

# As Reported by the House Insurance Committee

130th General Assembly  
Regular Session  
2013-2014

Sub. H. B. No. 34

Representative Hackett

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## A BILL

To amend Section 201 of Sub. H.B. 123 of the 129th  
General Assembly, as subsequently amended, and to  
make appropriations for the Bureau of Workers'  
Compensation for the biennium beginning July 1,  
2013, and ending June 30, 2015, and to provide  
authorization and conditions for the operation of  
the Bureau's programs.

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

**Section 1.** All items in this section are hereby appropriated  
out of any moneys in the state treasury to the credit of the  
designated fund. For all appropriations made in this act, those in  
the first column are for fiscal year 2014, and those in the second  
column are for fiscal year 2015.

FND	AI	AI TITLE	Appropriations	
		BWC BUREAU OF WORKERS' COMPENSATION		
		Workers' Compensation Fund Group		
7023	855401	William Green Lease	\$ 16,026,100	\$ 0
		Payments to OBA		
7023	855407	Claims, Risk and Medical Management	\$ 118,338,586	\$ 118,338,586
7023	855408	Fraud Prevention	\$ 12,114,226	\$ 12,114,226
7023	855409	Administrative	\$ 105,857,276	\$ 105,357,276

		Services				
7023	855410	Attorney General	\$	4,621,850	\$	4,621,850 20
		Payments				
8220	855606	Coal Workers' Fund	\$	147,666	\$	147,666 21
8230	855608	Marine Industry	\$	75,527	\$	75,527 22
8250	855605	Disabled Workers	\$	319,718	\$	319,718 23
		Relief Fund				
8260	855609	Safety and Hygiene	\$	19,161,132	\$	19,161,132 24
		Operating				
8260	855610	Gear Program	\$	5,000,000	\$	5,000,000 25
8290	855604	Long Term Care Loan	\$	100,000	\$	100,000 26
		Program				
TOTAL WCF Workers' Compensation						27
Fund Group			\$	281,762,081	\$	265,235,981 28
Federal Special Revenue Fund Group						29
3490	855601	OSHA Enforcement	\$	1,731,000	\$	1,731,000 30
3FW0	855614	BLS SOII Grant	\$	116,919	\$	116,919 31
TOTAL FED Federal Special Revenue			\$	1,847,919	\$	1,847,919 32
Fund Group						
TOTAL ALL BUDGET FUND GROUPS			\$	283,610,000	\$	267,083,900 33

WILLIAM GREEN LEASE PAYMENTS 34

Of the foregoing appropriation item 855401, William Green 35  
 Lease Payments, up to \$16,026,100 shall be used to make lease 36  
 payments to the Treasurer of State at the times they are required 37  
 to be made during the period from July 1, 2013 to June 30, 2015, 38  
 pursuant to leases and agreements made under section 154.24 of the 39  
 Revised Code. If it is determined that additional appropriations 40  
 are necessary for such purpose, such amounts are hereby 41  
 appropriated. 42

WORKERS' COMPENSATION FRAUD UNIT 43

Of the foregoing appropriation item 855410, Attorney General 44  
 Payments, \$828,200 in each fiscal year shall be used to fund the 45

expenses of the Workers' Compensation Fraud Unit within the 46  
Attorney General's Office. These payments shall be processed at 47  
the beginning of each quarter of each fiscal year and deposited 48  
into the Workers' Compensation Section Fund (Fund 1950) used by 49  
the Attorney General. 50

SAFETY AND HYGIENE 51

Notwithstanding section 4121.37 of the Revised Code, the 52  
Treasurer of State shall transfer \$19,161,132 cash in fiscal year 53  
2014 and \$19,161,132 cash in fiscal year 2015 from the State 54  
Insurance Fund to the Safety and Hygiene Fund (Fund 8260). 55

OSHA ON-SITE CONSULTATION PROGRAM 56

The Bureau of Workers' Compensation may designate a portion 57  
of appropriation item 855609, Safety and Hygiene Operating, to be 58  
used to match federal funding for the federal Occupational Safety 59  
and Health Administration's (OSHA) on-site consultation program. 60

VOCATIONAL REHABILITATION 61

The Bureau of Workers' Compensation and the Rehabilitation 62  
Services Commission shall enter into an interagency agreement for 63  
the provision of vocational rehabilitation services and staff to 64  
mutually eligible clients. The bureau may provide not more than 65  
\$605,407 in fiscal year 2014 and not more than \$605,407 in fiscal 66  
year 2015 from the State Insurance Fund to fund vocational 67  
rehabilitation services and staff in accordance with the 68  
interagency agreement. 69

FUND BALANCE 70

Any unencumbered cash balance in excess of \$45,000,000 in the 71  
Workers' Compensation Fund (Fund 7023) on the thirtieth day of 72  
June of each fiscal year shall be used to reduce the 73  
administrative cost rate charged to employers to cover 74  
appropriations for Bureau of Workers' Compensation operations. 75

Section 2. DEPUTY INSPECTOR GENERAL FOR BWC AND OIC FUNDING	76
To pay for the FY 2014 costs related to the Deputy Inspector General for the Bureau of Workers' Compensation and Industrial Commission, on July 1, 2013, and on January 1, 2014, or as soon as possible after each date, the Director of Budget and Management shall transfer \$212,500 in cash from the Workers' Compensation Fund (Fund 7023) to the Deputy Inspector General for the Bureau of Workers' Compensation and Industrial Commission Fund (Fund 5FT0).	77 78 79 80 81 82 83
To pay for the FY 2015 costs related to the Deputy Inspector General for the Bureau of Workers' Compensation and Industrial Commission, on July 1, 2014, and on January 1, 2015, or as soon as possible after each date, the Director of Budget and Management shall transfer \$212,500 in cash from the Workers' Compensation Fund (Fund 7023) to the Deputy Inspector General for the Bureau of Workers' Compensation and Industrial Commission Fund (Fund 5FT0).	84 85 86 87 88 89 90
If additional amounts are needed, the Inspector General may seek Controlling Board approval for additional transfers of cash and to increase the amount appropriated in appropriation item 965604, Deputy Inspector General for the Bureau of Workers' Compensation and Industrial Commission.	91 92 93 94 95
Section 3. That Section 201 of Sub. H.B. 123 of the 129th General Assembly, as amended by Am. Sub. H.B. 487 of the 129th General Assembly, be amended to read as follows:	96 97 98
Sec. 201. All items in Sections 201 and 203 of this act are hereby appropriated out of any moneys in the state treasury to the credit of the designated fund. For all appropriations made in this act, those in the first column are for fiscal year 2012, and those in the second column are for fiscal year 2013.	99 100 101 102 103
FND AI                  AI TITLE                                  Appropriations	104

BWC BUREAU OF WORKERS' COMPENSATION				105
Workers' Compensation Fund Group				106
7023	855401	William Green Lease	\$ 18,291,365 \$ 17,533,370	107
Payments to OBA				
7023	855407	Claims, Risk and	\$ 125,427,732 \$ 122,492,959	108
Medical Management				
7023	855408	Fraud Prevention	\$ 11,331,154 \$ 11,164,226	109
7023	855409	Administrative	\$ 101,724,950 \$ 103,346,037	110
Services				
7023	855410	Attorney General	\$ 4,621,850 \$ 4,621,850	111
Payments				
8220	855606	Coal Workers' Fund	\$ 150,586 \$ 147,666	112
8230	855608	Marine Industry	\$ 76,532 \$ 75,527	113
8250	855605	Disabled Workers	\$ 322,266 \$ 319,718	114
Relief Fund				
8260	855609	Safety and Hygiene	\$ 20,382,567 \$ 20,161,132	115
Operating				
8260	855610	Gear Program	\$ 4,000,000 \$ 4,000,000	116
8290	855604	Long Term Care Loan	\$ 1,000,000 \$ 100,000	117
Program				
TOTAL WCF Workers' Compensation				118
Fund Group				\$ 287,329,002 \$ 283,962,485 119
Federal Special Revenue Fund Group				120
3490	855601	OSHA Enforcement	\$ 1,670,998 \$ 1,647,515	121
TOTAL FED Federal Special Revenue				\$ 1,670,998 \$ 1,647,515 122
Fund Group				
TOTAL ALL BUDGET FUND GROUPS				\$ 289,000,000 \$ 285,610,000 123
WILLIAM GREEN LEASE PAYMENTS				124
The foregoing appropriation item 855401, William Green Lease				125
Payments to OBA, shall be used for lease payments to the Ohio				126
Building Authority, and these appropriations shall be used to meet				127
all payments at the times they are required to be made during the				128

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

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

WORKERS' COMPENSATION FRAUD UNIT 143

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

SAFETY AND HYGIENE 152

Notwithstanding section 4121.37 of the Revised Code, the 153  
Treasurer of State shall transfer \$20,382,567 cash in fiscal year 154  
2012 and \$20,161,132 cash in fiscal year 2013 from the State 155  
Insurance Fund to the Safety and Hygiene Fund (Fund 8260). 156

OSHA ON-SITE CONSULTATION PROGRAM 157

The Bureau of Workers' Compensation may designate a portion 158  
of appropriation item 855609, Safety and Hygiene Operating, to be 159

used to match federal funding for the federal Occupational Safety and Health Administration's (OSHA) on-site consultation program. 160  
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VOCATIONAL REHABILITATION 162

The Bureau of Workers' Compensation and the Rehabilitation Services Commission shall enter into an interagency agreement for the provision of vocational rehabilitation services and staff to mutually eligible clients. The bureau ~~shall~~ may provide not more than \$605,407 in fiscal year 2012 and not more than \$605,407 in fiscal year 2013 from the State Insurance Fund to fund vocational rehabilitation services and staff in accordance with the interagency agreement. 163  
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FUND BALANCE 171

Any unencumbered cash balance in excess of \$45,000,000 in the Workers' Compensation Fund (Fund 7023) on the thirtieth day of June of each fiscal year shall be used to reduce the administrative cost rate charged to employers to cover appropriations for Bureau of Workers' Compensation operations. 172  
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**Section 4.** That existing Section 201 of Sub. H.B. 123 of the 129th General Assembly, as amended by Am. Sub. H.B. 487 of the 129th General Assembly, is hereby repealed. 177  
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**Section 5.** Law contained in the Main Operating Appropriations Act of the 130th General Assembly that applies generally to the appropriations made in that act also applies generally to the appropriations made in this act. 180  
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**Section 6.** The provisions of law contained in this act, and their applications, are severable. If any provision of law contained in this act, or if any application of any provision of law contained in this act, is held invalid, the invalidity does not affect other provisions of law contained in this act and their 184  
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applications that can be given effect without the invalid 189  
provision or application. 190

**Section 7.** The sections of law contained in this act, and the 191  
items of law of which the sections of law contained in this act 192  
are composed, are not subject to the referendum under Ohio 193  
Constitution, Article II, Section 1d and section 1.471 of the 194  
Revised Code and therefore go into immediate effect when this act 195  
becomes law. 196

**Section 8.** An item that composes the whole or part of a 197  
section of law contained in this act has no effect after June 30, 198  
2015, unless the context clearly indicates otherwise. 199