



Ohio Legislative Service Commission

Bill Analysis

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H.B. 331

128th General Assembly
(As Introduced)

Reps. Hagan, Yuko, Stewart, Foley, Ujvagi, Boyd, Domenick, Koziura, Skindell, Phillips, Brown, Harris, Murray

BILL SUMMARY

- Requires that applications for the Children's Health Insurance Program (CHIP), Medicaid, Ohio Works First, and Supplemental Nutrition Assistance Program (SNAP) include the name and address of each employer of (1) the applicant and (2) each individual whose income is counted in determining the applicant's eligibility.
- Requires the Director of Job and Family Services to complete quarterly reports specifying (1) the name and address of each employer that employ 50 or more employees who are recipients of, or individuals whose incomes are counted in determining eligibility for, CHIP, Medicaid, Ohio Works First, or SNAP, (2) the number of such employees employed in the previous quarter by each employer specified in the report, and (3) the total cost to the state for the previous quarter of providing benefits under any of those programs to employees of each of the employers specified in the report.
- Requires the Director of Development, Controlling Board, and Tax Credit Authority to consider the information included in the quarterly reports when determining whether to grant an employer a contract, award, subsidy, or incentive or to approve such a contract, award, subsidy, or incentive.
- Requires the Director of Job and Family to make the quarterly reports available on a searchable internet web site and to include information regarding the impact the quarterly reports have on decisions regarding contracts, awards, subsidies, and incentives on the web site.

CONTENT AND OPERATION

Application forms to include employer information

(R.C. 5101.87 (primary), 5101.54, 5107.12, and 5111.013)

The bill requires that application forms for certain public assistance programs provide for the applicant to specify the name and address of each employer¹ of both of the following:

- The applicant;
- Each individual whose income is to be counted in determining the applicant's eligibility for the public assistance program for which the applicant applies.²

The Children's Health Insurance Program (CHIP), Medicaid, Ohio Works First, and the Supplemental Nutrition Assistance Program (SNAP) are the public assistance programs whose applications must include the employer information.

CHIP is a health-care program for uninsured, low-income children. The program is funded with federal and state funds and counties incur certain administrative costs. It was established by Congress in 1997 as Title XXI of the Social Security Act. State law provides for CHIP to have three parts. CHIP Part I covers uninsured individuals under age 19 with family incomes not exceeding 150% of the federal poverty guidelines. CHIP Part II covers uninsured individuals under age 19 with family incomes above 150% but not exceeding 200% of the federal poverty guidelines. CHIP Part III covers individuals under age 19 with family incomes above 200% but not exceeding 300% of the federal poverty guidelines.

¹ For purposes of the bill, "employer" is defined as any individual, sole proprietorship, partnership, limited liability company, corporation, or other entity doing business in Ohio and any entity controlled by or affiliated with such an individual or entity. Whether an entity is controlled by or affiliated with an individual or entity doing business in this state is to be determined by applying the principles set forth on January 1, 1993, in the federal Internal Revenue Code, except that a voting power of 51% is to be applied to the determination of control or affiliation.

² In addition to enacting a new Revised Code section that requires the applications to include employer information, the bill amends current law that concerns the applications for the Supplemental Nutrition Assistance Program, Ohio Works First, and the Healthy Start component of Medicaid to expressly require that the applications for those programs comply with the employer information requirement. There is not a similar current law to amend regarding the application for the Children's Health Insurance Program.

Medicaid is a health-care program for low-income children and families and aged, blind, and disabled persons. The program is funded with federal and state funds and counties incur certain administrative costs. It was established by Congress in 1965 as Title XIX of the Social Security Act.

Ohio Works First is one of the state's Temporary Assistance for Needy Families (TANF) programs. Participants of Ohio Works First receive time-limited cash and other assistance and must comply with work and other requirements. It is funded with federal, state, and county funds. State law creating Ohio Works First was enacted in 1997 following enactment of the federal Personal Responsibility and Work Opportunity and Reconciliation Act of 1996, which created the TANF block grant as Title IV-A of the Social Security Act.

SNAP is the statutory name for the Food Stamp Program. Its purposes are to alleviate hunger and malnutrition by assisting low-income households obtain a more nutritious diet through normal channels of trade and to promote the distribution of the nation's agricultural abundance in a beneficial manner that strengthens the agricultural economy.³ It is primarily funded with federal money but the state and counties incur certain administrative costs. The program has existed continuously since 1964 although similar programs were enacted at various times previously. Its name was officially changed from the Food Stamp Program to SNAP with the enactment of the Food and Nutrition Act of 2008.

Quarterly reports identifying employers

(R.C. 5101.871)

The bill requires the Director of Job and Family Services to quarterly complete a report specifying certain information. Each quarterly report must specify all of the following:

- The name and address of each employer that employed 50 or more employees who, while employed by the employer in Ohio during the previous quarter, were recipients of, or individuals whose incomes were counted in determining eligibility for, CHIP, Medicaid, Ohio Works First, or SNAP;
- The number of such employees employed in the previous quarter by each employer specified in the report;

³ 7 U.S.C. 2011.

- The total cost to the state for the previous quarter of providing benefits under CHIP, Medicaid, Ohio Works First, or SNAP to employees of each of the employers specified in the report, specified separately for each employer.

The bill expressly makes the quarterly reports a public record under the state's Public Records Law. The reports, though, are prohibited from including identifying information about any employees who are recipients of, or individuals whose incomes are counted in determining eligibility for, CHIP, Medicaid, Ohio Works First, or SNAP.

The Director of Job and Family Services is required to provide a copy of the quarterly reports to all of the following:

- Each member of the General Assembly;
- The Director of Development;
- The Director of Budget and Management or, if the Director designates an employee of the Office of Budget and Management to serve on the Controlling Board in the Director's place, the designated employee;
- Each member of the Tax Credit Authority.

The Director of Development, members of the Controlling Board,⁴ and members of the Tax Credit Authority are required to consider the information included in the quarterly reports when determining whether to grant an employer a contract, award, subsidy, or incentive or to approve such a contract, award, subsidy, or incentive. And, they are to notify the Director of Job and Family Services of the impact the quarterly reports have on decisions regarding contracts, awards, subsidies, and incentives.

The Director of Job and Family Services is required to make the quarterly reports available on a searchable internet web site beginning not later than one year after the bill's effective date. The internet web site must include information provided by the Director of Development, Controlling Board, and Tax Credit Authority regarding the impact the quarterly reports have on decisions regarding contracts, awards, subsidies, and incentives.

⁴ The Controlling Board consists of six members of the General Assembly and the Director of Budget and Management or an employee of the Office of Budget and Management who the Director designates to serve in the Director's place (R.C. 127.12).

HISTORY

ACTION

DATE

Introduced

10-27-09

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