



## Ohio Revised Code

### Section 5123.38 Effect of transfer from supported services to commitment to ICF/IID.

Effective: September 29, 2017

Legislation: House Bill 49 - 132nd General Assembly

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(A) Except as provided in division (B) of this section, if an individual is committed to a state-operated ICF/IID pursuant to sections 5123.71 to 5123.76 of the Revised Code, the county board of developmental disabilities of the county from which the individual was ordered institutionalized is responsible for the nonfederal share of medicaid expenditures for the individual's care in the state-operated ICF/IID. The department of developmental disabilities shall collect the amount of the nonfederal share from the county board by either withholding that amount from funds the department has otherwise allocated to the county board or submitting an invoice for payment of that amount to the county board.

(B) Division (A) of this section does not apply under either of the following circumstances:

(1) Not later than one hundred eighty days after the date of the commitment of an individual, the county board arranges for the provision of alternative services for the individual, and the individual is discharged from the ICF/IID.

(2) The director of developmental disabilities, after determining that circumstances warrant granting a waiver in an individual's case, grants the county board a waiver that exempts the county board from responsibility for the nonfederal share for that case.

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