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**Ohio Speech and Hearing Governmental Affairs Coalition
Legislative Activities Report
November 2018**

All eyes this month turned to the 2018 General Election. Republicans were able to defend against strong Democrat opponents to retain control of all non-judicial statewide offices. At the top of the ticket, Mike DeWine defeated Democrat Richard Cordray by a 51-46% margin. GAC will be reaching out to the DeWine Transition Team to discuss policy concerns and cabinet director recommendations. The Governor-elect has named Laurel Dawson as his lead on cabinet appointments. Ms. Dawson was US Senator DeWine's chief of staff. Michael Hall, who currently oversees AG DeWine's special counsel section, will be working on policy issues through the transition. The inauguration takes place on January 14, 2019 and the deadline for the first budget proposal from the new DeWine administration is due nearly two months later in mid-March.

In other statewide races, current Republican State Auditor Dave Yost defeated former U.S. Attorney Steve Dettelbach for attorney general. Senator Frank LaRose defeated Democrat State Rep. Kathleen Clyde to become secretary of state. In the race for state auditor, Rep. Keith Faber defeated Democrat Zack Space. In the state treasurer's race, Rep. Robert Sprague held off Democrat Rob Richardson. While the ending margins were comfortable, none of the races were blowouts, with each separated by between about four and eight percentage points.

Democrats were successful in making gains on the state's highest court, winning both Ohio Supreme Court seats up for grabs this cycle. Justice Mary DeGenaro, a Republican appointed by Governor Kasich, was defeated by Eighth District Court of Appeals Judge Melody Stewart by 52-48%. In the other contest, Cuyahoga County Common Pleas Court Judge Michael Donnelly defeated Fifth District Court of Appeals Judge Craig Baldwin by over 20%.

Issue 1 failed by nearly a two-to-one margin. Opponents of the proposal – led by Ohio Supreme Court Chief Justice Maureen O'Connor and comprised largely of judges, prosecutors,

law enforcement officials and business organizations – took aim at the issue and were able to make their case without significant resources. The question now is whether policymakers will be incentivized to work toward sentencing reform proactively through the legislative process in order to avoid further constitutional amendments like Issue 1.

In the Ohio Senate, Republicans were able to increase their majority to 25-8 after Republican Michael Rulli defeated Democrat Rep. John Boccieri in the northeastern Ohio Senate seat currently held by Democrat Sen. Joe Schiavoni. Democrats did challenge a number of Republican strongholds including the 3rd Senate District, where Democrat Tina Maharath may have defeated Republican Rep. Anne Gonzales; votes are being recounted in this race. In the 5th Senate District, Rep. Steve Huffman overcame an early deficit to defeat Democrat Paul Bradley. Lastly, Rep. Andy Brenner narrowly defeated Democrat Louise Valentine in the typically conservative 19th Senate District.

Democrats in the Ohio House were able to chip away at the Republican majority, picking up five seats, but losing the 59th House District to Republican control, reducing their net gain to four seats (62-37). As many expected, the gains made by Democrats occurred in suburban Franklin County, where Democrats picked up three seats currently held by Republicans. In the 19th House District, Democrat Mary Lightbody beat Republican Tim Barhorst. Democrat Beth Liston defeated Republican Stu Harris for the 21st House District. In the 24th House District, Republican Erik Yassenoff lost to Democrat Allison Russo. In Northeast Ohio, Democrat Phil Robinson defeated Republican Jim Trakas in the 6th House District, currently represented by Rep. Marlene Anielski. In the 37th House District, currently held by Republican Kristina Roegner, Democrat Casey Weinstein eked out a win over Republican Mike Rasor. The Democrats did lose the 59th District, currently held by Rep. John Boccieri, as Republican Don Manning beat Democrat Eric Ungaro.

With the election in the rearview mirror, attention will turn toward the election for the next speaker of the Ohio House. Rep. Smith is expected to run again and all 32 incumbents who voted for him as speaker during the June election were reelected. At the same time, a handful of other Republicans elected have accepted financial support from the Ohio House Republican Organizational Committee (OHROC), signaling they too may support Smith in his bid for the gavel. On Rep. Householder's side, at least 22 Republicans elected or reelected have ties to the former speaker. Those include incumbents who voted for candidates other than Rep. Smith in the June election or those candidates who accepted contributions from Rep. Householder during their primary or general election campaigns against OHROC-backed candidates. At the same time, Rep. Householder's camp sustained some casualties. Candidates Trakas, Barhorst, Harris, Yassenoff, and Rasor in the 6th, 19th, 21st, 24th, and 37th districts were known Householder supporters before their defeats.

Lawmakers have returned to Columbus for lame duck session, which will be very active as Governor Kasich intends to push through numerous policy proposals before leaving office.

Both legislative houses also have substantial pieces of legislation pending in their chambers, which leaders have identified as priorities before the 132nd General Assembly ends at the end of the year. For GAC, we will be closely watching HB 557 (art therapy) and SB 255 (occupational licensure board renewals) in lame duck.

SB 255 has received increased interest from professional associations. As a result, the sponsor is looking at amendments that would delay the sunset of any board until the end of a fiscal year. He is also considering an amendment that extend the agency review timeline to once every six years. It is unclear if these changes will satisfy opponents, especially since it does nothing to address the national associations' certification concerns. Regardless, the bill is on track to pass before the end of session.

Outside of the general assembly, the Department of Health has proposed revisions to two rules:

- Rule 3701-40-06 (Hearing screening and equipment requirements for hospitals) outlines requirements for birthing hospitals only to ensure compliance to universal newborn hearing screening requirements;
- Rule 3701-40-08 (Diagnostic hearing evaluations) recommends protocols for diagnostic hearing evaluations of referred infants following non-pass screening results, clarifies reporting of diagnostic evaluation results to parents and to Ohio Department of Health.

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: 5/15/2018 - **REPORTED OUT**, House Federalism and Interstate Relations, (Second Hearing)

HB98 **CAREER INFORMATION FOR STUDENTS (DUFFEY M, BOGGS K)** Regarding the presentation of career information to students, the calculation of Ohio College Opportunity Grant awards, and career-technical educator licenses; to modify degree requirements for interim career-technical teachers; to provide an additional payment to school districts with nuclear power plants in their territories that meet specified criteria; and to modify the earmarked appropriations for certain payments to school districts.

Current Status: 3/30/2018 - **SIGNED BY GOVERNOR**; eff. 6/29/18

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: 5/2/2018 - **SIGNED BY GOVERNOR**; eff. 8/1/18

HB131 **PHYSICAL THERAPY LAWS (GAVARONE T, REINEKE W)** To modify the laws governing the practice of physical therapy.

Current Status: 6/26/2018 - Senate Health, Human Services and Medicaid, (Third 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: 1/30/2018 - House Government Accountability and Oversight, (Second Hearing)

HB382 **UNEMPLOYMENT COMPENSATION LAW (SCHURING K)** To modify terms describing payments made under the Unemployment Compensation Law, to increase the amount of wages subject to unemployment compensation premiums, to require qualifying employees to make payments to the Unemployment Compensation Insurance Fund, to allow the Director of Job and Family Services to adjust maximum weekly benefit amounts, to reduce the maximum number of benefit weeks, and to make other changes to the Unemployment Compensation Law.

Current Status: 3/21/2018 - House Government Accountability and Oversight, (Twentieth Hearing)

HB399 **HEALTH INSURANCE SAVINGS INCENTIVES (HENNE M, BUTLER, JR. J)** To enact the Ohio Right to Shop Act to require health insurers to establish shared savings incentive programs for enrollees.

Current Status: 6/6/2018 - House Health , (First Hearing)

HB440 **SINGLE-PAYER HEALTH CARE (FEDOR T, KENT B)** To establish and operate the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents.

Current Status: 1/31/2018 - House Insurance, (First Hearing)

HB465 **PRESCRIBED DRUGS BENEFIT-MEDICAID** (LIPPS S) To provide for the prescribed drugs benefit to be delivered under the Medicaid program through the fee-for-service system.

Current Status: 11/14/2018 - House Health , (Second Hearing)

HB491 **SUBSTITUTE TEACHERS-SPECIFIED SERVICES** (EDWARDS J) To require the State Board of Education to issue a substitute license to specified pupil services personnel.

Current Status: 6/7/2018 - **PASSED BY HOUSE**; Vote 86-2

HB529 **CAPITAL APPROPRIATIONS** (RYAN S) To make capital appropriations and changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020.

Current Status: 3/30/2018 - **SIGNED BY GOVERNOR**; eff. 6/29/18

HB546 **TELEMEDICINE-HEALTH BENEFIT PLANS** (PATTON T) To prohibit health benefit plans from treating telemedicine services differently from in-person health care services solely because they are provided as telemedicine services.

Current Status: 6/27/2018 - House Health , (Fourth Hearing)

HB557 **ART THERAPY LICENSURE** (ANIELSKI M) To require the licensure of art therapists and to require the Counselor, Social Worker, and Marriage and Family Therapist Board to regulate the licensure and practice of art therapists.

Current Status: 6/6/2018 - **REPORTED OUT AS AMENDED**, House Health , (Fifth Hearing)

HB583 **LOCAL OCCUPATIONAL LICENSING LIMITS** (HENNE M) To limit the occupational license and registration requirements and fees that a political subdivision may impose on state-regulated occupations, to establish a waiver exempting certain persons from paying occupational license or registration fees, and to revise the licensing restrictions applicable to individuals convicted of criminal offenses.

Current Status: 5/22/2018 - House Economic Development, Commerce and Labor, (First Hearing)

HB620 **REGULATION REDUCTION** (ROEGNER K, RIEDEL C) To require agencies to reduce the number of regulatory restrictions.

Current Status: 5/15/2018 - Referred to Committee House Government

Accountability and Oversight

- HB658** **CUSTODY-GENDER BASED TREATMENT** (BRINKMAN T, ZELTWANGER P) To prohibit a court from using a parent, guardian, or custodian's refusal to allow a child to undergo gender-based treatment as a basis for determining custody of the child.
Current Status: 6/20/2018 - House Community and Family Advancement, (First Hearing)
- HB716** **TEMPORARY LICENSING-MILITARY** (BUTLER, JR. J, PERALES R) To require state occupational licensing agencies, under certain circumstances, to issue temporary licenses or certificates to members of the military and spouses who are licensed in another jurisdiction and have moved to Ohio for active duty.
Current Status: 11/14/2018 - House Armed Services, Veterans Affairs and Homeland Security, (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: 4/11/2018 - House Insurance, (First Hearing)
- 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
- HJR4** **UNEMPLOYMENT COMPENSATION BONDS** (SCHURING K) To allow the General Assembly to provide by law for the issuance of bonds to pay unemployment compensation benefits when the fund created for that purpose is or will be depleted or to repay outstanding advances made by the federal government to the unemployment compensation program.
Current Status: 3/21/2018 - House Government Accountability and Oversight, (Twentieth Hearing)
- 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. 2/5/2018

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. 1/18/2018

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: 4/10/2018 - House Government Accountability and Oversight, (First Hearing)

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: 1/23/2018 - Senate Health, Human Services and Medicaid,
(First Hearing)

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: 11/14/2018 - Senate Transportation, Commerce and Workforce, (First Hearing)

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: 4/10/2018 - Senate Judiciary, (Second Hearing)

SB255 **OCCUPATIONAL LICENSING BOARDS REVIEW (MCCOLLEY R)** To require standing committees of the General Assembly to periodically review occupational licensing boards regarding their sunset, and to require the Legislative Service Commission to perform assessments of occupational licensing bills and state regulation of occupations.

Current Status: 11/15/2018 - House Federalism and Interstate Relations,
(First Hearing)

SB266 **CAPITAL BUDGET (OELSLAGER S)** To make capital appropriations and

changes to the law governing capital projects and to make reappropriations for the biennium ending June 30, 2020.

Current Status: 3/6/2018 - Senate Finance, (Third Hearing)

SB293 REDUCTION OF AGENCY REGULATIONS (PETERSON B, MCCOLLEY R) To require agencies to reduce the number of regulatory restrictions.

Current Status: 11/13/2018 - Referred to Committee House Government Accountability and Oversight

SB320 TEMPORARY LICENSES-MILITARY (BEAGLE B, LEHNER P) To require state occupational licensing agencies, under certain circumstances, to issue temporary licenses or certificates to members of the military and spouses who are licensed in another jurisdiction and have moved to Ohio for active duty.

Current Status: 11/14/2018 - Senate Transportation, Commerce and Workforce, (First Hearing)

SB321 REQUIRE DEPOSITS TO GRF (LAROSE F) To require state agencies to deposit all fines, penalties, and late fees into the state treasury to the credit of the General Revenue Fund unless the law specifically provides otherwise.

Current Status: 9/25/2018 - Referred to Committee Senate Finance