

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**H. B. No. 621**

**Representative Antani**

**Cosponsors: Representatives Sheehy, Dean**

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**A BILL**

To enact sections 5101.93, 5101.931, 5101.932, 1  
5101.933, 5101.934, 5101.935, 5101.936, 2  
5101.937, 5101.938, 5101.939, and 5101.9310 of 3  
the Revised Code to establish a program to 4  
reduce heroin addiction and death rates in Ohio 5  
and to make an appropriation. 6

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

**Section 1.** That sections 5101.93, 5101.931, 5101.932, 7  
5101.933, 5101.934, 5101.935, 5101.936, 5101.937, 5101.938, 8  
5101.939, and 5101.9310 of the Revised Code be enacted to read 9  
as follows: 10

**Sec. 5101.93.** As used in sections 5101.93 to 5101.9310 of 11  
the Revised Code: 12

(A) "Council" means the Ohio healthier buckeye advisory 13  
council created under section 5101.91 of the Revised Code. 14

(B) "Intermediary" means a corporation, entity, or 15  
organization that is operated not for profit. 16

(C) "Project proposal" means a proposal from an 17

intermediary for a project to reduce heroin addiction and death rates in a region of the state. 18  
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Sec. 5101.931. (A) The council shall create and administer a program to reduce heroin addiction and death rates in the state. 20  
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(B) In order to achieve the program's purpose, the council shall solicit project proposals and, in selecting proposals for purposes of contracting under section 5101.932 of the Revised Code, may consider a proposal to which any of the following apply: 23  
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(1) The proposal uses evidence based programs. 28

(2) The proposal includes mentoring. 29

(3) The proposal is friendly to faith-based organizations. 30

(4) The proposal takes transportation needs and location considerations into account. 31  
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(5) The proposal reduces future federal fund and general revenue fund expenditures for persons to be covered by a proposed project. 33  
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Sec. 5101.932. (A) The council shall negotiate and enter into contracts with intermediaries based on their project proposals. 36  
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(B) A contract shall include provisions that do all of the following: 39  
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(1) Establish, in accordance with section 5101.935 of the Revised Code, metrics and outcomes for determining the effectiveness of the project; 41  
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(2) Select an independent evaluator to conduct evaluations 44

of the project and portions of it as required under section 45  
5101.936 of the Revised Code; 46

(3) Require payment from the state of both of the 47  
following: 48

(a) The costs of the services provided under the project 49  
and the costs of administering those services; 50

(b) An amount equal to a percentage of future savings to 51  
the state that should result from the project as determined 52  
under section 5101.934 of the Revised Code. 53

(4) Require the intermediary, from amounts received by the 54  
intermediary under the contract, to pay all of the following: 55

(a) Investors, for any monetary investment made in the 56  
project according to an investment agreement between the 57  
intermediary and investors in relation to the contract; 58

(b) Service providers, for their services under the 59  
contract; 60

(c) The independent evaluator, for conducting the 61  
evaluations of the project and portions of it as required under 62  
section 5101.936 of the Revised Code. 63

(C) A contract may include a provision stating that an 64  
investor under a project determined not to be effective under 65  
section 5101.936 of the Revised Code may claim a charitable 66  
contribution tax deduction for funds paid for the project if the 67  
investor is otherwise legally eligible for such a deduction for 68  
those funds. 69

**Sec. 5101.933.** A project proposal shall provide for all of 70  
the following: 71

<u>(A) The region of the state proposed to be covered by the project;</u>	72 73
<u>(B) Selection of service providers to provide services under the project;</u>	74 75
<u>(C) Coordination of services provided by the selected service providers;</u>	76 77
<u>(D) Attracting and contracting with investors to provide funds to pay for the costs of the services provided under the project and to pay for the costs of administering those services;</u>	78 79 80 81
<u>(E) Selection of an independent evaluator to conduct evaluations of the effectiveness of the project and portions of it.</u>	82 83 84
<u><b>Sec. 5101.934.</b> Future savings to the state that should result from a project proposal shall be determined by the intermediary and council after consultation with the director of budget and management and based on the metrics and outcomes established for the project under section 5101.932 of the Revised Code. Payment amounts from those future savings shall be determined on a per-individual, per-action, total-outcome basis, or a different basis determined in the contract.</u>	85 86 87 88 89 90 91 92
<u><b>Sec. 5101.935.</b> Metrics and outcomes to be used to determine the effectiveness of a project shall be established through an objective process that is based on the project proposal and consultation between the council and the intermediary.</u>	93 94 95 96 97
<u><b>Sec. 5101.936.</b> The independent evaluator selected under section 5101.932 of the Revised Code shall conduct evaluations of the project and portions of it as required under the contract</u>	98 99 100

entered into under that section to determine the effectiveness 101  
of the project and portions of it based on the metrics and 102  
outcomes for the project included in the contract. The evaluator 103  
shall notify the council of the determination on completion of 104  
each evaluation. 105

**Sec. 5101.937.** (A) The council shall provide for payment 106  
to the intermediary of all amounts required under the contract 107  
for the portion of or the entire project, depending on the scope 108  
of the evaluation, in accordance with an evaluator's 109  
determination under section 5101.936 of the Revised Code. An 110  
intermediary shall not receive any payment under the contract 111  
for the portion of the project that was determined not to be 112  
effective. 113

(B) The state shall not be liable to an intermediary for 114  
the following: 115

(1) Any amount required under the contract to be paid for 116  
a portion of the project if the portion was determined not to be 117  
effective; 118

(2) Any amount required under the contract to be paid for 119  
the entire project if the entire project was determined not to 120  
be effective. 121

**Sec. 5101.938.** The council shall cease to enter into 122  
contracts under section 5101.932 of the Revised Code on one of 123  
the following dates, whichever occurs first: 124

(A) The date that is five years after the effective date 125  
of this section; 126

(B) The date the council enters into a contract that, when 127  
added to the total amount of all previous contracts entered into 128  
under section 5101.932 of the Revised Code, results in the total 129

amount of all contracts entered into under that section reaching 130  
a threshold of fifty million dollars. 131

Sec. 5101.939. There is hereby created in the state 132  
treasury the Ohio social innovation fund. The money in the fund 133  
shall be used by the council for all purposes necessary to 134  
support and pay for the program and projects under sections 135  
5101.93 to 5101.9310 of the Revised Code. The money in the fund 136  
shall consist of amounts transferred and appropriated to it. All 137  
investment earnings of the fund shall be credited to the fund. 138

Sec. 5101.9310. The council shall adopt rules under 139  
Chapter 119. of the Revised Code necessary to carry out the 140  
requirements of sections 5101.93 to 5101.939 of the Revised 141  
Code. 142

**Section 2.** On July 1 of fiscal year 2018 and fiscal year 143  
2019, or as soon as possible thereafter each fiscal year, the 144  
Director of Budget and Management shall transfer \$100,000 cash 145  
from the General Revenue Fund to the Ohio Social Innovation Fund 146  
(Fund 5TA0). The amounts transferred are hereby appropriated and 147  
shall be used in accordance with sections 5101.93 to 5101.9310 148  
of the Revised Code. 149

**Section 3.** Of the federal TANF Block Grant dollars 150  
allocated to Ohio for fiscal year 2018 and fiscal year 2019, 151  
\$1,000,000 in each fiscal year shall be used in accordance with 152  
sections 5101.93 to 5101.9310 of the Revised Code. 153