Museum

- Exempts, from Open Meetings Law, all meetings of the board of directors of the nonprofit corporation that operates the Veterans Memorial and Museum.
- Establishes that records of the board of directors and of the nonprofit corporation are not public records under Public Records Law.

Art economic relief grant program

- Authorizes grants for certain performing arts organizations and operators of cultural arts museums.
- Limits the purposes for which those grants may be used.
- Appropriates \$50 million in FY 2023 to the Department of Development for the grant program from federal American Rescue Plan Act (ARPA) of 2021 funds.

Boards and commissions

- Extends until December 31, 2024, authorization for the Chiropractic Loan Repayment Advisory Board and the Holocaust and Genocide Memorial Education Commission to operate.

Appropriations

The bill makes numerous other appropriations to the following agencies:

- Attorney General;
- Department of Agriculture;
- Department of Developmental Disabilities;
- Department of Development;
- Department of Natural Resources;
- Department of Transportation;
- Department of Public Safety;
- Department of Education;
- Broadcast Educational Media Commission;
- Ohio Expositions Commission;
- Facilities Construction Commission;
- Department of Job and Family Services;
- Department of Medicaid;
- Department of Mental Health and Addiction Services;
- Office of Budget and Management;
- Secretary of State.

Emergency clause

- Removes the emergency clause.

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