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**Ohio Speech & Hearing Governmental Affairs Coalition
Legislative Activities Report
September 2016**

Despite lawmakers breaking for summer recess to focus on campaigns, those on Capitol Square have already started planning for their return in November, after the General Election. When legislators return after the November 8th election they will begin what is referred to as, lame duck session. This period is known to be extremely hectic as legislators attempt to pass as much legislation as possible before the 131st General Assembly comes to a close at the end of the year.

On the Medicaid front, the federal Centers for Medicare and Medicaid Services (CMS) recently rejected a proposed waiver that would have allowed Ohio to charge premiums to certain Medicaid recipients. CMS's rejection of the "Healthy Ohio" waiver comes after months of opposition from various groups who argued that the plan would be harmful to the health of hundreds of thousands of Ohioans who would be unable to pay the premiums. The program, which was included in the biennial budget bill (HB 64), would have required roughly 600,000 Medicaid recipients, to make contributions into modified health savings accounts. The contributions, which would be capped at \$99, would be used for co-pays. Advocates pushed for the plan as a way to require Medicaid recipients to be more active in their care. CMS sided with opponents and rejected the plan on the grounds that it would lead to people losing coverage for missing payments. After the decision, the Ohio Department of Medicaid announced that it will continue to work with the General Assembly on policies that encourage personal responsibility.

Also on the Medicaid front, we have a probable resolution on the MSP/prescription issue. As you will recall, earlier this year it was announced that all OT, PT, SLP and AuD services under an IEP would need a prescription from a physician, APN, or PA in order to be reimbursed under the MSP. This went into effect on August 1, 2016; however, Ohio Medicaid has requested a delay in implementation and, even though they have not received word back from CMS on that request, they are operating like they have been approved to delay implementation. That said, most

school districts are proceeding with the start of the school year as if the prescription requirement is not in place.

In mid-August, a tentative agreement was reached with Ohio Medicaid, which would amend language into a currently pending bill (HB 89) in order to solve the problem by making it possible for OTs, PTs, SLPs and AuDs to “order, refer and prescribe” their own services for Medicaid students with IEPs. This will eliminate the need for a physician prescription. The language that will be amended into HB 89 will be something like this: “For the purposes of the Medicaid Schools Program, PTs, OTs, SLPs and AuDs may provide ordering, referring and prescribing services to IEP students who are Medicaid eligible.” The goal is to get this amendment in and the bill passed before the end of this year. Thus, far there appears to be support from the necessary legislative leaders to make that happen.

Another issue on the education front involves our continued work with other related services providers on a solution for shortages in the schools. Each of the participating related service provider groups has come up with its own list of possible solutions. We are now in the process of comparing those lists to see where are ideas find common ground. As a next step, we will ask our partners at ODE, the Department of Higher Education, the school administrators and the ESCs how they think those solutions might be implemented. Finally, we will be drafting a legislative/policy proposal for consideration by legislators and administrative policy makers. We hope to be able to move forward on all of that when the new General Assembly convenes in January.

On the audiology front, GAC submitted comments to OOD regarding its hearing aid purchasing proposal. By way of summary, we commented that, although OOD claims to be following Medicaid policy, there are several inconsistencies that make the new policy at best confusing and at worst unworkable. In addition, we reminded OOD that very few providers continue to be willing to serve the Medicaid population because of the hassle and low reimbursement rate; accordingly, we surmise that OOD will find the same hold true in following Medicaid policy and rates such that they may find that they do not have a sufficient number of providers willing to participate in the BVR program. OOD has said that they are considering our comments and will determine whether or not they need to revise or clarify their proposal.

The House recently swore in a pair of new legislators. Former Bowling Green City Council member Theresa Gavarone was sworn into the 3rd House District seat, while former Waterville mayor Derek Merrin was installed to represent the 47th House District. The House chose Ms. Gavarone to replace former Representative Tim Brown (R-Bowling Green), who resigned this summer to lead the Toledo Metropolitan Area Council of Governments. Mr. Merrin will replace Rep. Barbara Sears (R-Maumee), who left this summer for a job with the governor’s Office of Health Transformation. Both Gavarone and Merrin will face Democratic challengers in November.

Ohio's unemployment rate fell to 4.8% in July, down from 5% in June according for figures from the Department of Job and Family Services. The national unemployment rate in July was 4.9%, the same as the previous month but down from 5.3% a year before.

We have been tracking the following legislation that has been introduced in the 131st General Assembly:

HB64 OPERATING BUDGET (SMITH R) To make operating appropriations for the biennium beginning July 1, 2015, and ending June 30, 2017, and to provide authorization and conditions for the operation of state programs.

Current Status: 6/30/2015

SIGNED BY GOVERNOR

Eff. 6/30/15; certain provisions effective 9/29/15, other dates

HB89 MEDICAID SCHOOL PROGRAM (DEVITIS A) Regarding the Medicaid School Program.

Current Status: 5/17/2016

Referred to the Senate Education Committee

HB98 CHILDHOOD APRAXIA OF SPEECH AWARENESS DAY (BROWN T) To designate May 14 as "Childhood Apraxia of Speech Awareness Day."

Current Status: 2/14/2016

SIGNED BY GOVERNOR

Eff. 5/17/16

HB109 STATE HEALTH BENEFIT EXCHANGE (STINZIANO M, ANTONIO N) To create the Ohio Health Benefit Exchange.

Current Status: 4/28/2015

House Insurance Committee

First Hearing

HB157 HEALTH INSURANCE-MEDICAID (BUTLER, JR. J, JOHNSON T) To revise the laws governing health insurance coverage, medical malpractice claims, the Medicaid program, health care provider discipline, and required and permitted health care provider disclosures; and to create the Nonstandard Multiple Employer Welfare Arrangement Program and to terminate that program after five years.

Current Status: 5/5/2015

House Insurance Committee

Second Hearing

HB184 MUSIC THERAPY LICENSING (DOVILLA M, ANTONIO N) To require the licensure of music therapists and to require the State Medical Board to regulate the licensure and practice of music therapists.

Current Status: 4/19/2016

House Commerce and Labor Committee

Third Hearing

HB213 OCCUPATIONAL LICENSE RENEWAL (BRINKMAN T) To make occupational licenses subject to annual renewal become biennial licenses and to permit a licensee to take continuing education courses online.

Current Status: 4/19/2016

House Commerce and Labor Committee
Fourth Hearing

HB350 AUTISM TREATMENT-COVERAGE (GROSSMAN C, TERHAR L) To mandate coverage of autism treatment.

Current Status: 5/25/2016

REPORTED OUT

House Government Accountability and Oversight Committee
Fifth Hearing

HB431 DAY DESIGNATION (SHEEHY M, PATTERSON J) To designate February 17th as "Annie Glenn Communication Disorders Awareness Day."

Current Status: 5/31/2016

SIGNED BY GOVERNOR

Eff. 8/31/16

HB483 MBR-DEVELOPMENTAL DISABILITIES (AMSTUTZ R) To modify programs administered by the Department of Developmental Disabilities to modify certain laws pertaining to tax levies for developmental disabilities, to modify certain laws regarding ABLE savings accounts and Ohio's disability savings account program, to designate October as "Disability History and Awareness Month," to make an appropriation.

Current Status: 7/13/2016

SIGNED BY GOVERNOR

Eff. 10/12/16

HB488 CIVIL LIABILITY-VOLUNTEER HEALTH CARE (SPRAGUE R) To modify the qualified immunity from civil liability for volunteer health care services provided to indigent and uninsured persons and to permit health care professionals to earn continuing education credit by providing volunteer health care services to indigent and uninsured persons.

Current Status: 4/26/2016

House Judiciary Committee
First Hearing

HB523 MEDICAL MARIJUANA (HUFFMAN S) To authorize the use of marijuana for medical purposes and to establish the Medical Marijuana Control Program.

Current Status: 6/8/2016

SIGNED BY GOVERNOR

Eff. 9/8/16

- SB3 HIGH PERFORMING SCHOOL DISTRICT EXEMPTION** (HITE C, FABER K) To exempt high-performing school districts from certain laws.
Current Status: 1/27/2016
House Education Committee
Fourth Hearing
- SB17 MEDICAID ELIGIBILITY** (CAFARO C) To require the Medicaid program to cover the eligibility expansion group authorized by the Patient Protection and Affordable Care Act and to make an appropriation.
Current Status: 2/11/2015
Senate Medicaid Committee
First Hearing
- SB32 MEDICAID COVERAGE-TELEMEDICINE** (TAVARES C) Regarding insurance and Medicaid coverage of telemedicine services.
Current Status: 3/25/2015
Senate Medicaid Committee
First Hearing
- SB72 MEDICAID-PROMPT PAYMENT** (TAVARES C) To specify that the Ohio prompt payment law applies to payment of claims by Medicaid managed care organizations.
Current Status: 3/25/2015
Senate Medicaid Committee
First Hearing
- SB86 NOT-FOR-PROFIT QUARTER AUCTIONS** (GARDNER R) To permit charitable organizations to conduct not-for-profit quarter auctions.
Current Status: 4/14/2015
Senate Finance Committee
First Hearing
- SB90 HEALTH CARE WORKER-IDENTIFICATION** (TAVARES C) To require that a health care professional wear identification when providing care or treatment in the presence of a patient.
Current Status: 11/18/2015
Senate Health and Human Services Committee
First Hearing
- SB94 MEDICAID SCHOOL PROGRAM** (BACON K, LEHNER P) Regarding the Medicaid School Program.
Current Status: 3/25/2015
Senate Medicaid Committee
First Hearing
- SB98 HEARING AID-COVERAGE** (BROWN E) To require health insurers to offer coverage for hearing aids.

Current Status: 3/24/2015
Senate Insurance Committee
First Hearing

SB208 STATE INCOME TAX (BEAGLE B) To make technical changes to the state income tax law, to modify the requirements for receiving the joint filing credit.

Current Status: 11/15/2015

SIGNED BY GOVERNOR

Eff. 2/15/16; certain provisions effective 11/15/15

SB268 STATUTE OF LIMITATIONS-EMPLOYER (SEITZ B) To modify Ohio civil rights laws related to employment and the statute of limitations for other specified claims against an employer.

Current Status: 5/18/2016

Senate Civil Justice Committee
Second Hearing

SB292 IMMUNITY-VOLUNTEER HEALTH SERVICES (LEHNER P) To modify the qualified immunity from civil liability for volunteer health care services provided to indigent and uninsured persons and to permit health care professionals to earn continuing education credit by providing volunteer health care services to indigent and uninsured persons.

Current Status: 4/20/2016

Senate Civil Justice Committee
First Hearing