

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

S. B. No. 168

Senator Jordan

A BILL

To amend sections 5166.40 and 5166.405 and to enact
section 5163.11 of the Revised Code to prohibit
the Medicaid program from covering the expansion
eligibility group and to require aggregate
General Revenue Fund appropriations for state
agencies to be reduced by specified amounts for
the biennium beginning July 1, 2017, and ending
on June 30, 2019.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 5166.40 and 5166.405 be amended
and section 5163.11 of the Revised Code be enacted to read as
follows:

Sec. 5163.11. The medicaid program shall not cover the
group described in the "Social Security Act," section 1902(a)
(10) (A) (i) (VIII), 42 U.S.C. 1396a(a) (10) (A) (i) (VIII).

Sec. 5166.40. (A) As used in sections 5166.40 to 5166.409
of the Revised Code:

(1) "Adult" means an individual who is at least eighteen
years of age.

(2) "Buckeye account" means a modified health savings account established under section 5166.402 of the Revised Code.	19 20
(3) "Contribution" means the amounts that an individual contributes to the individual's buckeye account and are contributed to the account on the individual's behalf under divisions (C) and (D) of section 5166.402 of the Revised Code. "Contribution" does not mean the portion of an individual's buckeye account that consists of medicaid funds deposited under division (B) of section 5166.402 of the Revised Code or section 5166.404 of the Revised Code.	21 22 23 24 25 26 27 28
(4) "Core portion" means the portion of a healthy Ohio program participant's buckeye account that consists of the following:	29 30 31
(a) The amount of contributions to the account;	32
(b) The amounts awarded to the account under divisions (C) and (D) of section 5166.404 of the Revised Code.	33 34
(5) "Eligible employer-sponsored health plan" has the same meaning as in section 5000A(f) (2) of the "Internal Revenue Code of 1986," 26 U.S.C. 5000A(f) (2).	35 36 37
(6) "Healthy Ohio program" means the medicaid waiver component established under sections 5166.40 to 5166.409 of the Revised Code under which medicaid recipients specified in division (B) of this section enroll in comprehensive health plans and contribute to buckeye accounts.	38 39 40 41 42
(7) "Healthy Ohio program debit swipe card" means a debit swipe card issued by a managed care organization to a healthy Ohio program participant under section 5166.403 of the Revised Code.	43 44 45 46

(8) "Not-for-profit organization" means an organization 47
that is exempt from federal income taxation under section 501(a) 48
and (c) (3) of the "Internal Revenue Code of 1986," 26 U.S.C. 49
501(a) and (c) (3). 50

(9) "Ward of the state" means ~~both of the following:~~ an 51
individual who is a ward, as defined in section 2111.01 of the 52
Revised Code. 53

(10) "Workforce development activity" and "workforce 54
development agency" have the same meanings as in section 6301.01 55
of the Revised Code. 56

(B) The medicaid director shall establish a medicaid 57
waiver component to be known as the healthy Ohio program. Each 58
adult medicaid recipient, other than a ward of the state, 59
determined to be eligible for medicaid on the basis of ~~either of~~ 60
~~the following being included in the category identified by the~~ 61
department of medicaid as covered families and children shall 62
participate in the healthy Ohio program. 63

~~(1) On the basis of being included in the category~~ 64
~~identified by the department of medicaid as covered families and~~ 65
~~children;~~ 66

~~(2) On the basis of being included in the eligibility~~ 67
~~group described in section 1902(a) (10) (A) (i) (VIII) of the~~ 68
~~"Social Security Act," 42 U.S.C. 1396a(a) (10) (A) (i) (VIII).~~ 69

(C) Except as provided in section 5166.406 of the Revised 70
Code, a healthy Ohio program participant shall not receive 71
medicaid services under the fee-for-service component of 72
medicaid or participate in the care management system. 73

Sec. 5166.405. (A) A healthy Ohio program participant's 74
participation in the program shall cease if any of the following 75

applies:	76
(1) Unless the participant is pregnant, a monthly	77
installment payment to the participant's buckeye account is	78
sixty days late.	79
(2) The participant fails to submit documentation needed	80
for a redetermination of the participant's eligibility for	81
medicaid before the sixty-first day after the documentation is	82
requested.	83
(3) The participant becomes eligible for medicaid on a	84
basis other than being included in the category identified by	85
the department of medicaid as covered families and children or	86
being included in the eligibility group described in section	87
1902(a)(10)(A)(i)(VIII) of the "Social Security Act," 42 U.S.C.	88
1396a(a)(10)(A)(i)(VIII).	89
(4) The participant becomes a ward of the state.	90
(5) The participant ceases to be eligible for medicaid.	91
(6) The participant exhausts the annual or lifetime payout	92
limit specified in division (D) of section 5166.401 of the	93
Revised Code.	94
(7) The participant requests that the participant's	95
participation be terminated.	96
(B) A healthy Ohio program participant who ceases to	97
participate in the program under division (A) (1) or (2) of this	98
section may not resume participation until the former	99
participant pays the full amount of the monthly installment	100
payment or submits the documentation needed for the former	101
participant's medicaid eligibility redetermination. The former	102
participant shall not be transferred to the fee-for-service	103

component of medicaid or the care management system as a result 104
of ceasing to participate in the healthy Ohio program under 105
division (A) (1) or (2) of this section. 106

(C) Except as provided in section 5166.407 of the Revised 107
Code, a healthy Ohio program participant who ceases to 108
participate in the program shall be provided the contributions 109
that are in the participant's buckeye account at the time the 110
participant ceases participation. 111

Section 2. That existing sections 5166.40 and 5166.405 of 112
the Revised Code are hereby repealed. 113

Section 3. (A) Notwithstanding the sections of the main 114
operating appropriations act of the 132nd General Assembly 115
numbered in the 200s, 300s, or 400s, aggregate General Revenue 116
Fund appropriations for each applicable agency or group of 117
agencies in fiscal years 2018 and 2019 shall be reduced by the 118
amounts specified below. Not later than July 15 of each fiscal 119
year, the Director of Budget and Management shall determine the 120
amount of the reductions to individual General Revenue Fund 121
appropriation items in a manner that best preserves the critical 122
services of the state, provided that the aggregate amount of the 123
reductions for each agency or group of agencies is not less than 124
the amount specified below. As used in this section, "human 125
services agencies" means the departments of Developmental 126
Disabilities, Job and Family Services, Medicaid, and Mental 127
Health and Addiction Services. 128

Agency	FY 2018	FY 2019	
Adjutant General	\$246,997	\$246,997	129
Department of Administrative Services	\$698,349	\$698,349	130 131 132

Department of Aging	\$384,936	\$384,936	133
Department of Agriculture	\$573,168	\$573,168	134
Ohio Arts Council	\$368,051	\$368,051	135
Attorney General	\$1,159,484	\$1,159,484	136
Auditor of State	\$738,797	\$738,797	137
Office of Budget and Management	\$119,922	\$119,922	138
Capitol Square Review and Advisory Board	\$89,464	\$89,464	139 140
Ohio Civil Rights Commission	\$135,161	\$135,161	141
Court of Claims	\$63,410	\$63,410	142
Development Services Agency	\$778,439	\$778,439	143
Department of Education	\$198,136,472	\$198,136,472	144
Ohio Elections Commission	\$8,328	\$8,328	145
State Employment Relations Board	\$94,036	\$94,036	146 147
Environmental Protection Agency	\$373,077	\$373,077	148
Environmental Review Appeals Commission	\$15,311	\$15,311	149 150
Broadcast Educational Media Commission	\$237,660	\$237,660	151 152
Ohio Ethics Commission	\$34,539	\$34,539	153
Ohio Expositions Commission	\$9,375	\$9,375	154
Ohio Facilities Construction Commission	\$226,000	\$226,000	155 156

Office of the Governor	\$71,289	\$71,289	157
Department of Health	\$2,365,438	\$2,365,438	158
Commission on Hispanic/Latino Affairs	\$10,335	\$10,335	159 160
Ohio History Connection	\$340,262	\$340,262	161
Ohio House of Representatives	\$581,824	\$581,824	162
Office of the Inspector General	\$33,194	\$33,194	163
Joint Committee on Agency Rule Review	\$12,806	\$12,806	164 165
Joint Education Oversight Committee	\$12,500	\$12,500	166 167
Joint Medicaid Oversight Committee	\$12,258	\$12,258	168 169
Judicial Conference of Ohio	\$9,731	\$9,731	170
The Judiciary/Supreme Court	\$3,977,320	\$3,977,320	171
Joint Legislative Ethics Committee	\$13,750	\$13,750	172 173
Legislative Service Commission	\$633,012	\$633,012	174
State Library Board	\$143,999	\$143,999	175
Commission on Minority Health	\$65,357	\$65,357	176
Department of Natural Resources	\$1,142,828	\$1,142,828	177
Ohioana Library Association	\$4,000	\$4,000	178
Opportunities for Ohioans with Disabilities Agency	\$406,272	\$406,272	179 180

Pension Subsidies	\$512,575	\$512,575	181
Ohio Public Defender Commission	\$705,720	\$705,720	182
Department of Public Safety	\$460,608	\$460,608	183
Department of Higher Education	\$57,697,121	\$57,697,121	184
Department of Rehabilitation and Correction	\$38,862,800	\$38,862,800	185 186
The Ohio Senate	\$312,954	\$312,954	187
Commission on Service and Volunteerism	\$7,352	\$7,352	188 189
Board of Tax Appeals	\$42,500	\$42,500	190
Department of Taxation	\$1,698,447	\$1,698,447	191
Department of Transportation	\$382,500	\$382,500	192
Treasurer of State	\$265,589	\$265,589	193
Veterans' Organizations	\$47,200	\$47,200	194
Department of Veterans Services	\$741,670	\$741,670	195
Department of Youth Services	\$4,789,894	\$4,789,894	196
Human Services Agencies	\$505,163,460	\$505,163,460	197
(B) The following General Revenue Fund appropriation items			198
used for debt service or property tax reimbursement, are exempt			199
from the reductions as required by division (A) of this section.			200
Agency	ALI	ALI Title	201
Department of Administrative	100413	Enterprise Data	202
Services		Center Solutions	203
		Lease Rental	204

		Payments	205
Department of Administrative Services	100414	MARCS Lease Rental Payments	206
			207
Department of Administrative Services	100415	OAKS Lease Rental Payments	208
			209
Department of Administrative Services	100416	STARS Lease Rental Payments	210
			211
Department of Administrative Services	100447	Administrative Buildings Lease	212
			213
		Rental Bond Payments	214
Attorney General	055406	BCIRS Lease Rental Payments	215
			216
Development Services Agency	195901	Coal Research & Development General	217
			218
		Obligation Bond Debt Service	219
			220
Development Services Agency	195905	Third Frontier Research & Development General	221
			222
			223
		Obligation Bond Debt Service	224
			225
Development Services Agency	195912	Job Ready Site Development General	226
			227
		Obligation Bond Debt Service	228
			229
Department of Developmental Disabilities	320415	Developmental Disabilities Facilities Lease	230
			231
			232

		Rental Bond Payments	233
Ohio Facilities Construction Commission	230401	Cultural Facilities	234
		Lease Rental Bond Payments	235 236
Ohio Facilities Construction Commission	230908	Common Schools	237
		General Obligation Bond Debt Service	238 239
Department of Mental Health and Addiction Services	336415	Mental Health	240
		Facilities Lease- Rental Bond Payments	241 242
Department of Natural Resources	725413	Parks and Recreational	243 244
		Facilities Lease Rental Bond Payments	245 246
Department of Natural Resources	725903	Natural Resources	247
		General Obligation Bond Debt Service	248 249
Public Works Commission	150904	Conservation General	250
		Obligation Bond Debt Service	251 252
Public Works Commission	150907	Infrastructure	253
		Improvement General Obligation Bond Debt Service	254 255 256
Department of Higher Education	235909	Higher Education	257
		General Obligation Bond Debt Service	258 259
Department of Rehabilitation and	501406	Adult Correctional	260

Correction		Facilities Lease	261
		Rental Bond Payments	262
State Revenue Distributions	110908	Property Tax	263
		Reimbursement -	264
		Local Government	265
State Revenue Distributions	200903	Property Tax	266
		Reimbursement -	267
		Education	268
Treasurer of State	090406	Treasury Management	269
		System Lease Rental	270
		Payments	271
Department of Veterans Services	900901	Veterans	272
		Compensation General	273
		Obligation Bond Debt	274
		Service	275
Department of Youth Services	470412	Juvenile	276
		Correctional	277
		Facilities Lease	278
		Rental Bond Payments	279

(C) Notwithstanding the sections of the main operating 280
 appropriations act of the 132nd General Assembly numbered in the 281
 200s, 300s, or 400s, the following appropriation items for the 282
 Department of Medicaid in fiscal year 2018 and fiscal year 2019 283
 shall be reduced by the amount specified in the table below to 284
 eliminate Medicaid funding for the group described in section 285
 192(a)(10)(i)(VIII) of the "Social Security Act," 42 U.S.C. 286
 1396a(a)(10)(A)(i)(VIII). 287

ALI	ALI Title	FY 2018	FY 2019	288
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651525	Medicaid/Health Care			289
	Services			290
	State	\$57,885,768	\$68,661,704	291
	Federal	\$963,648,758	\$933,920,637	292
	Medicaid/Health Care	\$1,021,534,526	\$1,002,582,341	293
	Services Total			294
651639	Medicaid Services -	\$26,309,868	\$34,667,668	295
	Recoveries			296
651684	Medicaid Services -	\$196,226,296	\$226,841,369	297
	HIC Fee			298
651623	Medicaid Services -	\$3,823,113,363	\$3,760,958,460	299
	Federal			300