



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: H.B. 158 of the 131st G.A. (LSC 131 0712-1) **Date:** December 8, 2015
Status: In House Health and Aging **Sponsor:** Reps. Dever and Howse

Local Impact Statement Procedure Required: No

Contents: Replaces provisions containing the term "mental retardation" and its derivatives with corresponding provisions containing the term "intellectual disability" and its derivatives and specifies that an intellectual disability is a form of developmental disability

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

Detailed Fiscal Analysis

The bill replaces the term "mental retardation" and its derivatives within the Ohio Revised Code with the term "intellectual disability" and its derivatives. The bill specifies that an intellectual disability is a form of developmental disability. The bill also replaces current law provisions that refer to both mental retardation and other developmental disabilities with provisions that refer only to developmental disabilities. In addition, the bill modifies the criteria by which a person could be determined to have a moderate level of intellectual disability and be subject to institutionalization by court order. The bill conforms terms in the Ohio Revised Code with terms used in federal law. The bill should have no fiscal effect for the Department of Developmental Disabilities or county boards of developmental disabilities.

Synopsis of Fiscal Effect Changes

The substitute bill (LSC 131 0712-1) incorporates "intellectual disability" into the definition of "developmental disability." The substitute bill replaces current law provisions that refer to both mental retardation and other developmental disabilities with provisions that refer only to developmental disabilities. In addition, the substitute bill modifies the criteria by which a person could be determined to have a moderate level of intellectual disability and be subject to institutionalization by court order. The substitute bill specifies that the determination is to be made based on a finding that a person has (1) at least moderate deficits in overall functioning, as measured by a full-scale quotient test, and (2) at least moderate deficits in adaptive behavior, as determined in accordance with criteria established in the fifth edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association. The As Introduced version of the bill provides that the determination is to be made based on the standard measurements recorded in "Intellectual Disability: Definition, Classification, and Systems of Supports." The changes included in the substitute bill should have no fiscal effect.

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