

As Passed by the House

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

Sub. H. B. No. 34

Representative Hackett

**Cosponsors: Representatives Amstutz, Anielski, Buchy, Grossman, Henne,
Huffman, McGregor, Sears, Sprague, Wachtmann, Young
Speaker Batchelder**

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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 Medical Management	\$	118,338,586	\$	118,338,586	17
7023	855408	Fraud Prevention	\$	12,114,226	\$	12,114,226	18
7023	855409	Administrative Services	\$	105,857,276	\$	105,357,276	19
7023	855410	Attorney General Payments	\$	4,621,850	\$	4,621,850	20
8220	855606	Coal Workers' Fund	\$	147,666	\$	147,666	21
8230	855608	Marine Industry	\$	75,527	\$	75,527	22
8250	855605	Disabled Workers Relief Fund	\$	319,718	\$	319,718	23
8260	855609	Safety and Hygiene Operating	\$	19,161,132	\$	19,161,132	24
8260	855610	Gear Program	\$	5,000,000	\$	5,000,000	25
8290	855604	Long Term Care Loan Program	\$	100,000	\$	100,000	26
TOTAL WCF Workers' Compensation							27
Fund Group			\$	281,762,081	\$	265,235,981	28
Federal Special Revenue Fund Group							29
3490	855601	OSHA Enforcement	\$	1,731,000	\$	1,731,000	30
3FW0	855614	BLS SOII Grant	\$	116,919	\$	116,919	31
TOTAL FED Federal Special Revenue			\$	1,847,919	\$	1,847,919	32
Fund Group							
TOTAL ALL BUDGET FUND GROUPS			\$	283,610,000	\$	267,083,900	33
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 Payments, \$828,200 in each fiscal year shall be used to fund the expenses of the Workers' Compensation Fraud Unit within the Attorney General's Office. These payments shall be processed at the beginning of each quarter of each fiscal year and deposited into the Workers' Compensation Section Fund (Fund 1950) used by the Attorney General.	44 45 46 47 48 49 50
SAFETY AND HYGIENE	51
Notwithstanding section 4121.37 of the Revised Code, the Treasurer of State shall transfer \$19,161,132 cash in fiscal year 2014 and \$19,161,132 cash in fiscal year 2015 from the State Insurance Fund to the Safety and Hygiene Fund (Fund 8260).	52 53 54 55
OSHA ON-SITE CONSULTATION PROGRAM	56
The Bureau of Workers' Compensation may designate a portion of appropriation item 855609, Safety and Hygiene Operating, to be used to match federal funding for the federal Occupational Safety and Health Administration's (OSHA) on-site consultation program.	57 58 59 60
VOCATIONAL REHABILITATION	61
The Bureau of Workers' Compensation and the Rehabilitation Services Commission shall enter into an interagency agreement for the provision of vocational rehabilitation services and staff to mutually eligible clients. The bureau may provide not more than \$605,407 in fiscal year 2014 and not more than \$605,407 in fiscal year 2015 from the State Insurance Fund to fund vocational rehabilitation services and staff in accordance with the interagency agreement.	62 63 64 65 66 67 68 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		104
	BWC BUREAU OF WORKERS' COMPENSATION			105
Workers' Compensation Fund Group				106
7023 855401	William Green Lease	\$ 18,291,365	\$ 17,533,370	107
	Payments to OBA			
7023 855407	Claims, Risk and	\$ 125,427,732	\$ 122,492,959	108
	Medical Management			
7023 855408	Fraud Prevention	\$ 11,331,154	\$ 11,164,226	109
7023 855409	Administrative	\$ 101,724,950	\$ 103,346,037	110
	Services			
7023 855410	Attorney General	\$ 4,621,850	\$ 4,621,850	111
	Payments			
8220 855606	Coal Workers' Fund	\$ 150,586	\$ 147,666	112
8230 855608	Marine Industry	\$ 76,532	\$ 75,527	113
8250 855605	Disabled Workers	\$ 322,266	\$ 319,718	114
	Relief Fund			
8260 855609	Safety and Hygiene	\$ 20,382,567	\$ 20,161,132	115
	Operating			
8260 855610	Gear Program	\$ 4,000,000	\$ 4,000,000	116
8290 855604	Long Term Care Loan	\$ 1,000,000	\$ 100,000	117
	Program			
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	121
TOTAL FED Federal Special Revenue				122
Fund Group		\$ 1,670,998	\$ 1,647,515	
TOTAL ALL BUDGET FUND GROUPS				123
		\$ 289,000,000	\$ 285,610,000	

WILLIAM GREEN LEASE PAYMENTS 124

The foregoing appropriation item 855401, William Green Lease 125
Payments to OBA, shall be used for lease payments to the Ohio 126
Building Authority, and these appropriations shall be used to meet 127
all payments at the times they are required to be made during the 128
period from July 1, 2011, to June 30, 2013, by the Bureau of 129
Workers' Compensation to the Ohio Building Authority pursuant to 130
leases and agreements made under Chapter 152. of the Revised Code 131
and Section 6 of Am. Sub. H.B. 743 of the 118th General Assembly. 132
Of the amounts received in Fund 7023, appropriation item 855401, 133
William Green Lease Payments to OBA, up to \$35,824,735 shall be 134
restricted for lease rental payments to the Ohio Building 135
Authority. If it is determined that additional appropriations are 136
necessary for such purpose, such amounts are hereby appropriated. 137

Notwithstanding any provision of law to the contrary, all 138
tenants of the William Green Building not funded by the Workers' 139
Compensation Fund (Fund 7023) shall pay their fair share of the 140
costs of lease payments to the Workers' Compensation Fund (Fund 141
7023) by intrastate transfer voucher. 142

WORKERS' COMPENSATION FRAUD UNIT 143

The Workers' Compensation Section Fund (Fund 1950) 144
administered by the Attorney General shall receive payments from 145
the Bureau of Workers' Compensation at the beginning of each 146
quarter of each fiscal year to fund expenses of the Workers' 147
Compensation Fraud Unit within the Attorney General's Office. Of 148
the foregoing appropriation item 855410, Attorney General 149
Payments, \$828,200 in fiscal year 2012 and \$828,200 in fiscal year 150
2013 shall be used to provide these payments. 151

SAFETY AND HYGIENE 152

Notwithstanding section 4121.37 of the Revised Code, the 153
Treasurer of State shall transfer \$20,382,567 cash in fiscal year 154

2012 and \$20,161,132 cash in fiscal year 2013 from the State	155
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 <u>may</u> provide <u>not more</u>	166
<u>than</u> \$605,407 in fiscal year 2012 and <u>not more than</u> \$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