moved to amend as follows:

1 Engross the bill as directed by the commands in the amendments attached hereto, ignoring matter extraneous to those commands.

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The following amendments are attached hereto:

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The motion was __________ agreed to.
moved to amend as follows:

1. In line 1017, delete "something other than" and insert "reasons unrelated to"
2. In line 1022, delete "in a manner that"
3. In line 1023, delete "is inconsistent with this division"
4. In line 1071, reinsert "or otherwise"
5. In line 1072, after "workforce" insert "is not working";
6. reinsert "for reasons unrelated to the allowed injury or"
7. In line 1073, reinsert "occupational disease."; delete the
8. underlined semicolon
9. In line 1076, delete the underlined semicolon
10. Delete lines 1077 and 1078
11. In line 1079, delete "than a disability arising from an
12. injury or occupational disease"

The motion was _______ agreed to.

SYNOPSIS

Voluntary abandonment

R.C. 4123.56 and 4123.58

Prohibits a person from receiving temporary total disability (TTD) or permanent total disability (PTD)
compensation when the person is not working for reasons unrelated to an allowed injury or occupational disease, rather than as the direct result of something other than a disability arising from the injury or occupational disease as currently proposed.

States that the General Assembly intends to supersede any previous judicial decision that applied the voluntary abandonment doctrine to claims for TTD compensation, rather than superseding a judicial decision that is inconsistent with the proposed language.
moved to amend as follows:

Delete lines 1188 through 1190

The motion was ______ agreed to.

SYNOPSIS

Final settlement agreements

R.C. 4123.65

Removes a proposed prohibition against an employer requiring an employee to terminate the employment relationship as a condition of settling a workers' compensation claim.
moved to amend as follows:

In line 2213, after "Code" insert "ten days"

The motion was ______ agreed to.

SYNOPSIS

Employee misclassification penalty

R.C. 4177.05

Prohibits the Superintendent of Industrial Compliance from assessing a penalty against an employer for violating the bill's prohibition against misclassifying an employee as an independent contractor for purposes of the Workers' Compensation Law, the Unemployment Compensation Law, and the Ohio Income Tax Law when the employer voluntarily reclassifies a misclassified employee ten days before the Superintendent holds a hearing, instead of any time before the hearing as currently proposed.
moved to amend as follows:

In line 3 of the title, after "4123.65," insert "4123.66,"

In line 159, after "4123.65," insert "4123.66,"

After line 1190, insert:

"Sec. 4123.66. (A) In addition to the compensation provided for in this chapter, the administrator of workers' compensation shall disburse and pay from the state insurance fund the amounts for medical, nurse, and hospital services and medicine as the administrator deems proper and, in case death ensues from the injury or occupational disease, the administrator shall disburse and pay from the fund reasonable funeral expenses in an amount not to exceed fifty-five seven thousand five hundred dollars. The bureau of workers' compensation shall reimburse anyone, whether dependent, volunteer, or otherwise, who pays the funeral expenses of any employee whose death ensues from any injury or occupational disease as provided in this section. The administrator may adopt rules, with the advice and consent of the bureau of workers' compensation board of directors, with respect to furnishing medical, nurse, and hospital service and medicine to injured or disabled employees entitled thereto, and for the payment therefor. In case an injury or industrial accident that injures an employee also causes damage to the employee's eyeglasses, artificial teeth
or other denture, or hearing aid, or in the event an injury or occupational disease makes it necessary or advisable to replace, repair, or adjust the same, the bureau shall disburse and pay a reasonable amount to repair or replace the same.

(B) The administrator, in the rules the administrator adopts pursuant to division (A) of this section, may adopt rules specifying the circumstances under which the bureau may make immediate payment for the first fill of prescription drugs for medical conditions identified in an application for compensation or benefits under section 4123.84 or 4123.85 of the Revised Code that occurs prior to the date the administrator issues an initial determination order under division (B) of section 4123.511 of the Revised Code. If the claim is ultimately disallowed in a final administrative or judicial order, and if the employer is a state fund employer who pays assessments into the surplus fund account created under section 4123.34 of the Revised Code, the payments for medical services made pursuant to this division for the first fill of prescription drugs shall be charged to and paid from the surplus fund account and not charged through the state insurance fund to the employer against whom the claim was filed.

(C)(1) If an employer or a welfare plan has provided to or on behalf of an employee any benefits or compensation for an injury or occupational disease and that injury or occupational disease is determined compensable under this chapter, the employer or a welfare plan may request that the administrator reimburse the employer or welfare plan for the amount the employer or welfare plan paid to or on behalf of the employee in compensation or benefits. The administrator shall reimburse the employer or welfare plan for the compensation and benefits paid if, at the time the employer or welfare plan provides the benefits or
compensation to or on behalf of employee, the injury or occupational disease had not been determined to be compensable under this chapter and if the employee was not receiving compensation or benefits under this chapter for that injury or occupational disease. The administrator shall reimburse the employer or welfare plan in the amount that the administrator would have paid to or on behalf of the employee under this chapter if the injury or occupational disease originally would have been determined compensable under this chapter. If the employer is a merit-rated employer, the administrator shall adjust the amount of premium next due from the employer according to the amount the administrator pays the employer. The administrator shall adopt rules, in accordance with Chapter 119. of the Revised Code, to implement this division.

(2) As used in this division, "welfare plan" has the same meaning as in division (1) of 29 U.S.C.A. 1002.

(D)(1) Subject to the requirements of division (D)(2) of this section, the administrator may make a payment of up to five hundred dollars to either of the following:

(a) The centers of medicare and medicaid services, for reimbursement of conditional payments made pursuant to the "Medicare Secondary Payer Act," 42 U.S.C. 1395y;

(b) The Ohio department of medicaid, or a medical assistance provider to whom the department has assigned a right of recovery for a claim for which the department has notified the provider that the department intends to recoup the department's prior payment for the claim, for reimbursement under sections 5160.35 to 5160.43 of the Revised Code for the cost of medical assistance paid on behalf of a medical assistance recipient.

(2) The administrator may make a payment under division
(D)(1) of this section if the administrator makes a reasonable determination that both of the following apply:

(a) The payment is for reimbursement of benefits for an injury or occupational disease.

(b) The injury or occupational disease is compensable, or is likely to be compensable, under this chapter or Chapter 4121., 4127., or 4131. of the Revised Code.

(3) Any payment made pursuant to this division shall be charged to and paid from the surplus fund account created under section 4123.34 of the Revised Code.

(4) Nothing in this division shall be construed as limiting the centers of medicare and medicaid services, the department, or any other entity with a lawful right to reimbursement from recovering sums greater than five hundred dollars.

(5) The administrator may adopt rules, with the advice and consent of the bureau of workers' compensation board of directors, to implement this division."

In line 3262, after "4123.65," insert "4123.66,"

In line 3265, delete "and"; after "4123.65" insert ", and 4123.66"

The motion was __________ agreed to.

SYNOPSIS

Funeral expenses

R.C. 4123.66

Increases, from $5,500 to $7,500, the amount of money that
the Administrator of Workers' Compensation may disburse from the State Insurance Fund to pay reasonable funeral expenses when an employee dies from a compensable injury or occupational disease.
moved to amend as follows:

In line 3 of the title, after "4123.65," insert "4131.03,"

In line 159, after "4123.65," insert "4131.03,"

After line 1190, insert:

"Sec. 4131.03. (A) For the relief of persons who are entitled to receive benefits by virtue of the federal act, there is hereby established a coal-workers pneumoconiosis fund, which shall be separate from the funds established and administered pursuant to Chapter 4123. of the Revised Code. The fund shall consist of premiums and other payments thereto by subscribers who elect to subscribe to the fund to insure the payment of benefits required by the federal act.

(B) The coal-workers pneumoconiosis fund shall be in the custody of the treasurer of state. The bureau of workers' compensation shall make disbursements from the fund to those persons entitled to payment therefrom and in the amounts required pursuant to sections 4131.01 to 4131.06 of the Revised Code. All investment earnings of the fund shall be credited to the fund.

The director of natural resources annually may request the administrator of workers' compensation to transfer a portion of the funds from the net position of the coal-workers pneumoconiosis
fund to the mining regulation and safety fund created in section 1513.30 of the Revised Code for the purposes specified in that section. If the administrator receives a request, the administrator shall transfer an amount not to exceed one million dollars on the first day of July or as soon as possible thereafter.

The administrator, with the advice and consent of the bureau of workers' compensation board of directors, shall adopt rules in accordance with Chapter 119. of the Revised Code governing the transfer to ensure the solvency of the coal-workers pneumoconiosis fund. For that purpose, the administrator may establish tests in the rules based on measures of net assets, liabilities, expenses, interest, dividend income, or other factors that the administrator determines appropriate that may be applied before a transfer.

(C) The administrator shall have the same powers to invest any of the surplus or reserve belonging to the coal-workers pneumoconiosis fund as are delegated to the administrator under section 4123.44 of the Revised Code with respect to the state insurance fund.

(D) If the administrator determines that reinsurance of the risks of the coal-workers pneumoconiosis fund is necessary to assure solvency of the fund, the administrator may:

(1) Enter into contracts for the purchase of reinsurance coverage of the risks of the fund with any company or agency authorized by law to issue contracts of reinsurance;

(2) Pay the cost of reinsurance from the fund;

(3) Include the costs of reinsurance as a liability and estimated liability of the fund."

In line 3262, after "4123.65," insert "4131.03,"
The motion was __________ agreed to.

SYNOPSIS

Coal-Workers Pneumoconiosis Fund transfer

R.C. 4131.03

Authorizes the Director of Natural Resources to annually request the Administrator of Workers' Compensation to transfer a portion of the net position of the Coal-Workers Pneumoconiosis Fund to the Mining Regulation and Safety Fund created in the Coal Surface Mining Law.

Requires the Administrator, on receiving a request from the Director, to transfer not more than $1,000,000 by July 1 or as soon as possible thereafter.

Requires the Administrator, with the advice and consent of the Bureau of Workers' Compensation Board of Directors, to adopt rules governing the transfer to ensure the solvency of the Coal-Workers Pneumoconiosis Fund.