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**Ohio Speech & Hearing Governmental Affairs Coalition  
Legislative Activities Report  
January 2019**

Legislators put their finishing touches on the 132<sup>nd</sup> Ohio General Assembly in December, albeit later than expected as lawmakers held a rare session after the Christmas holiday to override vetoes issued by Governor Kasich. The legislature successfully overrode Governor Kasich's vetoes of SB 296, which included pay raises for legislators, and HB 228, which dealt with the use of force in self-defense. However, the final session day of the 132<sup>nd</sup> General Assembly will be best remembered for a failed veto override attempt to HB 258, the controversial "heartbeat bill." The House successfully overrode the veto; however, the vote failed in the Senate by just one vote.

Of specific interest to GAC was an amendment to HB 420, which made some much desired clean-ups to the OSHPB laws. The clean up was done at the request of the OSPHB and was necessitated by the merger of the OSLPA Board and the Hearing Aid Dealers Board. GAC along with the Hearing Healthcare Alliance assisted the Board in getting the language amended into HB 420, an unrelated vehicle. The language lines up licensure renewal timelines for the HADs and synchronizes the Board's subpoena authority, among other things. The Board was very happy to get this change made before the end of session.

Also of legislative interest to GAC, SB 255 passed the House and was signed by the Governor at the end of session. The bill take effect in 90 days. SB 255 creates a new system for licensure boards to validate their utility every six years. You will recall that, while GAC chose not to take a position on the bill, ASHA was very concerned about the impact of the bill on their certification revenue. Ultimately, the bill was amended to clarify that licensure statutes in Ohio can still reference and rely on third part certification processes.

It is important to note that neither art therapy nor music therapy legislation was passed in the 132<sup>rd</sup> General Assembly. While we are pleased with this outcome, we fully expect both to come back for reintroduction in the new General Assembly.

Moving on to the new session, after much anticipation, a sharply divided Ohio House used the first session of the 133<sup>rd</sup> General Assembly to elect a new leader, making Rep. Larry Householder the speaker for the second time in his career. Householder narrowly edged out Rep.

Ryan Smith in a 52-46 vote that divided both the Republican and Democratic caucuses. To reach the 52 votes, Householder had to count on over two dozen Democrat supporters, which is extremely rare in what is usually a routine, largely unanimous speaker vote. The House went six weeks without a speaker this past spring following then-Speaker Cliff Rosenberger's resignation. Rep. Smith was then elected speaker, but only after 11 rounds of voting, as he could never gain the support of the majority of the caucus.

Questions continue to surround who will lead the House Democratic caucus after the contentious speaker vote. In November, Democrats informally selected Rep. Fred Strahorn to lead the minority party. They also tentatively filled other leadership slots: Rep. Emilia Sykes, assistant minority leader; Rep. Brigid Kelly, minority whip; and Rep. Kent Smith, assistant majority whip. Strahorn and Kelly backed Smith for speaker, while Sykes and Kent Smith supported Householder. Accordingly, Reps. Strahorn and Kelly announced that they would resign from the leadership team at the end of January. Following shortly after that announcement, Rep. Emilia Sykes announced that she will be running for minority leader.

There was significantly less drama in the Senate as the Republican caucus voted to retain Sen. Larry Obhof as president. He will be joined by Sen. Bob Peterson as president pro tem. and Sen. Matt Huffman as majority whip. Sen. Randy Gardner was elected majority floor leader; however, he later joined the DeWine Administration, leaving this position open. Sen. Kenny Yuko was elected minority leader. Joining him are Sen. Cecil Thomas as assistant minority leader, Sen. Sean O'Brien as minority whip, and Sen. Sandra Williams as assistant minority whip.

Speaker Householder wasted little time announcing his top staff member, naming Jonathon McGee as chief of staff. McGee has more than 25 years of public and private sector experience, serving as deputy chief legal counsel under Governor George Voinovich and most recently serving as executive director of the Ohio Cable Telecommunications Association. McGee will also serve as majority caucus legal counsel, a position he held from 2001-2004 under Speaker Householder's prior stint as the chamber's leader.

Governor-elect Mike DeWine spent the past few weeks filling open positions in his administration. Of particular note, he tasked Jon Husted, his lieutenant governor, with leading the newly established InnovateOhio, which will focus on leveraging technology advancements to improve operations throughout state government. In addition to InnovateOhio, Mr. Husted also will lead workforce and development initiatives. As part of those duties, he will oversee the Common Sense Initiative, which in part reviews potential regulatory impacts on businesses, and have a leadership role in the Governor's Office of Workforce Transformation. Other cabinet appointments of interest to GAC include:

- Maureen Corcoran, Director of Medicaid;
- Jeff Davis, Director of the Ohio Department of Developmental Disabilities;
- Kevin Miller, Director of the Opportunities for Ohioans with Disabilities Agency; and
- Randy Gardner, Chancellor of the Ohio Department of Higher Education.

Director for the Ohio Department of Health and Superintendent of Public Instruction at ODE have not been named as of this writing.

As with the most recent General Assembly, the introduction of Governor-elect DeWine's first biennial operating budget will highlight the start of next session. While hundreds of bills will be introduced during the legislative session, none will impact state government more than the biennial budget bill. DeWine has until March to introduce the bill, and the legislature will spend months debating the measure. Ohio's Constitution requires that the budget be enacted by June 30<sup>th</sup>.

We tracked the following legislation during the 132<sup>nd</sup> 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:* 12/19/2018 - **SIGNED BY GOVERNOR**; eff. 90 days

**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:* 12/12/2018 - House Insurance, (Third 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, to make changes regarding the circumstances in which school treasurers may be held liable for a loss of public funds, to require school districts to adopt a policy for assignments completed in connection with a suspension, to revise school resource officer training course requirements, to permit the Counselor, Social Worker, and Marriage and Family Therapist Board to temporarily approve certain counselor education programs, and to extend alternative high school graduation pathways through the class of 2020.

*Current Status:* 12/19/2018 - **SIGNED BY GOVERNOR**; eff. 90 days

**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:* 12/12/2018 - Re-Referred to Committee

**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) 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:* 11/28/2018 - **PASSED BY HOUSE**; Vote 89-0, Bill Amended on Floor

**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)

**HJR19 MODIFY INITIATIVE PETITION PROCESS** (LATOURETTE S, HOLMES G) Proposing to amend Sections 1a, 1b, 1e, and 1g of Article II of the Constitution of the State of Ohio to modify the requirements for the initiative petition process.

*Current Status:* 12/12/2018 - House Government Accountability and Oversight, (Sixth 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:* 11/27/2018 - Senate Finance, (First Hearing)

**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 establish a statewide policy on occupational regulation, to allow an individual who has been convicted of a criminal offense to request a licensing authority to determine whether the individual is disqualified from receiving or holding a professional license based on conviction, to require standing committees of the General Assembly to periodically review occupational licensing boards regarding their sunset, to require the Legislative Service Commission to issue reports of occupational licensing bills and state regulation of occupations, to require the licensure of home inspectors, to create the Ohio Home Inspector Board to regulate the licensure and performance of home inspectors, to require realtors who recommend home inspectors to provide a list of home inspectors, to make changes in various laws regarding state boards, commissions, councils, and agencies and their regulation of certain professions or activities, and to regulate the practice of makeup artistry.

*Current Status:* 1/4/2019 - **SIGNED BY GOVERNOR**; eff. 90 days

**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:* 11/28/2018 - House Government Accountability and Oversight, (First Hearing)

**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:* 12/13/2018 - **PASSED BY SENATE**; Vote 31-0

**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