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H.B. 465
(1_135_2061-6)
135th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 465's Bill Analysis](#)

Version: In House Families and Aging

Primary Sponsor: Rep. Carruthers

Local Impact Statement Procedure Required: Yes

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Highlights

- The Ohio Department of Developmental Disabilities (DODD) may experience minimal administrative costs associated with (1) adopting rules, or (2) developing and maintaining consent forms for residents in the state's developmental centers to install and use electronic monitoring devices in residents' rooms.

Detailed Analysis

The bill permits a resident of a licensed residential facility by the Ohio Department of Developmental Disabilities (DODD) to electronically monitor the residential room in the facility when permitted by the facility. The resident (or that resident's guardian or attorney in fact) would complete a form if one were developed by the facility providers, and if the resident lives with other residents, either in a facility not divided into units or in a shared unit, consent must be obtained from the other residents (or their guardians or attorneys in fact). In the event consent cannot be obtained from the other residents in question, the licensed residential facility must use person-centered planning and offer options for both the resident who wishes to conduct electronic monitoring and any other resident or resident's guardian or attorney in fact who does not consent to electronic monitoring.

The bill specifies that all costs of installation and operation of monitoring equipment, except electricity used, are to be borne by the resident initiating monitoring. Furthermore, the bill permits a residential facility provider to post a notice in a conspicuous place at the entrance to a resident's room that contains an electronic device stating that an electronic monitoring device is in use in that room. Additionally, the bill permits the Director of Developmental Disabilities to adopt rules as necessary to implement the bill's provisions. There will be an increase in administrative activity for any residential care providers that authorize monitoring, including the state's developmental centers, which are licensed and certified intermediate care

facilities (ICFs), such as creating and maintaining the consent form, as well as posting a notice stating that an electronic monitoring device is in use in a particular room. DODD may experience minimal administrative costs for adopting rules, and for any costs that fall to developmental centers in their role as care facilities.

Synopsis of Fiscal Effect Changes

The substitute bill removes the requirement in the As Introduced version for the Ohio Department of Developmental Disabilities (DODD) to develop a new Medicaid waiver for home- and community-based services provided to Medicaid recipients with developmental disabilities (DD). Thus, DODD will not experience the costs associated with the development and provision of the waiver, and the potential local government fiscal effect is removed, as county DD boards will not face cost-sharing provisions for the new waiver.