

**As Passed by the Senate**

**134th General Assembly**

**Regular Session**

**2021-2022**

**Am. Sub. H. B. No. 169**

**Representatives Cutrona, Swearingen**

**Cosponsors: Representatives Edwards, Carfagna, Cross, Jones, O'Brien, Roemer, Abrams, Baldrige, Bird, Brent, Brown, Callender, Carruthers, Click, Crawley, Creech, Crossman, Fraizer, Galonski, Ghanbari, Gross, Householder, Howse, Ingram, Jarrells, John, Kelly, Lanese, LaRe, Leland, Lepore-Hagan, Lightbody, Liston, Loychik, Miller, J., Miranda, Oelslager, Pavliga, Richardson, Robinson, Russo, Schmidt, Seitz, Sheehy, Smith, K., Smith, M., Sobecki, Stein, Stewart, Sweeney, Troy, Upchurch, Weinstein, West, White, Young, B., Young, T.**

**Senators Hottinger, Manning, Dolan, Schuring, Brenner, Antonio, Cirino, Craig, Fedor, Gavarone, Hackett, Huffman, S., Johnson, Kunze, Reineke, Sykes, Williams, Wilson, Yuko**

**A BILL**

To amend sections 4506.09 and 4506.13 and to enact 1  
section 4508.031 of the Revised Code to make 2  
appropriations to support recovery from the 3  
COVID-19 pandemic. 4

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

**Section 101.01.** That sections 4506.09 and 4506.13 be 5  
amended and section 4508.031 of the Revised Code be enacted to 6  
read as follows: 7

**Sec. 4506.09.** (A) The registrar of motor vehicles, subject 8  
to approval by the director of public safety, shall adopt rules 9  
conforming with applicable standards adopted by the federal 10  
motor carrier safety administration as regulations under Pub. L. 11  
No. 103-272, 108 Stat. 1014 to 1029 (1994), 49 U.S.C.A. 31301 to 12

31317. The rules shall establish requirements for the 13  
qualification and testing of persons applying for a commercial 14  
driver's license, which are in addition to other requirements 15  
established by this chapter. Except as provided in division (B) 16  
of this section, the highway patrol or any other employee of the 17  
department of public safety the registrar authorizes shall 18  
supervise and conduct the testing of persons applying for a 19  
commercial driver's license. 20

(B) The director may adopt rules, in accordance with 21  
Chapter 119. of the Revised Code and applicable requirements of 22  
the federal motor carrier safety administration, authorizing the 23  
skills test specified in this section to be administered by any 24  
person, by an agency of this or another state, or by an agency, 25  
department, or instrumentality of local government. Each party 26  
authorized under this division to administer the skills test may 27  
charge a maximum divisible fee of one hundred fifteen dollars 28  
for each skills test given as part of a commercial driver's 29  
license examination. The fee shall consist of not more than 30  
twenty-seven dollars for the pre-trip inspection portion of the 31  
test, not more than twenty-seven dollars for the off-road 32  
maneuvering portion of the test, and not more than sixty-one 33  
dollars for the on-road portion of the test. Each such party may 34  
require an appointment fee in the same manner provided in 35  
division (E)(2) of this section, except that the maximum amount 36  
such a party may require as an appointment fee is one hundred 37  
fifteen dollars. The skills test administered by another party 38  
under this division shall be the same as otherwise would be 39  
administered by this state. The other party shall enter into an 40  
agreement with the director that, without limitation, does all 41  
of the following: 42

(1) Allows the director or the director's representative 43

and the federal motor carrier safety administration or its 44  
representative to conduct random examinations, inspections, and 45  
audits of the other party, whether covert or overt, without 46  
prior notice; 47

(2) Requires the director or the director's representative 48  
to conduct on-site inspections of the other party at least 49  
annually; 50

(3) Requires that all examiners of the other party meet 51  
the same qualification and training standards as examiners of 52  
the department of public safety, including criminal background 53  
checks, to the extent necessary to conduct skills tests in the 54  
manner required by 49 C.F.R. 383.110 through 383.135. In 55  
accordance with federal guidelines, any examiner employed on 56  
July 1, 2017, shall have a criminal background check conducted 57  
at least once, and any examiner hired after July 1, 2015, shall 58  
have a criminal background check conducted after the examiner is 59  
initially hired. 60

(4) Requires either that state employees take, at least 61  
annually and as though the employees were test applicants, the 62  
tests actually administered by the other party, that the 63  
director test a sample of drivers who were examined by the other 64  
party to compare the test results, or that state employees 65  
accompany a test applicant during an actual test; 66

(5) Unless the other party is a governmental entity, 67  
requires the other party to initiate and maintain a bond in an 68  
amount determined by the director to sufficiently pay for the 69  
retesting of drivers in the event that the other party or its 70  
skills test examiners are involved in fraudulent activities 71  
related to skills testing; 72

(6) Requires the other party to use only skills test	73
examiners who have successfully completed a commercial driver's	74
license examiner training course as prescribed by the director,	75
and have been certified by the state as a commercial driver's	76
license skills test examiner qualified to administer skills	77
tests;	78
(7) Requires the other party to use designated road test	79
routes that have been approved by the director;	80
(8) Requires the other party to submit a schedule of	81
skills test appointments to the director not later than two	82
business days prior to each skills test;	83
(9) Requires the other party to maintain copies of the	84
following records at its principal place of business:	85
(a) The other party's commercial driver's license skills	86
testing program certificate;	87
(b) Each skills test examiner's certificate of	88
authorization to administer skills tests for the classes and	89
types of commercial motor vehicles listed in the certificate;	90
(c) Each completed skills test scoring sheet for the	91
current calendar year as well as the prior two calendar years;	92
(d) A complete list of the test routes that have been	93
approved by the director;	94
(e) A complete and accurate copy of each examiner's	95
training record.	96
(10) If the other party also is a driver training school,	97
prohibits its skills test examiners from administering skills	98
tests to applicants that the examiner personally trained;	99

(11) Requires each skills test examiner to administer a 100  
complete skills test to a minimum of thirty-two different 101  
individuals per calendar year; 102

(12) Reserves to this state the right to take prompt and 103  
appropriate remedial action against the other party and its 104  
skills test examiners if the other party or its skills test 105  
examiners fail to comply with standards of this state or federal 106  
standards for the testing program or with any other terms of the 107  
contract. 108

(C) The director shall enter into an agreement with the 109  
department of education authorizing the skills test specified in 110  
this section to be administered by the department at any 111  
location operated by the department for purposes of training and 112  
testing school bus drivers, provided that the agreement between 113  
the director and the department complies with the requirements 114  
of division (B) of this section. Skills tests administered by 115  
the department shall be limited to persons applying for a 116  
commercial driver's license with a school bus endorsement. 117

(D) (1) The director shall adopt rules, in accordance with 118  
Chapter 119. of the Revised Code, authorizing waiver of the 119  
skills test specified in this section for any applicant for a 120  
commercial driver's license who meets all of the following 121  
requirements: 122

(a) As authorized under 49 C.F.R. 383.3(c), the applicant 123  
operates a commercial motor vehicle for military purposes and is 124  
one of the following: 125

(i) Active duty military personnel; 126

(ii) A member of the military reserves; 127

(iii) A member of the national guard on active duty, 128

including full-time national guard duty, part-time national	129
guard training, and national guard military technicians;	130
(iv) Active duty U.S. coast guard personnel.	131
(b) The applicant certifies that, during the two-year	132
period immediately preceding application for a commercial	133
driver's license, all of the following apply:	134
(i) The applicant has not had more than one license,	135
excluding any military license.	136
(ii) The applicant has not had any license suspended,	137
revoked, or canceled.	138
(iii) The applicant has not had any convictions for any	139
type of motor vehicle for the offenses for which	140
disqualification is prescribed in section 4506.16 of the Revised	141
Code.	142
(iv) The applicant has not had more than one conviction	143
for any type of motor vehicle for a serious traffic violation.	144
(v) The applicant has not had any violation of a state or	145
local law relating to motor vehicle traffic control other than a	146
parking violation arising in connection with any traffic	147
accident and has no record of an accident in which the applicant	148
was at fault.	149
(c) In accordance with rules adopted by the director, the	150
applicant certifies and also provides evidence of all of the	151
following:	152
(i) That the applicant is or was regularly employed in a	153
military position requiring operation of a commercial motor	154
vehicle;	155

(ii) That the applicant was exempt from the requirements 156  
of this chapter under division (B) (6) of section 4506.03 of the 157  
Revised Code; 158

(iii) That, for at least two years immediately preceding 159  
the date of application or at least two years immediately 160  
preceding the date the applicant separated from military service 161  
or employment, the applicant regularly operated a vehicle 162  
representative of the commercial motor vehicle type that the 163  
applicant operates or expects to operate. 164

(2) The waiver established under division (D) (1) of this 165  
section does not apply to United States reserve technicians. 166

(E) (1) The department of public safety may charge and 167  
collect a divisible fee of fifty dollars for each skills test 168  
given as part of a commercial driver's license examination. The 169  
fee shall consist of ten dollars for the pre-trip inspection 170  
portion of the test, ten dollars for the off-road maneuvering 171  
portion of the test, and thirty dollars for the on-road portion 172  
of the test. 173

(2) No applicant is eligible to take the skills test until 174  
a minimum of fourteen days have elapsed since the initial 175  
issuance of a commercial driver's license temporary instruction 176  
permit to the applicant. The director may require an applicant 177  
for a commercial driver's license who schedules an appointment 178  
with the highway patrol or other authorized employee of the 179  
department of public safety to take all portions of the skills 180  
test and to pay an appointment fee of fifty dollars at the time 181  
of scheduling the appointment. If the applicant appears at the 182  
time and location specified for the appointment and takes all 183  
portions of the skills test during that appointment, the 184  
appointment fee serves as the skills test fee. If the applicant 185

schedules an appointment to take all portions of the skills test 186  
and fails to appear at the time and location specified for the 187  
appointment, the director shall not refund any portion of the 188  
appointment fee. If the applicant schedules an appointment to 189  
take all portions of the skills test and appears at the time and 190  
location specified for the appointment, but declines or is 191  
unable to take all portions of the skills test, the director 192  
shall not refund any portion of the appointment fee. If the 193  
applicant cancels a scheduled appointment forty-eight hours or 194  
more prior to the time of the appointment time, the applicant 195  
shall not forfeit the appointment fee. 196

An applicant for a commercial driver's license who 197  
schedules an appointment to take one or more, but not all, 198  
portions of the skills test is required to pay an appointment 199  
fee equal to the costs of each test scheduled, as prescribed in 200  
division (E)(1) of this section, when scheduling such an 201  
appointment. If the applicant appears at the time and location 202  
specified for the appointment and takes all the portions of the 203  
skills test during that appointment that the applicant was 204  
scheduled to take, the appointment fee serves as the skills test 205  
fee. If the applicant schedules an appointment to take one or 206  
more, but not all, portions of the skills test and fails to 207  
appear at the time and location specified for the appointment, 208  
the director shall not refund any portion of the appointment 209  
fee. If the applicant schedules an appointment to take one or 210  
more, but not all, portions of the skills test and appears at 211  
the time and location specified for the appointment, but 212  
declines or is unable to take all portions of the skills test 213  
that the applicant was scheduled to take, the director shall not 214  
refund any portion of the appointment fee. If the applicant 215  
cancels a scheduled appointment forty-eight hours or more prior 216



to the time of the appointment time, the applicant shall not 217  
forfeit the appointment fee. 218

(3) The department of public safety shall deposit all fees 219  
it collects under division (E) of this section in the public 220  
safety - highway purposes fund established in section 4501.06 of 221  
the Revised Code. 222

(F) (1) Unless an applicant for a commercial driver's 223  
license has successfully completed the training required under 224  
49 C.F.R. 380, subpart F, the applicant is not eligible to do 225  
any of the following: 226

(a) Take the skills test required for initial issuance of 227  
a class A or a class B commercial driver's license; 228

(b) Take the skills test required for initial issuance of 229  
a passenger (P) or school bus (S) endorsement on the applicant's 230  
commercial driver's license; 231

(c) Take the knowledge test required for initial issuance 232  
of a hazardous materials (H) endorsement on the applicant's 233  
commercial driver's license. 234

Before an applicant takes the applicable skills or 235  
knowledge test, the registrar shall electronically verify, 236  
through the federal motor carrier safety administration's 237  
training provider registry, that an applicant has completed the 238  
required training under 49 C.F.R. 380, subpart F. 239

(2) The training required under 49 C.F.R. 380, subpart F, 240  
and under division (F) (1) of this section may be provided by 241  
either of the following: 242

(a) A driver training school pursuant to section 4508.031 243  
of the Revised Code; 244

(b) An authorized driver training provider listed on the 245  
federal motor carrier safety administration's training provider 246  
registry. 247

(G) A person who has successfully completed commercial 248  
driver's license training in this state but seeks a commercial 249  
driver's license in another state where the person is domiciled 250  
may schedule an appointment to take the skills test in this 251  
state and shall pay the appropriate appointment fee. Upon the 252  
person's completion of the skills test, this state shall 253  
electronically transmit the applicant's results to the state 254  
where the person is domiciled. If a person who is domiciled in 255  
this state takes a skills test in another state, this state 256  
shall accept the results of the skills test from the other 257  
state. If the person passed the other state's skills test and 258  
meets all of the other licensing requirements set forth in this 259  
chapter and rules adopted under this chapter, the registrar of 260  
motor vehicles or a deputy registrar shall issue a commercial 261  
driver's license to that person. 262

~~(G)~~(H) Unless otherwise specified, the director or the 263  
director's representative shall conduct the examinations, 264  
inspections, audits, and test monitoring set forth in divisions 265  
(B) (2), (3), and (4) of this section at least annually. If the 266  
other party or any of its skills test examiners fail to comply 267  
with state or federal standards for the skills testing program, 268  
the director or the director's representative shall take prompt 269  
and appropriate remedial action against the party and its skills 270  
test examiners. Remedial action may include termination of the 271  
agreement or revocation of a skills test examiner's 272  
certification. 273

~~(H)~~(I) As used in this section, "skills test" means a 274

test of an applicant's ability to drive the type of commercial 275  
motor vehicle for which the applicant seeks a commercial 276  
driver's license by having the applicant drive such a motor 277  
vehicle while under the supervision of an authorized state 278  
driver's license examiner or tester. 279

**Sec. 4506.13.** (A) The registrar of motor vehicles may 280  
authorize the highway patrol or any other employee of the 281  
department of public safety to issue an examiner's commercial 282  
examinations passed form to an applicant who has passed the 283  
required examinations. The examiner's commercial examinations 284  
passed form shall be used to indicate the examinations taken and 285  
passed by the commercial driver's license applicant. 286

(B) (1) Before issuing, renewing, transferring, or 287  
upgrading a commercial driver's license, the registrar of motor 288  
vehicles shall obtain information about the applicant's driving 289  
record, whether the applicant was previously issued a commercial 290  
driver's license in another state, or whether the applicant is 291  
disqualified from operating a commercial motor vehicle through 292  
the commercial driver's license information system, the 293  
applicant's state of licensure, and when available, the national 294  
driver register. In addition, the before initially issuing a 295  
class A or class B commercial driver's license, a passenger 296  
endorsement, a school bus endorsement, or a hazardous materials 297  
endorsement, the registrar shall verify that the applicant 298  
completed the training required under 49 C.F.R. 380, subpart F, 299  
through the federal motor carrier safety administration's 300  
training provider registry. The registrar also shall check the 301  
applicant's driver record to ensure that an applicant who self- 302  
certified under division (A) (1) (a) (i) of section 4506.10 of the 303  
Revised Code that the applicant's operation of a commercial 304  
motor vehicle is non-excepted interstate, is medically 305

certified. 306

(2) The registrar shall not issue, renew, upgrade, or 307  
transfer the applicant's commercial driver's license if any of 308  
the following apply: 309

(a) The registrar obtains adverse information regarding 310  
the applicant's driving record. 311

(b) There is no information regarding the driver's self- 312  
certification type as required by division (A)(1) of section 313  
4506.10 of the Revised Code. 314

(c) The applicant's medical status is not certified, when 315  
required to be certified under division (A)(1)(a)(i) of section 316  
4506.10 of the Revised Code. 317

(d) If required, the applicant did not successfully 318  
complete the training required by 49 C.F.R. 380, subpart F, as 319  
documented in the federal motor carrier safety administration's 320  
training provider registry. 321

(3) If the record check reveals information that the 322  
applicant claims is outdated, contested, or invalid, the 323  
registrar shall deny the application until the applicant can 324  
resolve the conflict. 325

(C) The registrar shall do all of the following: 326

(1) Within ten days after issuing a commercial driver's 327  
license, notify the commercial driver's license information 328  
system, when available, of that fact and provide all information 329  
required to ensure identification of the licensee. If the 330  
registrar is notified that driver has been issued a medical 331  
variance, the registrar shall indicate the existence of the 332  
medical variance on the commercial driver's license holder's 333

commercial driver's license information system driver record.	334
(2) For those drivers self-certifying under division (A)	335
(1) (a) (i) of section 4506.10 of the Revised Code as non-excepted	336
interstate, post the applicant's medical status as certified or	337
non-certified on the applicant's commercial driver's license	338
information system driver record upon receiving a valid original	339
or copy of the medical examiner's certificate;	340
(3) Post the driver's self-certification type as set forth	341
in division (A) (1) of section 4506.10 of the Revised Code;	342
(4) Post information from the medical examiner's	343
certificate, if applicable, on the commercial driver's license	344
holder's commercial driver's license information system driver	345
record within ten calendar days of receipt of the medical	346
examiner's certificate;	347
(5) Retain the original or a copy of the commercial	348
driver's license holder's medical certificate for a minimum of	349
three years after the date the certificate was issued;	350
(6) Post and maintain as part of the commercial driver's	351
license information system driver record all convictions,	352
disqualifications, and other licensing actions for violations of	353
any state or municipal ordinances related to motor vehicle	354
traffic control, other than parking violations for all persons	355
who hold a commercial driver's license or operate a motor	356
vehicle for which a commercial driver's license is required;	357
(7) Post an applicant's status of medically non-certified	358
on the applicant's commercial driver's license information	359
system driver record and downgrade the applicant's commercial	360
driver's license in accordance with division (D) of this section	361
if either of the following applies:	362

(a) The commercial driver's license holder fails to 363  
provide the driver's self-certification type as required by 364  
division (A) (1) of section 4506.10 of the Revised Code. 365

(b) The commercial driver's license holder self-certifying 366  
under division (A) (1) (a) (i) of section 4506.10 of the Revised 367  
Code as non-excepted interstate fails to provide the registrar 368  
with a current medical examiner's certificate. 369

(8) Mark the commercial driver's license information 370  
system driver record as non-certified for any commercial 371  
driver's license holder who has not self-certified under 372  
division (A) (1) of section 4506.10 of the Revised Code by 373  
January 30, 2014 and initiate the commercial driver's license 374  
commercial driver's license downgrade procedures described in 375  
division (D) of this section; 376

(9) Within ten days after a commercial driver's license 377  
holder's medical certification status expires or a medical 378  
variance expires or is rescinded, update the person's medical 379  
certification status to non-certified; 380

(10) Within ten calendar days after receiving information 381  
from the federal motor carrier safety administration regarding 382  
issuance or renewal of a medical variance for a driver, update 383  
the driver's commercial driver's license information system 384  
driver record to include the medical variance information 385  
provided by the federal motor carrier safety administration. 386

(D) If a driver's medical certification or medical 387  
variance expires or the federal motor carrier safety 388  
administration notifies the registrar that a medical variance 389  
was removed or rescinded, the registrar shall do the following: 390

(1) Send notice to the commercial driver's license holder 391

of the holder's medically not certified status. The notice shall 392  
inform the driver that the driver's commercial driver's license 393  
privileges will be removed unless the driver resolves the 394  
medical certification or medical variance defect by submitting a 395  
current medical certificate or medical variance, as applicable, 396  
or changing the driver's self-certification under division (A) 397  
(1) of section 4506.10 of the Revised Code to driving only in 398  
excepted interstate or excepted intrastate commerce within sixty 399  
days. 400

(2) Sixty days after the change to a medically not 401  
certified status, if the commercial driver's license holder has 402  
not resolved the medical certification or medical variance 403  
defect as described in division (D)(1) of this section, the 404  
registrar shall change the person's commercial driver's license 405  
status to reflect no commercial driver's license privileges and 406  
shall send the person a second notice informing the person that 407  
the commercial driver's license privilege has been removed from 408  
the driver's license. 409

(E) To the extent permitted by federal and state law, the 410  
registrar shall provide records from the commercial driver's 411  
license information system regarding a commercial driver's 412  
license holder or commercial motor vehicle operator to the 413  
following individuals and entities or their authorized agents 414  
within ten days of the receipt of conviction or disqualification 415  
information concerning the holder or operator from another state 416  
or within ten days of the date of conviction or disqualification 417  
of the holder or operator if it occurred in this state, as 418  
applicable: 419

(1) Other states; 420

(2) The secretary of the United States department of 421

transportation; 422

(3) The commercial driver's license holder or commercial 423  
motor vehicle operator referenced in the records; 424

(4) A motor carrier that is a current or prospective 425  
employer of the commercial driver's license holder or commercial 426  
motor vehicle operator referenced in the records. 427

**Sec. 4508.031.** A licensed driver training school shall 428  
comply with the requirements of 49 C.F.R. 380, subpart F and all 429  
applicable appendices, if the school provides commercial 430  
driver's license education courses that train drivers in the 431  
operation of commercial trucks, commercial cars, buses, and 432  
commercial tractors, trailers, and semitrailers. 433

**Section 101.02.** That existing sections 4506.09 and 4506.13 434  
of the Revised Code are hereby repealed. 435

**Section 201.10.** AMERICAN RESCUE PLAN ACT APPROPRIATIONS 436

All items in this act are hereby appropriated as 437  
designated out of any moneys in the state treasury to the credit 438  
of the designated fund. For all operating appropriations made in 439  
this act, those in the first column are for fiscal year 2022 and 440  
those in the second column are for fiscal year 2023. The 441  
operating appropriations made in this act are in addition to any 442  
other operating appropriations made for the FY 2022-FY 2023 443  
biennium. 444

**Section 207.10.** 445

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A	DDD DEPARTMENT OF DEVELOPMENTAL DISABILITIES			
B	Federal Fund Group			
C	3A40	653654	Medicaid Services	\$142,000,000      \$0
D	TOTAL FED		Federal Fund Group	\$142,000,000      \$0
E	TOTAL ALL BUDGET		FUND GROUPS	\$142,000,000      \$0

**Section 207.20.** ALLOCATIONS FROM ENHANCED FEDERAL MEDICAL ASSISTANCE PERCENTAGE 447  
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Of the foregoing appropriation item 653654, Medicaid Services, due to the continuation of the enhanced federal medical assistance percentage enacted in Section 6008 of the "Families First Coronavirus Response Act," Pub. L. No. 116-127, \$100,000,000 may be used to make payments for Medicaid services in fiscal year 2022. 449  
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**Section 207.30.** ALLOCATIONS FROM ICF/IID RELIEF PAYMENTS 455

Of the foregoing appropriation item 653654, Medicaid Services, \$42,000,000 may be used to make relief payments in fiscal year 2022 to non-state intermediate care facilities for individuals with intellectual disabilities (ICFs/IID) providing ICF/IID services, as those terms are defined in section 5124.01 of the Revised Code. The payments shall be made through a process established by the Medicaid Director. An ICF/IID shall use the payments exclusively for direct care staff compensation, which may include staff retention bonus payments, overtime pay and shift differential payments, staff recruitment payments, and new hire incentive payments as described in Section 220.70 of this act. 456  
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Section 209.10. 468

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A			EDU DEPARTMENT OF EDUCATION		
B			Federal Fund Group		
C	3HQ0	200627	Governor Emergency Education Relief - EDU	\$33,803,196	\$0
D	3HQ0	200651	Emergency Assistance to Non-Public Schools	\$155,190,488	\$0
E	3HS0	200640	Federal Coronavirus School Relief	\$2,288,901,788	\$0
F	3HZ0	200641	ARP - Homeless Children and Youth	\$7,327,165	\$0
G	TOTAL FED		Federal Fund Group	\$2,485,222,637	\$0
H	TOTAL ALL BUDGET FUND GROUPS			\$2,485,222,637	\$0

Section 209.20. GOVERNOR EMERGENCY EDUCATION RELIEF - EDU 470

(A) Of the foregoing appropriation item 200627, Governor 471  
Emergency Education Relief - EDU, \$20,746,066 in fiscal year 472  
2022 shall be used to distribute grants to county boards of 473  
developmental disabilities serving school-age students, 474  
educational service centers, and joint vocational school 475  
districts according to a distribution mechanism determined by 476  
the Department of Education. 477

(B) Of the foregoing appropriation item 200627, Governor 478  
Emergency Education Relief - EDU, up to \$9,057,130 in fiscal 479  
year 2022 shall be used for the establishment or expansion of 480  
school-based health centers at public schools. The Department of 481  
Education shall consult with the Department of Health in the 482  
development of the program. 483

(C) Of the foregoing appropriation item 200627, Governor 484  
Emergency Education Relief - EDU, up to \$2,000,000 in fiscal 485  
year 2022 shall be distributed to the National Aviation Hall of 486  
Fame to support educational programming. 487

(D) Of the foregoing appropriation item 200627, Governor 488  
Emergency Education Relief - EDU, up to \$500,000 in fiscal year 489  
2022 shall be distributed to the Ohio State School for the 490  
Blind. 491

(E) Of the foregoing appropriation item 200627, Governor 492  
Emergency Education Relief - EDU, up to \$500,000 in fiscal year 493  
2022 shall be distributed to the Ohio School for the Deaf. 494

(F) Of the foregoing appropriation item 200627, Governor 495  
Emergency Education Relief - EDU, up to \$500,000 in fiscal year 496  
2022 shall be distributed to the Department of Youth Services. 497

(G) Of the foregoing appropriation item 200627, Governor 498  
Emergency Education Relief - EDU, up to \$500,000 in fiscal year 499  
2022 shall be distributed to the Department of Rehabilitation 500  
and Correction. 501

(H) The funds distributed pursuant to division (A) and 502  
divisions (D) to (G) of this section shall be used by recipients 503  
for any of the allowable uses enumerated for the Elementary and 504  
Secondary School Emergency Relief Fund under Title III, Sec. 505  
313(d) of the federal "Consolidated Appropriations Act, 2021," 506

Pub. L. No. 116-260. 507

(I) The foregoing appropriation item 200627, Governor 508  
Emergency Education Relief - EDU, shall be supported using the 509  
Governor's Emergency Education Relief Fund authorized under 510  
Title III, Sec. 312(a)(1) of the federal "Consolidated 511  
Appropriations Act, 2021," Pub. L. No. 116-260. 512

**Section 209.30. FEDERAL CORONAVIRUS SCHOOL RELIEF 513**

(A) Of the foregoing appropriation item 200640, Federal 514  
Coronavirus School Relief, up to \$6,500,000 in fiscal year 2022 515  
shall be distributed to the Management Council of the Ohio 516  
Education Computer Network to increase the bandwidth of the 517  
middle mile connections to the state broadband backbone managed 518  
by the Ohio Technology Consortium. These funds shall support 519  
information technology centers established under section 520  
3301.075 of the Revised Code and select urban school districts 521  
that connect to the state broadband backbone directly rather 522  
than through an information technology center. The Department of 523  
Education shall support the set-aside in division (A) of this 524  
section using the funds for emergency needs authorized under 525  
Title III, Sec. 313(e) of the federal "Consolidated 526  
Appropriations Act, 2021," Pub. L. No. 116-260. 527

(B) Of the foregoing appropriation item 200640, Federal 528  
Coronavirus School Relief, up to \$92,243,663 in fiscal year 2022 529  
shall be used to distribute grants to city, local, and exempted 530  
village school districts, community schools, and STEM schools 531  
according to a distribution mechanism determined by the 532  
Department of Education. The Department shall determine the 533  
distribution by first determining the per-pupil funding each 534  
district or school received under Title III, Sec. 313(c) of the 535  
federal "Consolidated Appropriations Act, 2021," Pub. L. No. 536

116-260, and Title II, Sec. 2001(d) of the federal "American Rescue Plan Act of 2021," Pub. L. No. 117-2. The Department shall award funds to districts and schools to equalize per-pupil funding up to a minimum amount.

The funds distributed pursuant to division (B) of this section shall be used by recipients for any of the allowable uses enumerated for the Elementary and Secondary School Emergency Relief Fund under Title III, Sec. 313(d) of the federal "Consolidated Appropriations Act, 2021," Pub. L. No. 116-260, or Title II, Sec. 2001(e) (2) of the federal "American Rescue Plan Act of 2021," Pub. L. No. 117-2.

The Department of Education shall support the set-aside in division (B) of this section using the funds for emergency needs authorized under Title III, Sec. 313(e) of the federal "Consolidated Appropriations Act, 2021," Pub. L. No. 116-260 and Title II, Sec. 2001(f) (4) of the federal "American Rescue Plan Act of 2021," Pub. L. No. 117-2.

(C) (1) Of the foregoing appropriation item 200640, Federal Coronavirus School Relief, up to \$15,000,000 in fiscal year 2022 shall be used by the Department of Education through grants or contracts to support student wellness and success initiatives, including, but not limited to, mental health, prevention education, suicide prevention, trauma informed practices, and other initiatives supporting non-academic barriers to student success. The Department of Education shall consult with and may provide funds to the Department of Mental Health and Addiction Services to support this work.

(2) Of the foregoing appropriation item 200640, Federal Coronavirus School Relief, up to \$11,000,000 in fiscal year 2022 shall be used to support family and community liaisons at

educational service centers and the Ohio Statewide Family Engagement Center. 567  
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(3) Of the foregoing appropriation item 200640, Federal Coronavirus School Relief, up to \$5,200,000 in fiscal year 2022 shall be used by the Department of Education, in partnership with the Department of Higher Education, to increase the number of candidates admitted to educator licensure programs and address shortages of educators across the state. 569  
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(4) Of the foregoing appropriation item 200640, Federal Coronavirus School Relief, up to \$5,000,000 in fiscal year 2022 shall be used by the Department of Education through grants or contracts to support evidenced-based strategies to increase attendance and decrease chronic absenteeism in partnership with the Stay in the Game Network. 575  
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(5) Of the foregoing appropriation item 200640, Federal Coronavirus School Relief, up to \$3,000,000 in fiscal year 2022 shall be distributed to the Management Council of the Ohio Education Computer Network to support school districts, schools, students, and families with internet connectivity, device barriers, and other supports for remote, hybrid, and in-person education experiences. 581  
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(6) Of the foregoing appropriation item 200640, Federal Coronavirus School Relief, up to \$3,000,000 in fiscal year 2022 shall be distributed to the Literacy Lab for its Leading Men Fellowship to support a mentoring program and provide increased support for literacy programming in high needs preschool programs. 588  
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(7) Of the foregoing appropriation item 200640, Federal Coronavirus School Relief, up to \$2,691,079 in fiscal year 2022 594  
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shall be used by the Department of Education through grants or 596  
contracts to support activities related to college and career 597  
readiness, graduation attainment, graduation pathways, student 598  
access to graduation pathways, and Ohio high school redesign. 599

(8) Of the foregoing appropriation item 200640, Federal 600  
Coronavirus School Relief, up to \$2,000,000 in fiscal year 2022 601  
shall be used by the Department of Education to pilot pre- 602  
kindergarten to postsecondary regional partnerships connecting 603  
education and the workforce. The Department shall distribute 604  
grants to support regional collaboration pilot programs among 605  
early learning, primary and secondary school, postsecondary 606  
institution, and workforce partners that align educational 607  
resources with regional in-demand jobs and workforce skills. A 608  
portion of this set-aside shall be used to support career 609  
development opportunities. 610

(9) The Department of Education shall support the set- 611  
asides in division (C) of this section using the funds for 612  
emergency needs authorized under Title II, Sec. 2001(f)(4) of 613  
the federal "American Rescue Plan Act of 2021," Pub. L. No. 117- 614  
2. 615

(D)(1) Of the foregoing appropriation item 200640, Federal 616  
Coronavirus School Relief, up to \$70,000,000 in fiscal year 2022 617  
shall be used by the Department of Education through grants or 618  
contracts to support learning loss and academic recovery 619  
efforts. These funds shall be used to support initiatives 620  
allowed under Title II, Sec. 2001(f)(1) of the federal "American 621  
Rescue Plan Act of 2021," Pub. L. No. 117-2, in at least the 622  
following areas: literacy, dyslexia, STEM, mathematics, 623  
personalized learning, professional learning, digital resources, 624  
remote learning supports, English learners, and high-quality 625

instructional materials. 626

(2) Of the foregoing appropriation item 200640, Federal 627  
Coronavirus School Relief, up to \$30,000,000 in fiscal year 2022 628  
shall be used by the Department of Education through grants or 629  
contracts to pilot the use of instructional materials and 630  
programs focused on addressing learning loss with school 631  
districts and schools across the state. In awarding grants or 632  
contracts, the Department shall ensure programs cover different 633  
academic subjects and grade bands. 634

(3) Of the foregoing appropriation item 200640, Federal 635  
Coronavirus School Relief, up to \$17,900,000 in fiscal year 2022 636  
shall be distributed to the Boys and Girls Clubs Ohio Alliance. 637  
These funds shall be used to support the establishment and 638  
expansion of Boys and Girls Clubs in Ohio cities not already 639  
served by Boys and Girls Clubs to support before- and after- 640  
school programming. These funds shall also be used to support 641  
academic programs to address learning loss. 642

(4) Of the foregoing appropriation item 200640, Federal 643  
Coronavirus School Relief, up to \$11,000,000 in fiscal year 2022 644  
shall be used by the Department of Education through grants or 645  
contracts to support school improvement in the lowest performing 646  
school districts and schools. 647

(5) Of the foregoing appropriation item 200640, up to 648  
\$8,000,000 in fiscal year 2022 shall be used by the Department 649  
of Education, in partnership with the Department of 650  
Developmental Disabilities, to support the LearningAid Ohio 651  
initiative to provide tutoring and supports for students with 652  
disabilities. 653

(6) Of the foregoing appropriation item 200640, Federal 654



Coronavirus School Relief, up to \$7,500,000 in fiscal year 2022 655  
shall be used by the Department of Education through grants or 656  
contracts for learning recovery data supports. A portion of the 657  
funds shall be used by the Department to support pandemic- 658  
related assessment tools that provide quick results for school 659  
districts and schools and related pandemic data supports. The 660  
funds shall be used to collect and analyze data to inform 661  
intervention and instruction. 662

(7) Of the foregoing appropriation item 200640, Federal 663  
Coronavirus School Relief, up to \$4,000,000 in fiscal year 2022 664  
shall be distributed to the Center of Science and Industry 665  
(COSI) to support the Ohio Distance Learning Initiative. 666

(8) The Department of Education shall support the set- 667  
asides in division (D) of this section using the state activity 668  
funds authorized under Title II, Sec. 2001(f)(1) of the federal 669  
"American Rescue Plan Act of 2021," Pub. L. No. 117-2. 670

(9) Of the foregoing appropriation item 200640, Federal 671  
Coronavirus School Relief, an amount shall be available in 672  
fiscal year 2022 to disburse any remaining state activity funds 673  
required under Title II, Sec. 2001(f)(1) of the federal 674  
"American Rescue Plan Act of 2021," Pub. L. No. 117-2. Any such 675  
remaining funds shall be used by the Department of Education to 676  
support learning recovery initiatives at educational service 677  
centers. Educational service centers shall use these funds to 678  
support regional and statewide initiatives identified following 679  
the review of extended learning plans submitted by client school 680  
districts. The Department may require a portion of the funds to 681  
be used to support statewide initiatives related to learning 682  
loss. 683

(E) Of the foregoing appropriation item 200640, Federal 684

Coronavirus School Relief, \$44,752,435 in fiscal year 2022 shall 685  
be used by the Department of Education to administer a grant 686  
program to support summer enrichment activities in a manner 687  
determined by the Superintendent of Public Instruction. Priority 688  
shall be given to non-profit organizations with partnerships 689  
with school districts and schools. The Department of Education 690  
shall support the set-aside in division (E) of this section 691  
using the state activity funds authorized under Title II, Sec. 692  
2001(f) (2) of the federal "American Rescue Plan Act of 2021," 693  
Pub. L. No. 117-2. 694

(F) Of the foregoing appropriation item 200640, Federal 695  
Coronavirus School Relief, \$44,752,435 in fiscal year 2022 shall 696  
be used by the Department of Education to administer a grant 697  
program to support comprehensive afterschool programs in a 698  
manner determined by the Superintendent of Public Instruction. 699  
Priority shall be given to non-profit organizations with 700  
partnerships with school districts and schools. The Department 701  
of Education shall support the set-aside in division (F) of this 702  
section using the state activity funds authorized under Title 703  
II, Sec. 2001(f) (3) of the federal "American Rescue Plan Act of 704  
2021," Pub. L. No. 117-2. 705

**Section 209.40. ARP - HOMELESS CHILDREN AND YOUTH FUND 706**  
**REAPPROPRIATION 707**

On July 1, 2022, or as soon as possible thereafter, the 708  
Superintendent of Public Instruction may certify to the Director 709  
of Budget and Management an amount up to the unexpended, 710  
unencumbered balance of appropriations from the ARP - Homeless 711  
Children and Youth Fund (Fund 3HZ0) at the end of fiscal year 712  
2022 to be reappropriated to fiscal year 2023. The Director of 713  
Budget and Management may approve up to the amount certified. 714

The approved amount is hereby reappropriated for the same 715  
purpose in fiscal year 2023. 716

**Section 209.50.** ARP - STUDENTS WITH DISABILITIES FUND 717  
REAPPROPRIATION 718

On July 1, 2022, or as soon as possible thereafter, the 719  
Superintendent of Public Instruction may certify to the Director 720  
of Budget and Management an amount up to the unexpended, 721  
unencumbered balance of appropriations from the ARP - Students 722  
with Disabilities Fund (Fund 3IA0) at the end of fiscal year 723  
2022 to be reappropriated to fiscal year 2023. The Director of 724  
Budget and Management may approve up to the amount certified. 725  
The approved amount is hereby reappropriated for the same 726  
purpose in fiscal year 2023. 727

**Section 209.60.** NEGATIVE FUND BALANCE DUE TO DELAY IN 728  
ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND CLAIMS 729  
REIMBURSEMENTS 730

Notwithstanding any provision of law to the contrary, a 731  
school district, community school, or STEM school may have a 732  
deficit in the special revenue fund established to receive funds 733  
from the Elementary and Secondary School Emergency Relief Fund 734  
under the federal "Coronavirus Aid, Relief, and Economic 735  
Security Act," Pub. L. No. 116-136, the federal "Consolidated 736  
Appropriations Act, 2021," Pub. L. No. 116-260, and the federal 737  
"American Rescue Plan Act of 2021," Pub. L. No. 117-2, in fiscal 738  
year 2021 or fiscal year 2022, when that deficit resulted from a 739  
temporary delay in the Department of Education's ability to 740  
process claims for reimbursement. 741

**Section 211.10.** 742

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	1	2	3	4	5
A			DOH DEPARTMENT OF HEALTH		
B			Federal Fund Group		
C	3GN0	440683	ARPA - Crisis Response Workforce	\$32,000,000	\$0
D	3HP0	440673	Public Health Emergency Response	\$8,476,274	\$0
E	3HP0	440684	ARPA - Disease Intervention Workforce	\$12,643,140	\$0
F	3HP0	440685	ELC Nursing Home & Long-Term Care Strike Teams	\$10,958,150	\$0
G	3HP0	440686	ELC Strengthening HAI/AR Grant	\$5,676,540	\$0
H	3HP0	440688	Detect and Mitigate COVID-19 - Confinement Facilities	\$13,090,000	\$0
I	3HP0	440689	SHIP - Testing and Mitigation Grant	\$8,268,032	\$0
J	TOTAL FED	Federal Fund Group		\$91,112,136	\$0
K	TOTAL ALL BUDGET	FUND GROUPS		\$91,112,136	\$0

**Section 213.10.**

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	1	2	3	4	5
A			JFS DEPARTMENT OF JOB AND FAMILY SERVICES		
B			Federal Fund Group		
C	3H70	600617	Child Care Federal	\$28,000,000	\$0
D	3H70	600661	Child Care ARPA Supplement	\$639,000,000	\$0
E	3V40	600678	Federal Unemployment Programs	\$20,000,000	\$0
F			TOTAL FED Federal Fund Group	\$687,000,000	\$0
G			TOTAL ALL BUDGET FUND GROUPS	\$687,000,000	\$0

**Section 213.20.** CHILD CARE ARPA SUPPLEMENT 746

The foregoing appropriation item 600661, Child Care ARPA Supplement, shall be used by the Department of Job and Family Services to do the following: 747  
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(A) Supplement existing child care expenses to support the stability of the child care sector during and after the COVID-19 public health emergency. Child care providers that receive funds through a subgrant shall use the funds for at least one of the following: 750  
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(1) Personnel costs, including payroll and salaries or similar compensation for an employee, employee benefits, premium pay, or costs for employee recruitment and retention; 755  
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(2) Rent or payment on any mortgage obligation, utilities, facility maintenance or improvements, or insurance; 758  
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(3) Personal protective equipment, cleaning and sanitization supplies and services, or training and professional development related to health and safety practices; 760  
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(4) Purchases of or updates to equipment and supplies to respond to the COVID-19 public health emergency; 763  
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(5) Goods and services necessary to maintain or resume child care services; or 765  
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(6) Mental health supports for children and employees. 767

(B) Carry out the program authorized under the "Child Care and Development Block Grant Act of 2014," 42 U.S.C. 9858a, without regard to requirements of such act in 42 U.S.C. 9858c(c) (3) (E) and 42 U.S.C. 9858e. Funds may be used for: 768  
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(1) Expanding access to high-quality child care; 772

(2) Expanding access to child care assistance; 773

(3) Mental health supports; and 774

(4) Outreach on the availability of child care assistance. 775

**Section 217.10.** 776  
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	1	2	3	4	5
A			DPS DEPARTMENT OF PUBLIC SAFETY		
B			Dedicated Purpose Fund Group		
C	5CV3	768622	Community Violence Intervention - First	\$250,000,000	\$0

Responder Program

D	TOTAL DPF Dedicated Purpose Fund Group	\$250,000,000	\$0
E	TOTAL ALL BUDGET FUND GROUPS	\$250,000,000	\$0

COMMUNITY VIOLENCE INTERVENTION - FIRST RESPONDER PROGRAM 778

Of the foregoing appropriation item 768622, Community 779  
Violence Intervention - First Responder Program, up to 780  
\$175,000,000 in fiscal year 2022 shall be used by the Director 781  
of Public Safety, in consultation with the directors of Health 782  
and Mental Health and Addiction Services, to provide grants to 783  
support communities that have experienced an increase in violent 784  
crime, more difficulty providing services to respond to or 785  
mitigate the effects of violence during the COVID-19 pandemic, 786  
or both. Allowable uses of the grant funds include, but are not 787  
limited to, the following: (1) grants to support collaborative 788  
responses to violent crime and violence related to drug 789  
trafficking resulting from the COVID-19 pandemic, (2) 790  
investments in technology and equipment to allow law enforcement 791  
to respond to the rise in violent crime due to the COVID-19 792  
pandemic, and (3) grants to state and local crime laboratories 793  
to reduce backlogs brought on by the COVID-19 pandemic. 794

Grants shall be awarded to eligible law enforcement 795  
agencies with qualifying applications in each county in this 796  
state following application review. If the Department of Public 797  
Safety does not receive eligible applications sufficient to 798  
award the full appropriation to applicants in each county 799  
following the initial application deadline, the remaining funds 800  
may be awarded to any eligible applicant on a first-come, first- 801  
served basis regardless of location. 802

Of the foregoing appropriation item 768622, Community Violence Intervention - First Responder Program, up to \$75,000,000 in fiscal year 2022 shall be used by the Director of Public Safety, in consultation with the directors of Health and Mental Health and Addiction Services, to administer and distribute grants to support communities that have experienced an impact to service levels due to the COVID-19 pandemic. Allowable uses of the grant funds include, but are not limited to, the following: (1) strategies to attract new recruits that also include creative methods to increase diversity and attract new members to the first responder ranks, (2) wellness initiatives for law enforcement and first responders to mitigate the significant mental and physical impact of the COVID-19 pandemic, and (3) investments in technology to increase cybersecurity to protect critical infrastructure.

**Section 218.10.**

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A						BOR DEPARTMENT OF HIGHER EDUCATION
B						Federal Fund Group
C	3HQ0	235509	GEER - Higher Education Initiatives	\$4,000,000		\$0
D	TOTAL FED		Federal Fund Group	\$4,000,000		\$0
E	TOTAL ALL BUDGET		FUND GROUPS	\$4,000,000		\$0
			GEER - HIGHER EDUCATION INITIATIVES			820



The foregoing appropriation item 235509, GEER - Higher Education Initiatives, shall be distributed to the Foundation for Appalachian Ohio. The Foundation for Appalachian Ohio, in consultation with the Department of Higher Education, shall use these funds to implement an educational assistance program that will support the recruitment and retention of the K-12 educator workforce in the Appalachian region of Ohio in response to the COVID-19 pandemic. The educational assistance program may include student loan repayments and scholarships to support the educator workforce, which shall include, but is not limited to, educators, counselors, mental health professionals, and school-based health professionals. The foregoing appropriation item 235509, GEER - Higher Education Initiatives, shall be supported using the Governor's Emergency Education Relief Fund authorized under Title III, Sec. 312(a)(1) of the federal "Consolidated Appropriations Act, 2021," Pub. L. No. 116-260.

**Section 220.10.**

	1	2	3	4	5
A	MCD DEPARTMENT OF MEDICAID				
B	Dedicated Purpose Fund Group				
C	5HC8	651698	MCD Home and Community Based Services	\$158,700,000	\$0
D	TOTAL DPF Dedicated Purpose Fund Group			\$158,700,000	\$0

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E	Federal Fund Group			
F	3HC8	651699	MCD Home and Community Based Services - Federal	\$370,300,000 \$0
G	TOTAL FED	Federal Fund Group		\$370,300,000 \$0
H	TOTAL ALL BUDGET FUND GROUPS			\$529,000,000 \$0

**Section 220.20.** HOME AND COMMUNITY-BASED SERVICES 839  
 APPROPRIATIONS - STATE 840

The Director of Budget and Management may authorize 841  
 additional expenditures in appropriation items 651698, MCD Home 842  
 and Community Based Services, 653698, DDD Home and Community 843  
 Based Services, 652698, MHA Home and Community Based Services, 844  
 655698, JFS Home and Community Based Services, and 656698, AGE 845  
 Home and Community Based Services, as long as the additional 846  
 expenditures are offset by equal expenditure reductions in 847  
 another of these appropriation items. Any additional 848  
 expenditures shall be used in accordance with Section 9817 of 849  
 the "American Rescue Plan Act of 2021," Pub. L. No. 117-2, and 850  
 shall comply with the Department of Medicaid's Medicaid state 851  
 plan approved by the United States Centers for Medicare and 852  
 Medicaid Services (CMS) and any associated CMS guidance, 853  
 reporting requirements, and certifications. Any additional 854  
 expenditures are hereby appropriated. 855

**Section 220.30.** HOME AND COMMUNITY BASED APPROPRIATIONS - 856  
 FEDERAL 857

The Director of Budget and Management may authorize 858  
 additional expenditures in appropriation items 651699, MCD Home 859

and Community Based Services - Federal, 653699, DDD Home and 860  
Community Based Services - Federal, 652699, MHA Home and 861  
Community Based Services - Federal, 655699, JFS Home and 862  
Community Based Services - Federal, and 656699, AGE Home and 863  
Community Based Services - Federal. If additional expenditures 864  
are authorized in any of these appropriation items, the Director 865  
of Budget and Management shall make appropriation adjustments in 866  
any of the other items as necessary. Any additional expenditures 867  
shall be used in accordance with Section 9817 of the "American 868  
Rescue Plan Act of 2021," Pub. L. No. 117-2, and shall comply 869  
with the Department of Medicaid's Medicaid state plan approved 870  
by the United States Centers for Medicare and Medicaid Services 871  
(CMS) and any associated CMS guidance, reporting requirements, 872  
and certifications. Any additional expenditures are hereby 873  
appropriated. 874

**Section 220.40. MEDICAID ALLOCATIONS FROM ENHANCED FEDERAL 875**  
MEDICAL ASSISTANCE PERCENTAGE 876

(A) A portion of the enhanced federal medical assistance 877  
percentage, enacted as a result of the COVID-19 pandemic, in 878  
Section 6008 of the "Families First Coronavirus Response Act," 879  
Pub. L. No. 116-127, shall be used to fund the following 880  
provider relief allocations from appropriation item 651525, 881  
Medicaid Health Care Services, in fiscal year 2022: 882

(1) \$300,000,000 shall be used for nursing facilities, as 883  
defined in section 5165.01 of the Revised Code. 884

(2) \$33,000,000 shall be used for residential care 885  
facilities, as defined in section 3721.01 of the Revised Code. 886

(3) \$23,000,000 shall be used for hospice care programs, 887  
as defined in section 3712.01 of the Revised Code. 888

(4) \$124,000,000 shall be used for providers from critical access hospitals, rural hospitals, or distressed hospitals as determined by the Medicaid Director.

(B) The Director of Budget and Management may authorize additional expenditures from appropriation item 651623, Medicaid Services - Federal, and the federal share of appropriation item 651525, Medicaid Health Care Services, as long as the additional expenditures are offset by equal expenditure reductions in the other appropriation item. Any additional expenditures are hereby appropriated.

(C) Notwithstanding Section 333.205 of H.B. 110 of the 134th General Assembly, utilization of appropriations in appropriation item 651689, Medicaid Health & Human Services, is hereby authorized.

(D) An amount equal to the unexpended, unencumbered balance of the foregoing appropriation item 651689, Medicaid Health & Human Services, at the end of fiscal year 2022 is hereby reappropriated to the same appropriation item for the same purpose in fiscal year 2023.

**Section 220.50. PROVIDER RELIEF PAYMENTS**

(A) The Medicaid Director may make relief payments to the following Medicaid home and community-based services providers, as authorized under the "American Rescue Plan Act of 2021," Pub. L. No. 117-2:

- (1) Developmental disabilities providers;
- (2) Long-term services and supports providers;
- (3) Behavioral health services providers;
- (4) Home and community-based services-related providers.

(B) The Medicaid Director may make provider relief payments to the following Medicaid providers:	917 918
(1) Critical access hospitals, rural hospitals, and distressed hospitals, as determined by the Director;	919 920
(2) Residential care facilities, as defined in section 3721.01 of the Revised Code;	921 922
(3) Hospice care programs, as defined in section 3712.01 of the Revised Code.	923 924
(C) The Medicaid Director may adopt rules under section 5160.02 of the Revised Code as necessary to implement payment under this section.	925 926 927
<b>Section 220.60. NURSING FACILITY WORKFORCE INCENTIVE PAYMENTS</b>	928 929
Notwithstanding section 5164.48 of the Revised Code, the Medicaid Director may make payments to nursing facilities, as defined in section 5165.01 of the Revised Code, that are in good standing, in the manner and for the purposes described in this section. Nursing facilities shall use the payments received pursuant to this section exclusively for direct care staff compensation, which may include staff retention bonus payments, overtime pay and shift differential payments, staff recruitment costs, and new hire incentive payments.	930 931 932 933 934 935 936 937 938
(A) All funds distributed under this section shall be in addition to the nursing facility Medicaid day payment rate set forth in Chapter 5165. of the Revised Code or any Medicaid payment rates determined under Chapter 5164. of the Revised Code.	939 940 941 942 943
(B) No funds under this section shall be paid to any of	944

the following:	945
(1) Contract workers;	946
(2) Staff supplied through or by staffing agencies;	947
(3) Facility administrators;	948
(4) Facility executive staff;	949
(5) Facility owners.	950
(C) The Medicaid Director may recover any funds that are used for any purpose other than as specified in this section.	951 952
(D) Any nursing facility that receives funds under this section that sells any of its business or bed licenses on or before June 30, 2023, shall reimburse the state, from the proceeds of the sale, the funds distributed under this section.	953 954 955 956
(E) The Medicaid Director may adopt rules under section 5160.02 of the Revised Code as necessary to define terms and adopt procedures and other provisions necessary to implement this section.	957 958 959 960
<b>Section 220.70.</b> ICF/IID WORKFORCE INCENTIVE PAYMENTS	961
Notwithstanding section 5164.48 of the Revised Code, the Medicaid Director may make payments to non-state intermediate care facilities for individuals with intellectual disabilities (ICFs/IID), as defined in section 5124.01 of the Revised Code, that are Medicaid providers in good standing. An ICF/IID shall use the payments exclusively for direct care staff compensation, which may include staff retention bonus payments, overtime pay and shift differential payments, staff recruitment costs, and new hire incentive payments.	962 963 964 965 966 967 968 969 970
(A) All funds distributed under this section are in	971

addition to the ICF/IID rates set forth in Chapter 5124. of the 972  
Revised Code or any Medicaid payment rates determined under 973  
Chapter 5164. of the Revised Code. 974

(B) No funds under this section shall be paid to any of 975  
the following: 976

(1) Contract workers; 977

(2) Staff supplied by or through a staffing agency; 978

(3) ICF/IID administrators; 979

(4) ICF/IID executive staff; 980

(5) ICF/IID owners. 981

(C) The Medicaid Director may recover any funds that are 982  
used for any purpose other than as specified in this section. 983

(D) The Medicaid Director may adopt rules under section 984  
5160.02 of the Revised Code as necessary to define terms and 985  
adopt procedures and other provisions necessary to implement 986  
this section. 987

**Section 220.80. HOSPITAL WORKFORCE INCENTIVE PAYMENTS 988**

For the purposes described in this section and 989  
notwithstanding section 5164.48 of the Revised Code, the 990  
Medicaid Director may make payments to hospitals that are 991  
Medicaid providers, as defined in section 5164.01 of the Revised 992  
Code, and are general, acute-care hospitals in good standing 993  
classified by the Department of Medicaid as a critical access 994  
hospital, rural hospital, or distressed hospital. A hospital 995  
shall use the payments exclusively for direct care staff 996  
compensation, which may include staff retention bonus payments, 997  
overtime pay and shift differential payments, staff recruitment 998

costs, and new hire incentive payments.	999
(A) All funds distributed under this section are in addition to the Medicaid payment rates set forth in Chapter 5164. of the Revised Code.	1000 1001 1002
(B) No funds under this section shall be paid to any of the following:	1003 1004
(1) Contract workers;	1005
(2) Staff supplied by or through a staffing agency;	1006
(3) Hospital administrators;	1007
(4) Hospital executive staff;	1008
(5) Hospital owners.	1009
(C) The Medicaid Director may recover any funds that are used for any purpose other than as specified in this section.	1010 1011
(D) The Medicaid Director may adopt rules under section 5160.02 of the Revised Code as necessary to define terms, identify eligible hospitals, and adopt procedures and other provisions necessary to implement this section.	1012 1013 1014 1015
<b>Section 221.10. OFFICE OF BUDGET AND MANAGEMENT</b>	1016
CORONAVIRUS RELIEF FUND APPROPRIATION	1017
Any unexpended or unencumbered cash in the State Coronavirus Relief Fund (Fund 5CV1) is hereby appropriated for fiscal year 2022 to appropriation item 042621, COVID Response Costs-Multiple Agencies, for expenses incurred on or after March 1, 2020, in response to the coronavirus pandemic. This includes cash that had been previously appropriated or distributed but returned to Fund 5CV1.	1018 1019 1020 1021 1022 1023 1024



The Director of Budget and Management may transfer these 1025  
appropriations to new or existing appropriation items within 1026  
Fund 5CV1 for expenditures incurred on or after March 1, 2020. 1027  
The Director of Budget and Management shall report all transfers 1028  
made under this section to the Controlling Board by June 30, 1029  
2022. 1030

**Section 223.10.** DEPARTMENT OF MENTAL HEALTH AND ADDICTION 1031  
SERVICES 1032

MENTAL HEALTH BLOCK GRANT 1033

On July 1, 2022, or as soon as possible thereafter, the 1034  
Director of Mental Health and Addiction Services may certify to 1035  
the Director of Budget and Management an amount up to the 1036  
unexpended, unencumbered balance of appropriation item 336614, 1037  
Mental Health Block Grant, at the end of fiscal year 2022 to be 1038  
reappropriated to fiscal year 2023. The Director of Budget and 1039  
Management may approve up to the amount certified. The amount 1040  
approved is hereby reappropriated to the same appropriation item 1041  
for the same purpose in fiscal year 2023. 1042

SUBSTANCE ABUSE BLOCK GRANT 1043

On July 1, 2022, or as soon as possible thereafter, the 1044  
Director of Mental Health and Addiction Services may certify to 1045  
the Director of Budget and Management an amount up to the 1046  
unexpended, unencumbered balance of appropriation item 336618, 1047  
Substance Abuse Block Grant, at the end of fiscal year 2022 to 1048  
be reappropriated to fiscal year 2023. The Director of Budget 1049  
and Management may approve up to the amount certified. The 1050  
amount approved is hereby reappropriated to the same 1051  
appropriation item for the same purpose in fiscal year 2023. 1052

**Section 233.10.** REAPPROPRIATIONS 1053

Amounts equal to the unexpended, unencumbered balances of 1054  
the foregoing appropriations contained in the sections of this 1055  
act prefixed with numbers in the 200s at the end of fiscal year 1056  
2022 are hereby reappropriated to the respective appropriation 1057  
items in fiscal year 2023 for the same purposes. 1058

**Section 234.10.** (A) As used in this section, "personal 1059  
protective equipment" means equipment worn to minimize exposure 1060  
to hazards that cause workplace injuries and illnesses. 1061

(B) When using funds distributed under this act, or under 1062  
any future appropriation of federal coronavirus relief moneys, 1063  
for the purchase of personal protective equipment, a funding 1064  
recipient shall purchase only products that are either of the 1065  
following: 1066

(1) Approved by the National Institute for Occupational 1067  
Safety and Health; 1068

(2) Authorized for use by the United States Food and Drug 1069  
Administration, including under emergency use authorization. 1070

**Section 235.10.** PROVISIONS OF LAW GENERALLY APPLICABLE TO 1071  
APPROPRIATIONS 1072

Within the limits set forth in this act, the Director of 1073  
Budget and Management shall establish accounts indicating the 1074  
source and amount of funds for each appropriation made in this 1075  
act, and shall determine the form and manner in which 1076  
appropriation accounts shall be maintained. Expenditures from 1077  
operating appropriations contained in this act shall be 1078  
accounted for as though made in H.B. 110 of the 134th General 1079  
Assembly. The operating appropriations made in this act are 1080  
subject to all provisions of H.B. 110 of the 134th General 1081  
Assembly that are generally applicable to such appropriations. 1082

**Section 751.10.** In an effort to strengthen the state's 1083  
workforce and child care infrastructure, encourage Ohioans to 1084  
return to full-time employment, and expand child care options 1085  
for families, the requirement of division (C) (1) of section 1086  
5104.31 of the Revised Code is suspended through December 31, 1087  
2022. 1088

**Section 806.10. SEVERABILITY** 1089

The items of law contained in this act, and their 1090  
applications, are severable. If any item of law contained in 1091  
this act, or if any application of any item of law contained in 1092  
this act, is held invalid, the invalidity does not affect other 1093  
items of law contained in this act and their applications that 1094  
can be given effect without the invalid item or application. 1095

**Section 812.10.** Sections of this act prefixed with numbers 1096  
in the 200s and 700s are exempt from the referendum under Ohio 1097  
Constitution, Article II, Section 1d and therefore take effect 1098  
immediately when this act becomes law. 1099