

**As Reported by the Senate Commerce and Labor Committee**

**130th General Assembly**

**Regular Session**

**2013-2014**

**Sub. H. B. No. 34**

**Representative Hackett**

**Cosponsors: Representatives Amstutz, Anielski, Buchy, Grossman, Henne,**

**Huffman, McGregor, Sears, Sprague, Wachtmann, Young**

**Speaker Speaker Batchelder**

**Senator Bacon**

**—**

**A B I L L**

To amend Section 201 of Sub. H.B. 123 of the 129th	1
General Assembly, as subsequently amended, and to	2
make appropriations for the Bureau of Workers'	3
Compensation for the biennium beginning July 1,	4
2013, and ending June 30, 2015, and to provide	5
authorization and conditions for the operation of	6
the Bureau's programs.	7

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

<b>Section 1.</b> All items in this section are hereby appropriated	8
out of any moneys in the state treasury to the credit of the	9
designated fund. For all appropriations made in this act, those in	10
the first column are for fiscal year 2014, and those in the second	11
column are for fiscal year 2015.	12

FND AI	AI TITLE	Appropriations	13
	BWC BUREAU OF WORKERS' COMPENSATION		14
	Workers' Compensation Fund Group		15
7023 855401	William Green Lease	\$ 16,026,100 \$ 0	16

		Payments to OBA				
7023	855407	Claims, Risk and	\$	118,338,586	\$	118,338,586
		Medical Management				17
7023	855408	Fraud Prevention	\$	12,114,226	\$	12,114,226
7023	855409	Administrative	\$	105,857,276	\$	105,357,276
		Services				19
7023	855410	Attorney General	\$	4,621,850	\$	4,621,850
		Payments				20
8220	855606	Coal Workers' Fund	\$	147,666	\$	147,666
8230	855608	Marine Industry	\$	75,527	\$	75,527
8250	855605	Disabled Workers	\$	319,718	\$	319,718
		Relief Fund				23
8260	855609	Safety and Hygiene	\$	19,161,132	\$	19,161,132
		Operating				24
8260	855610	Gear Program	\$	5,000,000	\$	5,000,000
8290	855604	Long Term Care Loan	\$	100,000	\$	100,000
		Program				26
		TOTAL WCF Workers' Compensation				27
		Fund Group	\$	281,762,081	\$	265,235,981
		Federal Special Revenue Fund Group				29
3490	855601	OSHA Enforcement	\$	1,731,000	\$	1,731,000
3FW0	855614	BLS SOII Grant	\$	116,919	\$	116,919
		TOTAL FED Federal Special Revenue	\$	1,847,919	\$	1,847,919
		Fund Group				32
		TOTAL ALL BUDGET FUND GROUPS	\$	283,610,000	\$	267,083,900
		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 77  
General for the Bureau of Workers' Compensation and Industrial 78  
Commission, on July 1, 2013, and on January 1, 2014, or as soon as 79  
possible after each date, the Director of Budget and Management 80  
shall transfer \$212,500 in cash from the Workers' Compensation 81  
Fund (Fund 7023) to the Deputy Inspector General for the Bureau of 82  
Workers' Compensation and Industrial Commission Fund (Fund 5FT0). 83

To pay for the FY 2015 costs related to the Deputy Inspector 84  
General for the Bureau of Workers' Compensation and Industrial 85  
Commission, on July 1, 2014, and on January 1, 2015, or as soon as 86  
possible after each date, the Director of Budget and Management 87  
shall transfer \$212,500 in cash from the Workers' Compensation 88  
Fund (Fund 7023) to the Deputy Inspector General for the Bureau of 89  
Workers' Compensation and Industrial Commission Fund (Fund 5FT0). 90

If additional amounts are needed, the Inspector General may 91  
seek Controlling Board approval for additional transfers of cash 92  
and to increase the amount appropriated in appropriation item 93  
965604, Deputy Inspector General for the Bureau of Workers' 94  
Compensation and Industrial Commission. 95

**Section 3.** That Section 201 of Sub. H.B. 123 of the 129th 96  
General Assembly, as amended by Am. Sub. H.B. 487 of the 129th 97  
General Assembly, be amended to read as follows: 98

**Sec. 201.** All items in Sections 201 and 203 of this act are 99

hereby appropriated out of any moneys in the state treasury to the 100  
credit of the designated fund. For all appropriations made in this 101  
act, those in the first column are for fiscal year 2012, and those 102  
in the second column are for fiscal year 2013. 103

FND	AI	AI TITLE	Appropriations		
		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			



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 160  
and Health Administration's (OSHA) on-site consultation program. 161

VOCATIONAL REHABILITATION 162

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Services Commission shall enter into an interagency agreement for 164  
the provision of vocational rehabilitation services and staff to 165  
mutually eligible clients. The bureau ~~shall~~ may provide not more 166  
than \$605,407 in fiscal year 2012 and not more than \$605,407 in 167  
fiscal year 2013 from the State Insurance Fund to fund vocational 168  
rehabilitation services and staff in accordance with the 169  
interagency agreement. 170

FUND BALANCE 171

Any unencumbered cash balance in excess of \$45,000,000 in the 172  
Workers' Compensation Fund (Fund 7023) on the thirtieth day of 173  
June of each fiscal year shall be used to reduce the 174  
administrative cost rate charged to employers to cover 175  
appropriations for Bureau of Workers' Compensation operations. 176

**Section 4.** That existing Section 201 of Sub. H.B. 123 of the 177  
129th General Assembly, as amended by Am. Sub. H.B. 487 of the 178  
129th General Assembly, is hereby repealed. 179

**Section 5.** Law contained in the Main Operating Appropriations 180  
Act of the 130th General Assembly that applies generally to the 181  
appropriations made in that act also applies generally to the 182

appropriations made in this act. 183

**Section 6.** The provisions of law contained in this act, and 184  
their applications, are severable. If any provision of law 185  
contained in this act, or if any application of any provision of 186  
law contained in this act, is held invalid, the invalidity does 187  
not affect other provisions of law contained in this act and their 188  
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