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**Ohio Speech & Hearing GAC  
Legislative Activities Report  
January 2020**

The House wrapped up 2019 after a week packed with legislative activity. The Chamber passed 6 bills and accepted two conference committee reports (HB 2 & SB 7). The first scheduled House session date was January 28th, 2020. The Senate also advanced a handful of bills to the House for first consideration as senators worked to wrap up year-end business. The Senate returned for sessions on January 22<sup>nd</sup> and 29<sup>th</sup>.

In a year-end interview before the holiday break, Speaker Larry Householder described his first year back as speaker as a success and touted the chamber's bipartisanship on the operating budget and other priority bills. The speaker said he'd work to maintain communication and good relations with Democrats as 2020 gets underway. He also previewed several 2020 policy objectives, including working with the DeWine administration to identify needed fixes from the FY 20-21 operating budget (HB 166) and the forthcoming \$2.6 billion capital budget. Householder said he anticipates the capital appropriations bill to include around \$150 million for community projects.

**HB 243** has not had a hearing since sponsor testimony on October 1, 2019. You will recall that HB 243 mandates that private insurance (non-ERISA) plans cover hearing aids for children up to age 21. The coverage is for hearing aids up to \$2500/aid every 48 months. Right now, many commercial plans consider hearing aids "cosmetic" and therefore do not cover them. Hearings have been stalled while the Health Committee Chairman has been trying to work through a backlog of bills pending in the committee. Proponent testimony on HB 243 is currently scheduled for Tuesday, February 4<sup>th</sup>. Carrie Spangler has agreed to testify in person at that hearing, along with several other witnesses. In addition to the "in person" witnesses, we

have submitted written testimony from 14 other individuals. Student Academy of Audiology members plan to highlight this bill on the Statehouse Visit Day, scheduled for February 12, 2020.

**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. Thus far, the bill has only received sponsor testimony. GAC and ASHA have many concerns that this bill allows art and music therapists to do things that actually fall under the SLP or AuD scope of practice.

**SB 246**, legislation that would establish universal licensure reciprocity in Ohio, received its first hearing in the Senate General Government & Agency Review Committee. The measure is one of several pieces of legislation that would alter the occupational licensing laws in the state. Joint-sponsors Senators Kristina Roegner and Rob McColley described occupational licenses as “government permission slips” to do a certain job. While the sponsors acknowledged that occupational licenses are generally designed with the best of intentions—to protect consumers and ensure that trained professionals have a certain minimum level of skill and proficiency in their given occupation—they also require applicants to jump through a variety of time consuming and expensive hoops. Right now in Ohio, licensed workers coming from other states may have to repeat their education and training to work here, as a valid license in one state often will not easily transfer to a new state. This can create real hardships for those who cannot easily bear the costs of being re-licensed and can also reduce public access to trained professionals in underserved areas. SB 246 would allow existing licensing authorities to administer licenses and rules, but requires the boards to grant a license to an applicant with an existing out-of-state license if the following conditions are met:

1. The applicant holds an out-of-state license or government certification for the same profession or occupation and at the same level of practice for which they are applying
2. The applicant has held that license or certification for at least one year
3. The applicant is in good standing in all jurisdictions in which they are licensed to practice their profession
4. The applicant satisfied minimum education, training, or experience requirements or passed an exam to receive their out-of-state license
5. The applicant has not surrendered a license or had a license revoked because of negligence or intentional misconduct related to their occupation
6. The applicant is not disqualified from obtaining a license or certification because of criminal offenses

In the more controversial part of the bill, it provides a pathway for a scenario where Ohio licenses their profession, but their home state does not. In that circumstance, an applicant can also qualify for an Ohio occupational license if they have three years of experience at the same practice level, or a private certification and at least two years of experience at the same practice level. The Senators went on to emphasize the bipartisan support that occupational license reciprocity has garnered pointing to both the Obama and Trump administrations as having expressed support for occupational license reform in the past.

In Ohio, our Speech and Hearing Professionals Board already has reciprocity under ORC Chapter 4753.08. Since at least the 1990s, the Board has accepted someone's out-of-state license as an efficient pathway to licensure in Ohio as an AuD or SLP. This recognition and licensure for out-of-state individuals is without regard to the person's number of years of experience, as the bill proposes. In other words, by virtue of the person holding their license from their home state, they are automatically eligible for our Ohio license. And in fact, according to the Board, many out-of-state practitioners get their Ohio license this way.

Interestingly, all 50 states require licensure for AuD and SLP, and the educational requirements for these professions is at least a master's degree in communication sciences and disorders, speech-language pathology, or equivalent for SLP, and a doctor of audiology degree, e.g., AuD, for audiology or a master's degree in audiology obtained prior to January 1, 2006 under our grandfather provision. Accordingly, we do not have to be concerned about the provision of the bill that would allow someone unlicensed by another state to get reciprocity here with only equivalent professional experience.

SB 246 is being watched closely by the government relations team at ASHA. It is of interest to ASHA because of ASHA's desire for states to adopt the SLP-A interstate compact, which is akin to the reciprocity intended by the bill.

2020 will be a pivotal year for **elections** in Ohio. All 99 Ohio House seats and half of the 33 Ohio Senate seats will be up for election this year. This year's primary election is set for March 17th. Republican incumbents in the Senate will face off against Democratic challengers in a number of races as the minority party attempts to gain ground in the GOP-controlled chamber. The December 18th filing deadline shed light on a number of contested primaries on both sides, including a five-way Democratic contest in the 16th Senate District and three-way Republican primaries in the 4th and 6th Senate Districts. But, in plenty of other seats up for grabs, Republicans and Democrats are running unopposed in the primary, setting up a number of Republican vs. Democrat matchups as GOP incumbents look to defend against minority party challengers. Many House races appear poised to feature large primary fields after last month's filing deadline and Speaker Larry Householder says he won't rule out his caucus fund taking sides in contested GOP races.

Senator Theresa Gavarone will chair the **Joint Committee on Agency Rule Review** (JCARR) after being appointed by Senate President Obhof this month. The JCARR chairman position rotates each year between the two chambers. Representative Jamie Callender, who chaired the committee in 2019, will now serve as vice-chair. The committee consists of five State Representatives and five State Senators. JCARR's primary function is to review proposed new, amended, and rescinded rules from over 100 agencies to ensure they do not exceed their rule-making authority granted to them by the General Assembly.

Below is a list of legislation we are currently tracking during the 133<sup>rd</sup> 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:* 1/22/2020 - **PASSED BY SENATE**; Vote 33-0

**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:* 12/11/2019 - **BILL AMENDED**, House Commerce and Labor, (Fourth 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)
- HB432 OCCUPATIONAL LICENSE RECIPROCITY (POWELL J, LANG G)** To require an occupational licensing authority to issue a license or government certification to an applicant who holds a license, government certification, or private certification or has satisfactory work experience in another state under certain circumstances.  
*Current Status:* 1/29/2020 - House State and Local Government, (Second Hearing)
- HB436 DYSLEXIA SCREENINGS FOR CHILDREN (BALDRIDGE B)** With regard to screening and intervention for children with dyslexia.  
*Current Status:* 1/14/2020 - House Health, (First Hearing)

- HB452**      **OCCUPATIONAL REGULATIONS (WILKIN S, STEPHENS J)** To revise and streamline the state's occupational regulations.  
*Current Status:* 12/17/2019 - Introduced
- 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:* 1/27/2020 - **SIGNED BY GOVERNOR**; eff. 90 days
- 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:* 1/29/2020 - Senate Transportation, Commerce and Workforce, (First Hearing)
- SB246**      **OCCUPATIONAL LICENSING** (ROEGNER K, MCCOLLEY R) To require an occupational licensing authority to issue a license or government certification to an applicant who holds a license, government certification, or private certification or has satisfactory work experience in another state under certain circumstances.  
*Current Status:* 1/22/2020 - Senate General Government and Agency Review , (Second Hearing)