

\_\_\_\_\_ moved to amend as follows:

In line 24, delete ", " 1

In line 25, delete "those" and insert "one of the following applies  
to the individuals:" 2  
3

(i) The"; delete ", " 4

In line 26, after "Code" insert ". " 5

(ii) The individuals are receiving services that provide  
learning and work experiences, including volunteer work, where  
the individuals develop general skills that will lead to  
employment in an integrated setting" 6  
7  
8  
9

In line 27, delete "One" and insert "With respect to each eligible  
employee employed by the nonprofit corporation who is not participating in  
the medicaid program, one" 10  
11  
12

In line 44, after "(d)" insert "With respect to all individuals  
employed by the nonprofit corporation, one of the following applies:" 13  
14

(i)" 15

In line 46, after "214(c)" insert ". " 16



(ii) The nonprofit corporation has complied with division (B) of section 4111.061 of the Revised Code or affirms to the executive director of the opportunities for Ohioans with disabilities agency in the application described in division (D) of this section that it will comply with division (B) of section 4111.061 of the Revised Code not later than fifteen months after the effective date of this section" 17-23

In line 159, delete "holds an unexpired license" 24

In line 160, delete "issued" and insert "is permitted to employ the employee at a wage lower than the wage rates applicable under sections 4111.01 to 4111.17 of the Revised Code"; after "with" insert "rules adopted under"; after "section" insert "before the effective date of this amendment" 25-29

In line 162, after "license" insert "issued in accordance with division (B) of this section"; delete "as described in division" 30-31

In line 163, delete "(D) (2) (b) of this section" 32

In line 175, delete "\"Department\" has the same meaning as in section 121.01" 33-34

Delete lines 176 through 178 35

In line 179, delete "(3)" 36

In line 186, delete "(4)" and insert "(3)" 37

In line 189, delete "(5)" and insert "(4)" 38

In line 193, delete "(6)" and insert "(5)" 39

In line 196, delete "(B)" and insert "(B) (1)" 40

In line 199, delete "addresses how" 41

In line 200, delete "the employer intends to do both" and insert 42

<u>"does all"</u>	43
In line 201, delete " <u>(1) Phase</u> " and insert " <u>(a) Addresses how the employer intends to phase</u> "	44 45
In line 203, delete " <u>(2) Support</u> " and insert " <u>(b) Addresses how the employer will support</u> "	46 47
In line 204, after " <u>employment</u> " insert " <u>;</u>	48
<u>(c) Discloses the number of individuals employed by the employer who are being paid a subminimum wage and the amount of wages being paid to those individuals;</u>	49 50 51
<u>(d) Includes staffing information and an explanation of the individuals' services and support needs;</u>	52 53
<u>(e) Provides any additional information the director requires to evaluate statewide progress in phasing out subminimum wages.</u>	54 55 56
<u>(2) Each employer required to submit a transition plan under division (B)(1) of this section shall submit an annual update of the plan to the director in a format and on a date prescribed by the director. The update shall document the employer's progress toward eliminating subminimum wages, any changes in capacity, and all updated information required by the director"</u>	57 58 59 60 61 62 63
In line 207, delete " <u>assist employers</u> "	64
Delete lines 208 and 209	65
In line 211, delete " <u>Identify and develop protections to ensure</u> "	66
Delete lines 212 through 240	67
In line 241, delete " <u>Chapter 4112. of the Revised Code</u> " and insert	68

<u>"Receive and review transition plans and annual updates submitted under</u>	69
<u>division (B) of this section;</u>	70
<u>(2) Provide technical assistance to employers consistent</u>	71
<u>with existing department of developmental disabilities practices</u>	72
<u>and practices of the employment first task force established</u>	73
<u>under section 5123.023 of the Revised Code;</u>	74
<u>(3) Share all transition plans, annual updates, and</u>	75
<u>associated data with the employment first task force;</u>	76
<u>(4) Coordinate with the employment first task force and</u>	77
<u>interagency partners to align transition activities and avoid</u>	78
<u>duplication"</u>	79
Delete lines 242 through 289	80
In line 290, delete " <u>(F)</u> " and insert " <u>(D)</u> "	81
In line 306, after " <u>associations</u> " insert " <u>;</u> "	82
<u>(8) Individuals who are, or recently have been, paid a</u>	83
<u>subminimum wage under a state license or federal certificate"</u>	84
Delete lines 307 through 317	85
In line 792, after " <u>(1)</u> " insert " <u>Share nonconfidential data and</u>	86
<u>other information to track progress with respect to phasing out subminimum</u>	87
<u>wages as defined in section 4111.061 of the Revised Code not later than</u>	88
<u>the date that is five years after the effective date of this amendment;</u>	89
<u>(2)"; after "<u>plans</u>" insert "<u>and any updates to the plans</u>"</u>	90
In line 793, delete " <u>and develop long-term</u> "	91
In line 794, delete " <u>strategies to assist those employers in</u> " and	92
insert " <u>to monitor employers' progress in</u> "	93
In line 797, delete " <u>(2)</u> " and insert " <u>(3)</u> "	94

In line 801, delete "(3) Work" and insert "(4) At the request of the 95  
director of developmental disabilities, assist the director by providing 96  
guidance and assistance to employers regarding implementation of 97  
transition plans submitted under section 4111.061 of the Revised Code; 98

(5) Where appropriate, work"; delete "ensure 99  
developmental" 100

Delete line 802 101

In line 803, delete "available for individuals with developmental 102  
disabilities" and insert "support coordinated efforts related solely to 103  
the phase out of subminimum wage employment required under section 104  
4111.061 of the Revised Code during the five-year period following the 105  
effective date of this amendment" 106

Delete lines 804 through 809 107

In line 810, delete "subminimum wage to competitive employment" and 108  
insert "(6) Engage stakeholders for the purpose of informing transition- 109  
related activities under section 4111.061 of the Revised Code" 110

In line 811, delete "March" and insert "January" 111

In line 813, delete "March" and insert "January"; delete "even- 112  
numbered"; after "thereafter" insert "until the date that is five years 113  
after the effective date of this amendment" 114

In line 815, after "the" insert "governor and the" 115

Delete lines 817 through 823 and insert: 116

(1) Statewide progress on phasing out subminimum wages as 117  
defined in section 4111.061 of the Revised Code based on 118  
employer transition plans and annual updates; 119

(2) Aggregated data reflecting wages, employment outcomes, 120

<u>and service needs of affected individuals;</u>	121
<u>(3) Identified challenges, opportunities, and best practices;</u>	122
<u>(4) Recommendations to support continued movement toward competitive, integrated employment."</u>	123
	124
	125

The motion was \_\_\_\_\_ agreed to.

**SYNOPSIS** 126

**Transition plans** 127

**R.C. 4111.061** 128

Requires an employer holding a state license or federal certificate authorizing the payment of a subminimum wage to do both of the following in the transition plan required under the bill:

--Disclose the number of individuals employed by the employer who are being paid a subminimum wage and the wages paid to those individuals;

--Provide staffing information and information about the individuals' services and support needs;

--Include any additional information the Director of Developmental Disabilities requires to evaluate statewide progress phasing out subminimum wages.

Requires an employer that submits a transition plan to provide an annual progress update in a format and on a date prescribed by the Director.

<b>Five year phase-out period</b>	144
<b>R.C. 4111.06, 4111.061, and 5123.023</b>	145
Allows, during the five-year phase-out period, an employer that holds a federal 14(c) certificate to pay a subminimum wage.	146 147
Eliminates the list of duties the bill requires the Director of Developmental Disabilities to perform during the phase-out period and instead requires the Director to:	148 149 150
--Receive and review transition plans and annual updates submitted by employers subject to the bill;	151 152
--Provide technical assistance to employers consistent with existing practices;	153 154
--Share all transition plans, annual updates, and associated data with the Employment First Task Force created under continuing law; and	155 156 157
--Coordinate with the Task Force and interagency partners to align transition activities and avoid duplication.	158 159
Requires the Director of Developmental Disabilities to solicit assistance phasing out the subminimum wage from individuals who are, or recently have been, paid a subminimum wage.	160 161 162 163
Adds all the following to the Employment First Task Force's duties during the phase-out period:	164 165
--Share nonconfidential data and other information to track progress with respect to phasing out subminimum wages;	166 167
--When requested by the Director of Developmental Disabilities, provide guidance and assistance to employers regarding implementation of transition plans;	168 169 170

--Work with interagency partners to support coordinated efforts related to the transition from subminimum wage employment;	171 172 173
--Engage stakeholders for the purpose of informing transition-related activities.	174 175
Removes both of the following from the Employment First Task Force's duties during the phase-out period:	176 177
--Use available data to identify opportunities for improving health outcomes for individuals with developmental disabilities;	178 179 180
--Use existing statewide data systems to compile information about the transition of specific individuals with developmental disabilities from a subminimum wage to competitive employment.	181 182 183 184
Eliminates separate reports the bill requires the Developmental Disabilities Director and the Task Force to file and requires the Task Force, in consultation with the Director, to file a single annual report that includes all the following:	185 186 187 188
--Statewide progress toward phasing out the subminimum wage based on employer transition plans and annual updates;	189 190
--Aggregated data reflecting wages, employment outcomes, and service needs of individuals affected by the phase out;	191 192
--Identified challenges, opportunities, and best practices;	193 194
--Recommendations to support continued movement toward competitive, integrated employment.	195 196
<b>Qualified vendor certification</b>	197

<b>R.C. 3304.45</b>	198
Specifies that the employee-insurance requirement a nonprofit organization must satisfy to be a qualified vendor for purposes of the bill's tax credit applies to employees who are not participating in the Medicaid program.	199 200 201 202
Allows a nonprofit corporation that satisfies the bill's other requirements to be a qualified vendor for purposes of the bill's tax credit if it has submitted a transition plan or affirms in its application that it will submit a plan within the required timeline.	203 204 205 206 207
Allows a nonprofit corporation that satisfies the bill's other requirements to be a qualified vendor for purposes of the bill's tax credit if its employees are receiving vocational habilitation services.	208 209 210 211