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**Ohio Speech & Hearing GAC
Legislative Activities Report
November 2019**

HB 243 had not had a hearing since sponsor testimony on October 1, 2019. The new Health Committee Chairman has been trying to work through a backlog of bills pending in the committee. Proponent testimony on HB 243 is likely in mid-December. Carrie Spangler has agreed to testify in person at that hearing, along with several other witnesses. Thus far, I have received and submitted written testimony in support of the bill from:

- Evan Murphy, 4th year AuD intern;
- Carlin Culbertson, parent;
- Christan Craft, parent;
- Carrie Block, parent;
- Teresa Farnham, M.A., CCC-SLP;
- Holle Anugst, President, OAA;
- Maggie Kettler, Au.D.;
- Linda Wellman, Ph.D., CCC-SLP;
- Laura Rickey, Au.D., CCC-A;
- Mark Jahnke;
- Lori Garland, Au.D.;
- Nancy A. Creaghead, Ph.D.; and
- Ian M. Windmill, Ph.D.

SB 238 was introduced in mid-November to license art and music therapists. The bill is sponsored by Senator Andrew Brenner (Delaware) and Senator Kenny Yuko (Cleveland). Unlike in past years, which saw separate bills on art and music therapy, SB 238 combines the two. The bill defines art therapy to “include therapeutic intervention to facilitate alternative modes of receptive and expressive communication and evaluation and assessment to define and implement art-based treatment plans to address cognitive, behavioral, developmental, and emotional needs.” The art therapists would be regulated by the Counselor, Social Worker and Marriage and family Therapy Board under the provisions of the bill. In order to practice art therapy, an individual would have to be at least 18, in good moral character and have at least a master’s degree from an art therapy program.

Separately, the SB 238 creates a separate new code section (4787) for music therapy. “Music therapy” is defined as the “clinical use of music interventions by a person to accomplish individualized goals within a therapeutic relationship through an individualized music therapy treatment plan developed for a client.” Music therapists would be licensed through the State Medical Board under the bill. This version of the bill does contain the provisions attempted to address our scope of practice concerns:

“(C) A licensee shall not do either of the following:

(1) When providing educational services pursuant to division (B)(4) of this section, replace speech and language services typically provided to a child with a disability who has been identified as having a speech or language impairment pursuant to section 3323.03 of the Revised Code;

(2) When providing rehabilitative services pursuant to division (B)(4) of this section, replace the services provided by a speech-language pathologist.

(D) Nothing in this section shall be construed as prohibiting a licensee from providing services to a client diagnosed with a communication disorder.”

Separately, several bills are still pending that would revise how licensure boards recognize licensees. First HB 263 would require licensure boards to review their regulations to ensure that any restriction to licensure based on a criminal conviction is rationally related to the skills required for the license. Sponsor Kyle Koehler (Springfield) is attempting to reduce collateral consequences of a conviction with the bill. A different licensure bill, HB 133, is pending in the Senate Transportation, Commerce and Workforce Committee. HB 133 would require state occupational licensing agencies, under certain circumstances, to issue temporary licenses or certificates to members of the military (and their spouses) who are licensed in another jurisdiction and have moved to Ohio for military duty. The licensing agency, at least annually,

would be required to verify the standing of a license or certificate that was issued by another state or jurisdiction for each individual to whom it has issued a temporary license or certificate. Finally, it was announced this week that a bipartisan set of sponsors in the House and the Senate plan to introduce a bill soon which would require Ohio to recognize out of state licenses in every instance. That bill has yet to be introduced or have any hearings.

Outside of the legislature, the Ohio Department of Education released the Related Services Workgroup Report on November 5, 2019. As you will recall, the FY 2018-2019 state budget bill (HB 49), established a related services personnel shortage working group. The Related Services Workgroup first convened in January 2018 with a mandate to improve the coordination of state, school, and provider efforts to address the related services needs of students with disabilities. The final recommendations of the Related Services Workgroup report, as well as a letter from Superintendent Paolo DeMaria are now posted on the ODE website. ODE has committed to sharing this report with the legislature in the coming weeks.

The report outlines five recommendations, each with multiple principles discussed:

- Recommendation 1: Ensure special education services are adequately funding as a part of the state funding formula;
- Recommendation 2: Adopt and implement methods to improve the recruitment and retention of individuals in all related services professions;
- Recommendation 3: Create a full-time position that the Department of Education to oversee related services;
- Recommendation 4: Conduct a review of the licensure structure currently used by the Department of Education as it applies to related services personnel; and
- Recommendation 5: Support a cultural shift with the goal that related services are viewed as part of a collaborative, student-driven, team-based approach to meet the needs of the whole child.

In addition to the report, a number of resources were created to help inform the education and broader communities about each of the related services areas. Those resources can be found here: <http://education.ohio.gov/Topics/Special-Education/Related-Services> GAC will need to develop a strategy to ensure that this work and its recommendations are implemented in the coming year by ODE,

Below is a list of legislation we are currently tracking for you during the 133rd Ohio General Assembly:

- HB115** **REGULATOR RESTRICTION REDUCTION** (RIEDEL C, ROEMER B) To require certain agencies to reduce the number of regulator restrictions and to amend the versions of sections 106.021 and 106.03 of the Revised Code that are scheduled to take effect August 18, 2019, to continue the provision of this act on and after that effective date.
Current Status: 4/10/2019 - House State and Local Government, (Second Hearing)
- HB129** **MOTORCYCLE-HEARING PROTECTION** (MCCLAIN R) To permit a person to wear earphones or earplugs for hearing protection while operating a motorcycle.
Current Status: 11/20/2019 - Senate Transportation, Commerce and Workforce, (Second Hearing)
- HB133** **MILITARY-TEMPORARY LICENSURE** (PERALES R, WEINSTEIN C) 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 military duty.
Current Status: 10/2/2019 - Senate Transportation, Commerce and Workforce, (First Hearing)
- HB166** **OPERATING BUDGET** (OELSLAGER S) To make operating appropriations for the biennium beginning July 1, 2019, and ending June 30, 2021, and to provide authorization and conditions for the operation of state programs.
Current Status: 7/18/2019 - **SIGNED BY GOVERNOR**; Eff. Immediately
- HB243** **HEARING AIDS COVERAGE** (WEINSTEIN C, RUSSO A) To require health plan issuers to cover hearing aids and related services for persons under twenty-two years of age.
Current Status: 10/1/2019 - **SUBSTITUTE BILL ACCEPTED**, House Health, (First Hearing)
- HB263** **OCCUPATIONAL LICENSING-CRIMINAL CONVICTIONS** (KOEHLER K) To revise the initial occupational licensing restrictions applicable to individuals convicted of criminal offenses.
Current Status: 11/6/2019 - House Commerce and Labor, (Third Hearing)

- HB290** **SEXUAL MISCONDUCT-HEALTH CARE PROFESSIONALS** (BOGGS K, CRAWLEY E) To prohibit unlawful sexual contact between health care professionals and patients and to revoke professional licenses for criminal misconduct.
Current Status: 6/25/2019 - Referred to Committee House Criminal Justice
- HB292** **UNIVERSAL HEALTH CARE COVERAGE** (SKINDELL M, KENT B) To establish and operate the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents.
Current Status: 9/10/2019 - House Health, (First Hearing)
- HB305** **SCHOOL FINANCING** (CUPP B, PATTERSON J) To create a new school financing system, and to make an appropriation.
Current Status: 11/20/2019 - House Finance, (Sixth Hearing)
- SB1** **REDUCE REGULATORY RESTRICTIONS** (MCCOLLEY R, ROEGNER K) To require certain agencies to reduce the number of regulatory restrictions and to continue the provision of this act on and after August 18, 2019.
Current Status: 6/12/2019 - House State and Local Government, (First Hearing)
- SB7** **TEMP STATE OCCUPATIONAL LICENSES-MILITARY** (LEHNER P, HACKETT R) Regarding temporary state occupational licenses for members of the military and their spouses.
Current Status: 11/13/2019 - Senate Appoints Managers; Senate Insists on its Amendments - M. Huffman, B. Hackett & N. Antonio Named as Senate Conferees
- SB14** **DRUG PRICE INFORMATION DISCLOSURE** (MAHARATH T) Regarding pharmacy benefit managers, pharmacists, and the disclosure to patients of drug price information.
Current Status: 4/3/2019 - Senate Insurance and Financial Institutions, (First Hearing)
- SB25** **MEDICAID WORK, EDUCATION REQUIREMENTS** (HUFFMAN M) Regarding work and education requirements for the Medicaid program.
Current Status: 3/20/2019 - Senate Health, Human Services and Medicaid, (Second Hearing)

- SB29** **MEDICAID COPAYMENTS (DOLAN M)** Regarding Medicaid copayment requirements.
Current Status: 2/19/2019 - Senate Health, Human Services and Medicaid, (Second Hearing)
- SB60** **ESTABLISH WAIVER-MEDICAID EXPANSION (BURKE D)** To establish a waiver component for the Medicaid expansion eligibility group and to abolish the Healthy Ohio Program.
Current Status: 3/6/2019 - Referred to Committee Senate Finance
- SB166** **UNLAWFUL SEXUAL CONTACT-HEALTH PROFESSIONALS (KUNZE S, CRAIG H)** To prohibit unlawful sexual contact between health care professionals and patients and to revoke professional licenses for criminal misconduct.
Current Status: 10/2/2019 - Senate Judiciary, (First Hearing)
- SB171** **17-DAY INTERIM BUDGET (DOLAN M, O'BRIEN S)** To enact a 17-day interim budget.
Current Status: 6/30/2019 - **SIGNED BY GOVERNOR;** Effective Immediately
- SB172** **30 DAY BWC BUDGET (DOLAN M, O'BRIEN S)** To make operating appropriations for the Bureau of Workers' Compensation for the period beginning July 1, 2019 and ending July 31, 2019.
Current Status: 6/30/2019 - **SIGNED BY GOVERNOR;** Effective Immediately
- SB238** **LICENSE ART THERAPISTS (YUKO K, BRENNER A)** To license and regulate art therapists and music therapists.
Current Status: 11/13/2019 - Introduced