

(5) The county board or private, nonprofit agency applies to 64073
the director for forgiveness of the outstanding balance. 64074

Sec. 5123.62. The rights of persons with mental retardation 64075
or a developmental disability to exercise choices, by or with the 64076
aid of family members or other guardians, among residential or 64077
employment accommodations include, but are not limited to, the 64078
following: 64079

(A) The right to be treated at all times with courtesy and 64080
respect and with full recognition of their dignity and 64081
individuality; 64082

(B) The right to an appropriate, safe, and sanitary living 64083
environment that complies with local, state, and federal standards 64084
and recognizes the persons' need for privacy and independence, 64085
including the right to choose to live, or to decline to live, in a 64086
large or small intermediate care facility for individuals with 64087
intellectual disabilities, a home, or another facility or 64088
community setting; 64089

(C) The right to food adequate to meet accepted standards of 64090
nutrition; 64091

(D) The right to practice the religion of their choice or to 64092
abstain from the practice of religion and to have access to and 64093
participate in activities of a social, religious, or other nature 64094
in association with other persons who share their interests and in 64095
accordance with individual choice; 64096

(E) The right of timely access to appropriate medical or 64097
dental treatment; 64098

(F) The right of access to necessary ancillary services, 64099
including, but not limited to, occupational therapy, physical 64100
therapy, speech therapy, and behavior modification and other 64101
psychological services; 64102

(G) The right to receive appropriate care and treatment in 64103
the least intrusive manner as appropriate to the person, including 64104
adequate health care, personal care, and other therapeutically 64105
necessary services; 64106

(H) The right to privacy, including both periods of privacy 64107
and places of privacy; 64108

(I) The right to associate and communicate freely with 64109
persons of their choice in any reasonable manner they choose; 64110

(J) The right to ownership and use of personal possessions so 64111
as to maintain individuality and personal dignity; 64112

(K) The right to social interaction with members of either 64113
sex; 64114

(L) The right of access to opportunities that enable 64115
individuals to develop their full human potential; 64116

(M) The right to pursue vocational opportunities that will 64117
promote and enhance economic independence, including the right, 64118
with their parents or guardians, to choose the settings in which 64119
they wish to work or engage in day programs and services, whether 64120
in disability-specific facility-based workshops and programs 64121
regardless of size or location or in community settings; 64122

(N) The right to be treated equally as citizens under the 64123
law; 64124

(O) The right to be free from emotional, psychological, and 64125
physical abuse and from neglect and indignity; 64126

(P) The right to participate in appropriate programs of 64127
education, training, social development, and habilitation and in 64128
programs of reasonable recreation; 64129

(Q) The right to participate without government coercion in 64130
decisions that affect their lives, including the right, with their 64131
parents and guardians, to be informed in writing of rights and 64132

policies governing any residential, work, or other setting 64133
provided as an accommodation by the state or a local government 64134
entity; 64135

(R) The right to select a parent or advocate to act on their 64136
behalf; 64137

(S) The right to manage their personal financial affairs, 64138
based on individual ability to do so; 64139

(T) The right to confidential treatment of all information in 64140
their personal and medical records, except to the extent that 64141
disclosure or release of records is permitted under sections 64142
5123.89 and 5126.044 of the Revised Code; 64143

(U) The right to voice grievances and recommend changes in 64144
policies and services without restraint, interference, coercion, 64145
discrimination, or reprisal; 64146

(V) The right to be free from unnecessary chemical or 64147
physical restraints, including the right to have such restraints 64148
used only when ordered by a physician or as necessary to protect 64149
the lives and safety of themselves or others and never to have 64150
them used for discipline or the convenience of service providers 64151
or other caregivers; 64152

(W) The right to participate in the political process, 64153
including the right, with their parents or guardians, to speak on 64154
their own behalf before agencies of the state and local 64155
government; 64156

(X) The right to refuse to participate in medical, 64157
psychological, or other research or experiments; 64158

(Y) The right, with their consent or that of their parents or 64159
guardians, to be included or be free from being included as 64160
litigants or class members in threatened or actual litigation 64161
asserting claims on their behalf or affecting their rights 64162

protected under this section.

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Sec. 5123.621. It is the intent of the general assembly that all individuals being served on the effective date of this section through the array of adult day services that exists on that date, including services delivered in a sheltered workshop, be fully informed of any new home and community-based services and their option to receive those services. It is also the intent of the general assembly that those individuals be permitted to continue receiving services in a variety of settings as long as those settings offer opportunities for community integration as described in their individual service plans.

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Sec. 5123.86. (A) Except as provided in divisions (C), (D), and (E),~~and (F)~~ of this section, the chief medical officer shall provide all information, including expected physical and medical consequences, necessary to enable any resident of an institution for the mentally retarded to give a fully informed, intelligent, and knowing consent if any of the following procedures are proposed:

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(1) Surgery;

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(2) ~~Convulsive therapy;~~

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~~(3) Major aversive interventions;~~

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~~(4) Sterilization;~~

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~~(5)(3) Experimental procedures;~~

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~~(6) Any unusual or hazardous treatment procedures.~~

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(B) No resident shall be subjected to ~~any of the procedures listed in division (A)(4), (5), or (6) of this section~~ sterilization without the resident's informed consent.

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(C) If a resident is physically or mentally unable to receive the information required for surgery or an experimental procedure

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mental health and addiction services for investigation and 62790
determination. 62791

Sec. 5123.032. (A) As used in this section, ~~"developmental;~~ 62792

(1) "Closed" or "closure" means a situation in which either 62793
of the following occurs: 62794

(a) A developmental center ceases operations; 62795

(b) Control of a developmental center is transferred from the 62796
department of developmental disabilities to another entity that is 62797
not a government entity. 62798

(2) "Developmental center" means any institution or facility 62799
of the department of developmental disabilities that, on or after 62800
January 30, 2004, is named, designated, or referred to as a 62801
developmental center. 62802

(B) Notwithstanding any other provision of law, any closure 62803
of a developmental center shall be subject to, and in accordance 62804
with, this section. 62805

~~(C) Notwithstanding any other provision of law, at least ten 62806~~
~~days prior to making any official, public announcement that the 62807~~
~~governor intends to close one or more developmental centers, the 62808~~
~~governor shall notify the general assembly in writing that the 62809~~
~~governor intends to close one or more developmental centers. The 62810~~
~~governor shall notify the general assembly in writing of the prior 62811~~
~~announcement and that the governor intends to close the center 62812~~
~~identified in the prior announcement, and the notification to the 62813~~
~~general assembly shall constitute, for purposes of this section, 62814~~
~~the governor's official, public announcement that the governor 62815~~
~~intends to close that center. 62816~~

~~The notice required by this division shall identify by name 62817~~
~~each developmental center that the governor intends to close or, 62818~~

~~if the governor has not determined any specific developmental center to close, shall state the governor's general intent to close one or more developmental centers. When the governor notifies the general assembly as required by this division, the legislative service commission promptly shall conduct an independent study of the developmental centers of the department of developmental disabilities and of the department's operation of the centers, and the study shall address relevant criteria and factors, including, but not limited to, all of the following~~ If the governor determines that one or more developmental centers should be closed, all of the following apply:

(1) For each developmental center, the governor shall notify the general assembly and the department of developmental disabilities of that determination and the rationale for it. If the rationale is expenditure reductions or budget cuts, the notice shall specify the anticipated savings to be obtained through the closure.

(2) Not later than seven days after the governor provides notice under this section, the officials who are to appoint members of the commission under division (D) of this section, shall appoint the members. As soon as possible after the appointments, the commission shall meet and commence deliberations. Not later than thirty days after the governor provides the notice, the commission shall provide to the general assembly, the governor, and the department a report of its recommendation concerning the developmental center. The commission may recommend closure for expenditure reductions or budget cuts only if the anticipated savings to be obtained by the closure are approximately the same as the anticipated savings specified in the governor's notice. If the governor gave notice of the proposed closure of more than one developmental center, the report shall list them in order of the commission's preference for closure.

(3) On receipt of a report that recommends closure of a 62851
developmental center, the governor may close the developmental 62852
center. Except as otherwise provided in this division, the 62853
governor shall not close a developmental center that is not listed 62854
in the commission's recommendation, and shall not close multiple 62855
developmental centers in any order other than the order of the 62856
commission's preference as specified in the recommendation. If the 62857
governor determines that it is not feasible to implement the 62858
recommendation because there has been a significant change in 62859
circumstances, the governor may call for a new commission 62860
regarding the developmental center. The new commission shall be 62861
created and function in accordance with this section. 62862

(D) Each developmental center closure commission shall 62863
consist of thirteen members. Three members shall be members of the 62864
house of representatives, two of whom are members of the majority 62865
political party in the house of representatives appointed by the 62866
speaker of the house of representatives and one of whom is a 62867
member of the minority political party in the house of 62868
representatives appointed by the minority leader of the house of 62869
representatives. Three members shall be members of the senate, two 62870
of whom are members of the majority political party in the senate 62871
appointed by the president of the senate and one of whom is a 62872
member of the minority political party in the senate appointed by 62873
the minority leader of the senate. One member shall be the 62874
director of budget and management. One member shall be the 62875
director of developmental disabilities. Four members shall be 62876
persons with experience in the work of the department of 62877
developmental disabilities, with one of these members appointed by 62878
the speaker of the house of representatives, one by the minority 62879
leader of the house of representatives, one by the president of 62880
the senate, and one by the minority leader of the senate. One 62881
member shall be a representative of the employees' association 62882
representing the largest number of employees of the department, as 62883

certified by the director of developmental disabilities, with that 62884
member being appointed by the president of the association. At the 62885
commission's first meeting, the members shall organize and appoint 62886
a chairperson and vice-chairperson. The members shall serve 62887
without compensation. 62888

(E) In making its determination of whether a developmental 62889
center should close, the commission shall consider the following 62890
factors and any other factors it considers appropriate: 62891

(1) The manner in which the closure of developmental centers 62892
in general would affect the safety, health, well-being, and 62893
lifestyle of the centers' residents and their family members and 62894
would affect public safety and, if the governor's notice 62895
identifies by name one or more developmental centers that the 62896
governor intends to close, the manner in which the closure of each 62897
center so identified would affect the safety, health, well-being, 62898
and lifestyle of the center's residents and their family members 62899
and would affect public safety Whether there is a need to reduce 62900
the number of developmental centers; 62901

(2) The availability of alternate facilities; 62902

(3) The cost effectiveness of the facilities identified for 62903
closure developmental center; 62904

(4) A comparison of the cost of residing at a facility 62905
identified for closure and the cost of new living arrangements The 62906
opportunities for, and barriers to, transitioning staff of the 62907
center to other appropriate employment; 62908

(5) The geographic factors associated with each facility the 62909
center and its proximity to other similar facilities; 62910

(6) The impact of collective bargaining on facility 62911
operations; 62912

(7) The utilization and maximization of resources; 62913

~~(8)~~(7) Continuity of the staff and ability to serve the facility center's population; 62914
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~~(9)~~(8) Continuing costs following closure of a facility the center; 62916
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~~(10)~~(9) The impact of the closure on the local economy; 62918

~~(11)~~(10) Alternatives and opportunities for consolidation with other centers or facilities; 62919
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~~(12) How the closing of a facility identified for closure relates to the department's plans for the future of developmental centers in this state;~~ 62921
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~~(13) The effect of the closure of developmental centers in general upon the state's fiscal resources and fiscal status and, if the governor's notice identifies by name one or more developmental centers that the governor intends to close, the effect of the closure of each center so identified upon the state's fiscal resources and fiscal status.~~ 62924
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~~(D) The legislative service commission shall complete the study required by division (C) of this section, and prepare a report that contains its findings, not later than sixty days after the governor makes the official, public announcement that the governor intends to close one or more developmental centers as described in division (C) of this section. The commission shall provide a copy of the report to each member of the general assembly who requests a copy of the report and for collaboration with other state agencies and political subdivisions.~~ 62930
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(F) The commission shall meet as often as necessary to make its determination and may take testimony and consider all relevant information. 62939
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On providing its report, the commission shall cease to exist, provided that another commission shall be created if the governor 62942
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calls for a new commission pursuant to division (D) of this 62944
section or the governor provides another notice of closure under 62945
division (C)(1) of this section. 62946

Sec. 5123.033. The program fee fund is hereby created in the 62947
state treasury. All fees collected pursuant to sections 5123.161, 62948
5123.164, and 5123.19 of the Revised Code shall be credited to the 62949
fund. Money credited to the fund shall be used solely for the 62950
department of developmental disabilities' duties under sections 62951
5123.16 to ~~5123.1610~~, 5123.1611 and 5123.19 of the Revised Code 62952
and to provide continuing education and professional training to 62953
providers of services to individuals with mental retardation or a 62954
developmental disability. If the money credited to the fund is 62955
inadequate to pay all of the department's costs in performing 62956
those duties and providing the continuing education and 62957
professional training, the department may use other available 62958
funds appropriated to the department to pay the remaining costs of 62959
performing those duties and providing the continuing education and 62960
professional training. 62961

Sec. 5123.16. (A) As used in sections 5123.16 to ~~5123.1610~~ 62962
5123.1611 of the Revised Code: 62963

(1) "Applicant" means any of the following: 62964

(a) The chief executive officer of a business that applies 62965
under section 5123.161 of the Revised Code for a certificate to 62966
provide supported living; 62967

(b) The chief executive officer of a business that seeks 62968
renewal of the business's supported living certificate under 62969
section 5123.164 of the Revised Code; 62970

(c) An individual who applies under section 5123.161 of the 62971
Revised Code for a certificate to provide supported living as an 62972
independent provider; 62973

section shall be accomplished without a disruption in the 66618
participant's services under the components. 66619

Sec. 5166.161. The department of medicaid shall ensure that 66620
each ICDS participant who is a survivor of the Holocaust that 66621
occurred in Europe during World War II receives, while enrolled in 66622
the ICDS medicaid waiver component, home and community-based 66623
services of the type and in at least the amount, duration, and 66624
scope that the participant is assessed to need and would have 66625
received if the participant were enrolled in an ODA or MCD 66626
medicaid waiver component. 66627

Sec. 5166.24. A medicaid waiver component that the department 66628
of developmental disabilities administers under section 5166.21 of 66629
the Revised Code shall continue to cover adult day services 66630
provided by sheltered workshops if the component covers those 66631
services on the effective date of this section. 66632

A sheltered workshop with a provider agreement to provide 66633
adult day services available under a medicaid waiver component 66634
administered by the department of developmental disabilities shall 66635
not decrease the number of medicaid recipients it is willing and 66636
able to serve. 66637

Sec. 5166.52. (A) As used in sections 5166.52 to 5166.5210 of 66638
the Revised Code: 66639

(1) "Adult" means an individual who is at least eighteen 66640
years of age. 66641

(2) "Buckeye account" means a modified health savings account 66642
established under section 5166.522 of the Revised Code. 66643

(3) "Contribution" means the amounts that an individual 66644
contributes to the individual's buckeye account and are 66645
contributed to the account on the individual's behalf under 66646

Section 259.280. COMMUNITY SUPPORT AND RENTAL ASSISTANCE 87517

The foregoing appropriation item 322509, Community Support 87518
and Rental Assistance, may be used by the Director of 87519
Developmental Disabilities to provide funding to county boards of 87520
developmental disabilities for rental assistance to individuals 87521
with developmental disabilities receiving home and community-based 87522
services as defined in section 5123.01 of the Revised Code 87523
pursuant to section 5124.60 of the Revised Code or section 5124.69 87524
of the Revised Code and to former residents of a developmental 87525
center. The director shall establish the methodology for 87526
determining the amount and distribution of such funding. 87527

Section 259.290. MEDICAID RATES FOR SHELTERED WORKSHOP 87528
SERVICES 87529

The Medicaid payment rates for adult day services provided by 87530
sheltered workshops during the period beginning July 1, 2015, and 87531
ending June 30, 2017, under a Medicaid waiver component 87532
administered by the Department of Developmental Disabilities shall 87533
be not less than Medicaid payment rates for those services in 87534
effect on June 30, 2015. 87535

Section 261.10. OBD OHIO BOARD OF DIETETICS 87536

Dedicated Purpose Fund Group				87537
4K90 860609 Operating Expenses	\$	362,872	\$ 371,779	87538
TOTAL DPF Dedicated Purpose Fund				87539
Group	\$	362,872	\$ 371,779	87540
TOTAL ALL BUDGET FUND GROUPS	\$	362,872	\$ 371,779	87541

Section 263.10. EDU DEPARTMENT OF EDUCATION 87543

General Revenue Fund				87544
GRF 200321 Operating Expenses	\$	14,217,708	\$ 14,517,708	87545

