

**As Reported by the House Finance and Appropriations
Committee**

**130th General Assembly
Regular Session
2013-2014**

Sub. H. B. No. 34

Representative Hackett

Cosponsor: Representative Amstutz

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A B I L L

To amend Section 201 of Sub. H.B. 123 of the 129th 1
General Assembly, as subsequently amended, and to 2
make appropriations for the Bureau of Workers' 3
Compensation for the biennium beginning July 1, 4
2013, and ending June 30, 2015, and to provide 5
authorization and conditions for the operation of 6
the Bureau's programs. 7

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

Section 1. All items in this section are hereby appropriated 8
out of any moneys in the state treasury to the credit of the 9
designated fund. For all appropriations made in this act, those in 10
the first column are for fiscal year 2014, and those in the second 11
column are for fiscal year 2015. 12

FND AI	AI TITLE	Appropriations		
	BWC BUREAU OF WORKERS' COMPENSATION			14
	Workers' Compensation Fund Group			15
7023 855401	William Green Lease	\$ 16,026,100	\$ 0	16
	Payments to OBA			
7023 855407	Claims, Risk and	\$ 118,338,586	\$ 118,338,586	17

		Medical Management				
7023	855408	Fraud Prevention	\$	12,114,226	\$	12,114,226
7023	855409	Administrative	\$	105,857,276	\$	105,357,276
		Services				
7023	855410	Attorney General	\$	4,621,850	\$	4,621,850
		Payments				
8220	855606	Coal Workers' Fund	\$	147,666	\$	147,666
8230	855608	Marine Industry	\$	75,527	\$	75,527
8250	855605	Disabled Workers	\$	319,718	\$	319,718
		Relief Fund				
8260	855609	Safety and Hygiene	\$	19,161,132	\$	19,161,132
		Operating				
8260	855610	Gear Program	\$	5,000,000	\$	5,000,000
8290	855604	Long Term Care Loan	\$	100,000	\$	100,000
		Program				
TOTAL WCF Workers' Compensation						27
Fund Group			\$	281,762,081	\$	265,235,981
Federal Special Revenue Fund Group						29
3490	855601	OSHA Enforcement	\$	1,731,000	\$	1,731,000
3FW0	855614	BLS SOII Grant	\$	116,919	\$	116,919
TOTAL FED Federal Special Revenue			\$	1,847,919	\$	1,847,919
Fund Group						
TOTAL ALL BUDGET FUND GROUPS			\$	283,610,000	\$	267,083,900
WILLIAM GREEN LEASE PAYMENTS						34
Of the foregoing appropriation item 855401, William Green						35
Lease Payments, up to \$16,026,100 shall be used to make lease						36
payments to the Treasurer of State at the times they are required						37
to be made during the period from July 1, 2013 to June 30, 2015,						38
pursuant to leases and agreements made under section 154.24 of the						39
Revised Code. If it is determined that additional appropriations						40
are necessary for such purpose, such amounts are hereby						41
appropriated.						42

WORKERS' COMPENSATION FRAUD UNIT 43

Of the foregoing appropriation item 855410, Attorney General 44
Payments, \$828,200 in each fiscal year shall be used to fund the 45
expenses of the Workers' Compensation Fraud Unit within the 46
Attorney General's Office. These payments shall be processed at 47
the beginning of each quarter of each fiscal year and deposited 48
into the Workers' Compensation Section Fund (Fund 1950) used by 49
the Attorney General. 50

SAFETY AND HYGIENE 51

Notwithstanding section 4121.37 of the Revised Code, the 52
Treasurer of State shall transfer \$19,161,132 cash in fiscal year 53
2014 and \$19,161,132 cash in fiscal year 2015 from the State 54
Insurance Fund to the Safety and Hygiene Fund (Fund 8260). 55

OSHA ON-SITE CONSULTATION PROGRAM 56

The Bureau of Workers' Compensation may designate a portion 57
of appropriation item 855609, Safety and Hygiene Operating, to be 58
used to match federal funding for the federal Occupational Safety 59
and Health Administration's (OSHA) on-site consultation program. 60

VOCATIONAL REHABILITATION 61

The Bureau of Workers' Compensation and the Rehabilitation 62
Services Commission shall enter into an interagency agreement for 63
the provision of vocational rehabilitation services and staff to 64
mutually eligible clients. The bureau may provide not more than 65
\$605,407 in fiscal year 2014 and not more than \$605,407 in fiscal 66
year 2015 from the State Insurance Fund to fund vocational 67
rehabilitation services and staff in accordance with the 68
interagency agreement. 69

FUND BALANCE 70

Any unencumbered cash balance in excess of \$45,000,000 in the 71
Workers' Compensation Fund (Fund 7023) on the thirtieth day of 72

June of each fiscal year shall be used to reduce the 73
administrative cost rate charged to employers to cover 74
appropriations for Bureau of Workers' Compensation operations. 75

Section 2. DEPUTY INSPECTOR GENERAL FOR BWC AND OIC FUNDING 76

To pay for the FY 2014 costs related to the Deputy Inspector 77
General for the Bureau of Workers' Compensation and Industrial 78
Commission, on July 1, 2013, and on January 1, 2014, or as soon as 79
possible after each date, the Director of Budget and Management 80
shall transfer \$212,500 in cash from the Workers' Compensation 81
Fund (Fund 7023) to the Deputy Inspector General for the Bureau of 82
Workers' Compensation and Industrial Commission Fund (Fund 5FT0). 83

To pay for the FY 2015 costs related to the Deputy Inspector 84
General for the Bureau of Workers' Compensation and Industrial 85
Commission, on July 1, 2014, and on January 1, 2015, or as soon as 86
possible after each date, the Director of Budget and Management 87
shall transfer \$212,500 in cash from the Workers' Compensation 88
Fund (Fund 7023) to the Deputy Inspector General for the Bureau of 89
Workers' Compensation and Industrial Commission Fund (Fund 5FT0). 90

If additional amounts are needed, the Inspector General may 91
seek Controlling Board approval for additional transfers of cash 92
and to increase the amount appropriated in appropriation item 93
965604, Deputy Inspector General for the Bureau of Workers' 94
Compensation and Industrial Commission. 95

Section 3. That Section 201 of Sub. H.B. 123 of the 129th 96
General Assembly, as amended by Am. Sub. H.B. 487 of the 129th 97
General Assembly, be amended to read as follows: 98

Sec. 201. All items in Sections 201 and 203 of this act are 99
hereby appropriated out of any moneys in the state treasury to the 100
credit of the designated fund. For all appropriations made in this 101

act, those in the first column are for fiscal year 2012, and those		102
in the second column are for fiscal year 2013.		103
FND AI	AI TITLE	Appropriations
	BWC BUREAU OF WORKERS' COMPENSATION	104
		105
Workers' Compensation Fund Group		106
7023 855401	William Green Lease	\$ 18,291,365 \$ 17,533,370
	Payments to OBA	107
7023 855407	Claims, Risk and	\$ 125,427,732 \$ 122,492,959
	Medical Management	108
7023 855408	Fraud Prevention	\$ 11,331,154 \$ 11,164,226
7023 855409	Administrative	\$ 101,724,950 \$ 103,346,037
	Services	109
7023 855410	Attorney General	\$ 4,621,850 \$ 4,621,850
	Payments	111
8220 855606	Coal Workers' Fund	\$ 150,586 \$ 147,666
8230 855608	Marine Industry	\$ 76,532 \$ 75,527
8250 855605	Disabled Workers	\$ 322,266 \$ 319,718
	Relief Fund	114
8260 855609	Safety and Hygiene	\$ 20,382,567 \$ 20,161,132
	Operating	115
8260 855610	Gear Program	\$ 4,000,000 \$ 4,000,000
8290 855604	Long Term Care Loan	\$ 1,000,000 \$ 100,000
	Program	117
TOTAL WCF Workers' Compensation		118
Fund Group		\$ 287,329,002 \$ 283,962,485
		119
Federal Special Revenue Fund Group		120
3490 855601	OSHA Enforcement	\$ 1,670,998 \$ 1,647,515
TOTAL FED Federal Special Revenue		\$ 1,670,998 \$ 1,647,515
Fund Group		122
TOTAL ALL BUDGET FUND GROUPS		\$ 289,000,000 \$ 285,610,000
		123
WILLIAM GREEN LEASE PAYMENTS		124

The foregoing appropriation item 855401, William Green Lease Payments to OBA, shall be used for lease payments to the Ohio Building Authority, and these appropriations shall be used to meet all payments at the times they are required to be made during the period from July 1, 2011, to June 30, 2013, by the Bureau of Workers' Compensation to the Ohio Building Authority pursuant to leases and agreements made under Chapter 152. of the Revised Code and Section 6 of Am. Sub. H.B. 743 of the 118th General Assembly. Of the amounts received in Fund 7023, appropriation item 855401, William Green Lease Payments to OBA, up to \$35,824,735 shall be restricted for lease rental payments to the Ohio Building Authority. If it is determined that additional appropriations are necessary for such purpose, such amounts are hereby appropriated.

Notwithstanding any provision of law to the contrary, all tenants of the William Green Building not funded by the Workers' Compensation Fund (Fund 7023) shall pay their fair share of the costs of lease payments to the Workers' Compensation Fund (Fund 7023) by intrastate transfer voucher.

WORKERS' COMPENSATION FRAUD UNIT

The Workers' Compensation Section Fund (Fund 1950) administered by the Attorney General shall receive payments from the Bureau of Workers' Compensation at the beginning of each quarter of each fiscal year to fund expenses of the Workers' Compensation Fraud Unit within the Attorney General's Office. Of the foregoing appropriation item 855410, Attorney General Payments, \$828,200 in fiscal year 2012 and \$828,200 in fiscal year 2013 shall be used to provide these payments.

SAFETY AND HYGIENE

Notwithstanding section 4121.37 of the Revised Code, the Treasurer of State shall transfer \$20,382,567 cash in fiscal year 2012 and \$20,161,132 cash in fiscal year 2013 from the State

Insurance Fund to the Safety and Hygiene Fund (Fund 8260). 156

OSHA ON-SITE CONSULTATION PROGRAM 157

The Bureau of Workers' Compensation may designate a portion 158
of appropriation item 855609, Safety and Hygiene Operating, to be 159
used to match federal funding for the federal Occupational Safety 160
and Health Administration's (OSHA) on-site consultation program. 161

VOCATIONAL REHABILITATION 162

The Bureau of Workers' Compensation and the Rehabilitation 163
Services Commission shall enter into an interagency agreement for 164
the provision of vocational rehabilitation services and staff to 165
mutually eligible clients. The bureau ~~shall~~ may provide not more 166
than \$605,407 in fiscal year 2012 and not more than \$605,407 in 167
fiscal year 2013 from the State Insurance Fund to fund vocational 168
rehabilitation services and staff in accordance with the 169
interagency agreement. 170

FUND BALANCE 171

Any unencumbered cash balance in excess of \$45,000,000 in the 172
Workers' Compensation Fund (Fund 7023) on the thirtieth day of 173
June of each fiscal year shall be used to reduce the 174
administrative cost rate charged to employers to cover 175
appropriations for Bureau of Workers' Compensation operations. 176

Section 4. That existing Section 201 of Sub. H.B. 123 of the 177
129th General Assembly, as amended by Am. Sub. H.B. 487 of the 178
129th General Assembly, is hereby repealed. 179

Section 5. Law contained in the Main Operating Appropriations 180
Act of the 130th General Assembly that applies generally to the 181
appropriations made in that act also applies generally to the 182
appropriations made in this act. 183

Section 6. The provisions of law contained in this act, and 184
their applications, are severable. If any provision of law 185
contained in this act, or if any application of any provision of 186
law contained in this act, is held invalid, the invalidity does 187
not affect other provisions of law contained in this act and their 188
applications that can be given effect without the invalid 189
provision or application. 190

Section 7. The sections of law contained in this act, and the 191
items of law of which the sections of law contained in this act 192
are composed, are not subject to the referendum under Ohio 193
Constitution, Article II, Section 1d and section 1.471 of the 194
Revised Code and therefore go into immediate effect when this act 195
becomes law. 196

Section 8. An item that composes the whole or part of a 197
section of law contained in this act has no effect after June 30, 198
2015, unless the context clearly indicates otherwise. 199