



GOVERNMENTAL POLICY GROUP, INC.

17 SOUTH HIGH STREET - SUITE 245

COLUMBUS, OHIO 43215-3413

PHONE: 614-461-9335

FAX: 614-461-9336

**Ohio Speech and Hearing GAC
Legislative Activities Report
November 2017**

Lawmakers have returned to session and, with a brief break for Thanksgiving, are not expected to recess again until the winter holidays, setting the stage for an extremely active month and a half at the Statehouse. Lawmakers continue to debate the fate of the governor's line-item vetoes from HB 49. While the vetoes remain pending and can be overridden at any time, leaders in both chambers have indicated that they may decide to pursue amendments in separate bills to address the vetoes as oppose to voting to override them.

Outside of the legislature, Ohio Medicaid continues work on its SGD rule. Its plan is to have the rule in place by April 1, 2018. In order to make that date work, ODM must file the rule with JCARR by Friday, January 12, 2018. **If** the rule is proposed on this date, the public hearing is required to be held between Monday, February 12, 2018 and Wednesday, February 21, 2018. GAC is still watching the rule carefully, particularly as it relates to iPad use and denials of other devices in favor of iPads. In addition, GAC needs to review the SGD rule appendix to analyze the inclusion of SGD codes. Finally, GAC will need to look closely at changes to the hearing aid battery parameters, which are also included in the proposed SGD appendix.

GAC met recently with Gregg Thornton, executive director of the OBSLPA. Mr. Thornton provided an update on the status of the merger of the OBSLPA with the HAD Board. The new board will be called the Speech and Hearing Professionals Board. The transition is well underway with the two Boards working together to make sure service to licensees and consumers will not be disrupted. The new SHP Board will take effect on January 21, 2018. Between now and then, new board members will be named. Then that new Board will meet on January 22nd to organize its operations and hire an executive director. All of the current Board members remain interested in serving on the new Board and had to reapply in order to be considered for the appointment. Similarly, Gregg Thornton remains very interested in serving as the executive director for the new Board.

One of the first policymaking efforts for the new Board will be to finish work on draft audiology assistant rules. The Board accepted comments on the proposed draft through early October. It did not receive any comments or concerns that would cause the Board to stop its progress on the project. The comments will however help to further refine the rule draft. It is important to note that the rule draft will be the second step in this process as it moves forward. The first, required step is to pass legislation creating the license for audiology assistants and giving the Board the authority to promulgate rules to allow for the licensure.

On the education front, GAC heard back recently from the new head of the Office of Exceptional Children at ODE, Kim Monachino. Ms. Monachino indicated that she is in the process of creating the related services providers workgroup that was mandated by HB 49. She indicated that she hopes to utilize GAC members' depth of experience on this important workgroup.

Separately, ODE is looking to revise its preschool special education rules (see separate attachment). These rules will be before the State Board of Education for introduction on November 13. They are out for public comment now (through December 2) on the ODE website: <http://education.ohio.gov/About/Ohio-Administrative-Code-OAC-Rule-Comments>. GAC will need to carefully review these rules as they may impact preschool caseloads.

State Senator Cliff Hite (R-Findlay) recently resigned from the Ohio Senate, leaving an opening in the 1st Senate District. Senate President Larry Obhof announced the resignation took effect immediately and his caucus is currently in the process of finding a replacement to fill the seat. The Senate district consists of three House seats currently being held by Reps. Robert Sprague, Rob McColley and Craig Riedel – all Republicans who could be considered potential replacements.

Ohio's statewide office races are starting to take shape as two Republican primary contenders recently dropped out of the running. Rep. Dorothy Pelanda announced she will be exiting the secretary of state's race, clearing the way for Senator Frank LaRose to secure the party's nomination. Franklin County Auditor Clarence Mingo ended his campaign for state treasurer, and instead backed Rep. Robert Sprague for the Republican nomination.

The race for governor became a bit more crowded as Ohio Supreme Court Justice Bill O'Neill became the most recent Democrat hoping to replace term-limited Republican Governor John Kasich. O'Neill was elected to the Supreme Court in 2012, and is one of only two elected statewide Democrats – the other being U.S. Senator Sherrod Brown. O'Neill now joins a crowded field of Democrats, including state Sen. Joe Schiavoni, former state Rep. Connie Pillich, Dayton Mayor Nan Whaley and former U.S. Rep. Betty Sutton.

On the federal level, Congressman Pat Tiberi, who has represented portions of central Ohio in Congress since 2000, announced he will not be seeking reelection and will instead take a position at the Ohio Business Roundtable. Tiberi, 54, was elected to the House in 2000, replacing

John Kasich, who had once hired him as an aide in Kasich's congressional office in Columbus. Tiberi, who grew up in Columbus, also served four terms in the Ohio House in the 1990s.

The state's unemployment rate was 5.3 percent in September, a slight decrease from the 5.4 percent posted in August. The state added 10,500 jobs over the month. The U.S. unemployment rate for September continues to out-perform Ohio, coming in at just 4.2 percent, down from 4.9 percent a year ago.

We have been tracking the following legislation during the 132nd General Assembly:

HB49 **OPERATING BUDGET (SMITH R)** Creates FY 2018-2019 main operating budget.

Current Status: 8/22/2017 - Consideration of Governor's Veto

HB51 **DEPARTMENT REVIEW SCHEDULE (FABER K)** To require standing committees of the General Assembly to establish a schedule for the periodic review and sunset of state departments that are currently in the Governor's cabinet, and to require that Auditor of State performance audits be scheduled to coincide with the periodic review.

Current Status: 5/16/2017 - **REPORTED OUT AS AMENDED**, House State and Local Government, (Fourth Hearing)

HB75 **PROFESSIONAL LICENSURE-ARMED FORCES (GAVARONE T, MERRIN D)** To establish an expedited process to grant a professional license to an individual who is on active duty as a member of the armed forces of the United States, or is the spouse of such an individual, and holds a valid license in another state.

Current Status: 3/15/2017 - House Armed Services, Veterans Affairs and Homeland Security, (Second Hearing)

HB85 **ENTER HEALTH CARE COMPACT (RETFERFORD W)** To enter into the Health Care Compact.

Current Status: 3/7/2017 - House Federalism and Interstate Relations, (First Hearing)

HB98 **CAREER INFORMATION FOR STUDENTS (DUFFEY M, BOGGS K)** Regarding the presentation of career information to students.

Current Status: 10/10/2017 - **REPORTED OUT**, House Education and Career Readiness, (Fourth Hearing)

- HB115** **DATABASE-PERSONS WITH COMMUNICATION DISABILITY**
(GAVARONE T, WIGGAM S) To establish a database of persons who voluntarily register as being diagnosed with a communication disability or who voluntarily register a minor child or ward as the parents or guardians of such persons for purposes of law enforcement notification.
Current Status: 6/6/2017 - Senate Government Oversight and Reform,
(First Hearing)
- HB131** **PHYSICAL THERAPY LAWS** (GAVARONE T, REINEKE W) To modify the laws governing the practice of physical therapy.
Current Status: 11/1/2017 - **SUBSTITUTE BILL ACCEPTED**, House Health , (Fourth Hearing)
- HB150** **LICENSE PLATE CREATION** (PATMON B) To create a special license plate for hearing-impaired individuals.
Current Status: 6/7/2017 - House Transportation and Public Safety,
(Second Hearing)
- HB262** **INDEPENDENT BUDGET PROCESS** (BUTLER, JR. J, ROMANCHUK M) To provide for the preparation of a state biennial budget independent of that submitted by the Governor and to authorize the Legislative Service Commission, upon the request of the Speaker of the House of Representatives or the President of the Senate, to arrange for an independent actuarial review of a proposed bill, specified analyses of economic policy initiatives and state benchmarking data, and a study of the state's long-range financial outlook.
Current Status: 6/20/2017 - Referred to Committee House Government Accountability and Oversight
- HB280** **MOTORCYCLE EARPLUGS** (GOODMAN W) To permit a person to wear earplugs for hearing protection while operating a motorcycle.
Current Status: 11/8/2017 - House Transportation and Public Safety,
(Second Hearing)
- HB289** **OCCUPATIONAL LICENSING REVIEW** (HOOD R, MCCOLLEY R) To establish a statewide policy on occupational regulation, to require standing committees of the General Assembly to periodically review occupational licensing boards regarding their sunset, to require the Common Sense Initiative Office to review certain actions taken by occupational licensing boards, and to require the Legislative Service Commission to perform assessments of occupational licensing bills and state regulation of occupations.

Current Status: 10/17/2017 - House Government Accountability and Oversight, (First Hearing)

HCR5 **SUPPORT AFFORDABLE CARE ACT (SYKES E)** To urge the Congress of the United States, and in particular the Ohio Congressional delegation, to support the preservation of the Patient Protection and Affordable Care Act of 2010.

Current Status: 2/28/2017 - Referred to Committee House Insurance

HCR6 **REPEAL AFFORDABLE CARE ACT (GOODMAN W, FABER K)** To urge congress to continue its efforts to fully repeal the affordable care act and to recommend that future federal health care policies restore power to the states, fund the Medicaid program through block grants to individual states, and permit the sale of health insurance across state lines.

Current Status: 3/7/2017 - Referred to Committee House Government Accountability and Oversight

SB3 **WORKFORCE DEVELOPMENT (BEAGLE B, BALDERSON T)** To revise the laws governing the state's workforce development system, programs that may be offered by primary and secondary schools, certificates of qualification for employment, and the Opportunities for Ohioans with Disabilities Agency, and to designate the first week of May as In-Demand Jobs Week.

Current Status: 11/6/2017 - **SIGNED BY GOVERNOR**; Eff. 90 days

SB27 **DEAF HISTORY MONTH DESIGNATION (BEAGLE B)** To designate the period beginning March 13 and ending April 15 as "Ohio Deaf History Month."

Current Status: 10/19/2017 - **SIGNED BY GOVERNOR**; eff. 90 days

SB48 **HEARING IMPAIRED-DRIVING (WILLIAMS S)** To create a special license plate for hearing-impaired individuals and to require the registrar to include an identifying symbol on a driver's license, commercial driver's license, or state-issued identification card of a hearing-impaired individual, if requested.

Current Status: 3/7/2017 - Senate Local Government, Public Safety and Veterans Affairs, (First Hearing)

SB59 **BICYCLE USE-HELMETS (SKINDELL M)** To require bicycle operators and passengers under 18 years of age to wear protective helmets when the bicycle is operated on a roadway and to establish the Bicycle Safety Fund to be used by the Department of Public Safety to assist low-income families in the purchase of bicycle helmets.

Current Status: 3/28/2017 - Senate Local Government, Public Safety and

Veterans Affairs, (First Hearing)

- SB79** **STATE DEPARTMENTAL REVIEW SCHEDULE** (JORDAN K) To require standing committees of the General Assembly to establish a schedule for the periodic review and sunset of state departments that are currently in the Governor's cabinet, and to require that Auditor of State performance audits be scheduled to coincide with the periodic review.
Current Status: 9/12/2017 - Referred to Committee House Government Accountability and Oversight
- SB91** **OHIO HEALTH CARE PLAN** (SKINDELL M, TAVARES C) To establish and operate the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents.
Current Status: 3/28/2017 - Senate Insurance and Financial Institutions, (First Hearing)
- SB93** **HEALTH INSURANCE-HEARING AIDS** (BROWN E) To require health insurers to offer coverage for hearing aids.
Current Status: 3/28/2017 - Senate Insurance and Financial Institutions, (First Hearing)
- SB99** **MEDICAID EXPANSION-NEW ENROLLMENT** (COLEY W) To prohibit the Medicaid program from newly enrolling individuals as part of the expansion eligibility group.
Current Status: 3/21/2017 - Senate Health, Human Services and Medicaid, (First Hearing)
- SB110** **HEALTH CARE PROFESSIONALS-IDENTIFICATION** (TAVARES C) To require a health care professional to wear identification when providing care or treatment in the presence of a patient.
Current Status: 4/26/2017 - Referred to Committee Senate Health, Human Services and Medicaid
- SB168** **MEDICAID EXPANSION** (JORDAN K) To prohibit the Medicaid program from covering the expansion eligibility group and to require aggregate General Revenue Fund appropriations for state agencies to be reduced by specified amounts for the biennium beginning July 1, 2017, and ending on June 30, 2019.
Current Status: 6/28/2017 - Referred to Committee Senate Finance
- SB174** **WAGE PROTECTIONS-FAIR ACT** (TAVARES C) To enact the "Fair and

Acceptable Income Required (FAIR) Act" and to revise the enforcement of the prohibitions against discrimination in the payment of wages.

Current Status: 9/7/2017 - Referred to Committee Senate Transportation, Commerce and Workforce

SB177 **VOLUNTEER HEALTH CARE-IMMUNITY (LEHNER P)** To expand the circumstances in which qualified immunity from civil liability applies with respect to volunteer health care services provided to indigent and uninsured persons.

Current Status: 9/26/2017 - Senate Judiciary, (First Hearing)