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### **Ohio Speech and Hearing GAC Legislative Activities Report December 2021**

After months of uncertainty and controversy, House Republicans were able to gather enough support within their caucus to pass legislation aimed at preventing vaccine mandates. HB 218, a bill originally dealing with alcohol sales, was amended and passed in less than 24 hours. House Republicans have struggled for months to garner enough support for a vaccine-related bill. The first attempt was HB 248, which would have barred anyone from requiring any vaccine and would have prohibited employers from having different policies for those with or without vaccines. That bill drew fierce opposition from health care providers and the business community. House Republican leadership then introduced HB 435 as a compromise bill, which was pulled from the House floor twice after the Republican caucus couldn't gain enough support to pass the bill. Speaker Bob Cupp said HB 218 was passed after members continued to hear concerns from constituents about the Biden Administration's requirements for businesses. He said his caucus decided now is the time to pass something to address those concerns. The business community and health care advocates continue to push back against the proposal, as does Governor Mike DeWine, who's spokesman said, "The governor still opposes requiring businesses to mandate vaccines and opposes government prohibiting employers from making those decisions as well."

The Ohio House and Senate also put the finishing touches on a plan for Ohio's new congressional districts by passing SB 258. Opponents of the plan, including all Democrats, have called the map an unconstitutional gerrymander that goes against the reforms approved by voters in 2018. Republicans claimed that the new maps have six safe GOP seats, two safe Democratic seats, and seven "competitive" seats. Critics argue that the newly proposed maps will result in Republicans having a 12-3 majority delegation. Governor DeWine signed the measure saying that SB 258 makes the most progress to produce a fair, compact, and competitive map. Lawmakers were facing a November 30 deadline to pass a proposal. Since SB 258 lacks bipartisan support, it will only be in effect for four years as opposed to ten years. A lawsuit was quickly filed with the Ohio Supreme Court to challenge the map. Earlier this year, the Ohio Redistricting Commission passed new districts for Ohio's House and Senate districts. Like the congressional maps, that plan failed to gain bipartisan support and will only be in effect for four

years. The proposal for the Ohio House and Senate districts is also being challenged in the Ohio Supreme Court.

Work continues in the Senate on HB 122, a bill aimed at codifying the expansion of telehealth services implemented during the COVID-19 pandemic. OSHGAC testified in support of the measure during the committee process in both the House and Senate. In speaking with members of the Senate, it appears as if the goal is to pass the legislation by the end of the year. The measure passed the House with unanimous support in April. During sponsor testimony before the Senate Health Committee, Rep. Mark Fraizer (R-Newark) said, "Each medical board in Ohio has already set their own rules regarding what services are allowed to be performed in their respective field and the state of Ohio needs consistency to ensure those wanting to take advantage of telemedicine have the opportunity to do so, with as much ease as possible." Bill sponsors and committee members have spent weeks discussing possible amendments, some of which were adopted just before Thanksgiving, and others will likely be considered prior to the bill being reported from committee.

The Buckeye Institute, a conservative think tank in Ohio, recently released a report advocating for policies aimed at reducing occupational regulations. The report titled, "*Opening Doors II: Occupational Licensing Reform in Ohio After Senate Bill 255*," identifies 63 licenses that the state should eliminate or reform. In the report, the Buckeye Institute suggests that licensing requirements for both speech-language pathology student permits and audiology aides should be eliminated altogether to be more competitive with neighboring states. For audiology aides, they suggested eliminating the license and then amending the statute to clarify that anyone acting in this capacity should work under the supervision of a licensed audiologist. The report comes as the House State and Local Government Committee is reviewing Ohio's occupational licensing boards as required in SB 255, which was passed in 2018. That legislation requires Ohio's licensing boards to justify their existence and any regulations they impose. The legislature is charged with reauthorizing boards every six years. The Ohio Speech and Hearing Professionals Board testified before the House State and Local Government Committee in November and has since been approached by the committee with questions about its licensing fees.

A federal judge based in Kentucky granted a temporary injunction against the Biden administration preventing a federal mandate requiring federal contractors to have their employees vaccinated against COVID-19 by Jan. 4, 2022 from taking effect. In a 29-page ruling, U.S. District Judge Gregory F. Van Tatenhove said the Biden administration had overstepped the authority given to it by Congress to issue the mandate. The injunction blocks the mandate from applying to federal contractors in Ohio, Kentucky and Tennessee.

The House and Senate have released their session schedules for 2022. Both chambers are expected to resume committee hearings on January 11, after a month-long break for the winter holidays. The first session day for either chamber is scheduled for January 19. Both the House and Senate will remain in session through June, at which point lawmakers will recess to focus on the 2022 election.

Below is a list of legislation we are currently tracking during the 134th Ohio General Assembly:

- HB1**      **CREATE NEW SCHOOL FINANCING SYSTEM** (CALLENDER J, SWEENEY B) To create a new school financing system for fiscal year 2022 and each fiscal year thereafter.  
*Current Status:* 3/1/2021 - House Finance Primary and Secondary Education Subcommittee, (Fourth Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-1>
- HB6**      **MODIFY LAWS GOVERNING CERTAIN PROFESSIONS DUE TO COVID-19** (ROEMER B) To amend Section 30 of H.B. 197 of the 133rd General Assembly to modify the laws governing certain health professionals and educator preparation programs due to COVID-19 and other circumstances and to modify the electric utility laws regarding energy efficiency programs; to amend the version of section 4729.92 of the Revised Code that is scheduled to take effect on October 9, 2021, to continue the changes to that section on and after that date; and to declare an emergency.  
*Current Status:* 5/14/2021 - **SIGNED BY GOVERNOR**; eff. Immediately  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-6>
- HB13**      **MODIFY THE CAMPAIGN FINANCE LAW** (GRENDALL D, FRAIZER M) To modify the campaign finance law and to declare an emergency.  
*Current Status:* 4/15/2021 - House Government Oversight, (Second Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-13>
- HB60**      **PERMIT MEDICAL MARIJUANA FOR AUTISM** (BRENT J, SEITZ B) To authorize the use of medical marijuana for autism spectrum disorder.  
*Current Status:* 6/15/2021 - House Health, (Fourth Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-60>
- HB90**      **OVERSIGHT OF GOVERNOR'S AND HEALTH ORDERS** (WIGGAM S, EDWARDS J) To establish legislative oversight of the Governor's executive orders, certain public health orders, and emergency rules, including by establishing the Ohio Health Oversight and Advisory Committee.  
*Current Status:* 2/24/2021 - **SUBSTITUTE BILL ACCEPTED**, House State and Local Government, (Third Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-90>

- HB103**      **REGARDS ADOPTION/DURATION EMERGENCY RULES (MERRIN D)** Regarding the adoption and duration of emergency administrative rules.  
*Current Status:* 3/24/2021 - House State and Local Government, (Second Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-103>
- HB110**      **OPERATING BUDGET (OELSLAGER S)** To make operating appropriations for the biennium beginning July 1, 2021, and ending June 30, 2023, to levy taxes, and to provide authorization and conditions for the operation of state programs.  
*Current Status:* 7/1/2021 - **SIGNED BY GOVERNOR**; effective 7/1/21  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-110>
- HB122**      **TELEHEALTH SERVICES (FRAIZER M, HOLMES A)** To establish and modify requirements regarding the provision of telehealth services.  
*Current Status:* 11/17/2021 - Senate Health, (Fifth Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-122>
- HB125**      **HEALTH INSURANCE PREMIUMS/ BENEFITS (CROSSMAN J, LIGHTBODY M)** Regarding health insurance premiums and benefits.  
*Current Status:* 2/24/2021 - House Insurance, (First Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-125>
- HB160**      **HEALTH CARE COST ESTIMATES (HOLMES A)** Regarding the provision of health care cost estimates.  
*Current Status:* 3/10/2021 - House Insurance, (First Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-160>
- HB198**      **REQUIRE COVERAGE OF HEARING AIDS FOR CERTAIN PEOPLE (RUSSO A, MANCHESTER S)** To require health plan issuers to cover hearing aids and related services for persons twenty-one years of age and younger and to designate these changes Madeline's Law.  
*Current Status:* 5/11/2021 - House Health, (Second Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-198>
- HB202**      **VOID ORDERS REQUIRING FACIAL COVERINGS (POWELL J)** To void the order of the Interim Director of Health requiring the use of facial coverings throughout the state and prohibit the Governor or other administrative department

heads from requiring the use of facial coverings without approval by the General Assembly.

*Current Status:* 4/22/2021 - House Government Oversight, (First Hearing)

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-202>

**HB203 REQUIRE OCCUPATIONAL LICENSE IF EXPERIENCED IN OTHER STATE (POWELL J)** 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 and to amend the version of section 3319.22 of the Revised Code that is scheduled to take effect on April 12, 2023, to continue the changes on and after that date.

*Current Status:* 10/27/2021 - **BILL AMENDED**, House State and Local Government, (Fourth Hearing)

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-203>

**HB218 COVID-19 VACCINE - QUALIFIED IMMUNITIES (CUTRONA A)** To address medical requirements for employees and students; to address qualified civil immunity regarding certain coronaviruses; to authorize emergency medical technicians to administer COVID-19 tests; to expressly cover COVID-19 vaccine injuries under the workers' compensation system; and to repeal sections 3792.05, 3792.07, and 3792.08 of the Revised Code on September 30, 2025.

*Current Status:* 11/30/2021 - Referred to Committee Senate General Government Budget

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-218>

**HB252 AUDIOLOGY/SPEECH-LANGUAGE PATHOLOGY INTERSTATE COMPACT (WHITE A, PLUMMER P)** To enter into the Audiology and Speech-Language Pathology Interstate Compact.

*Current Status:* 7/1/2021 - **SIGNED BY GOVERNOR**; eff. 90 days

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-252>

**HB267 LIMIT PUBLIC HEALTH ORDERS (JORDAN K)** To limit the duration of public health orders and to allow the General Assembly to act via concurrent resolution in response to a public health emergency if the Governor or Department of Health does not.

*Current Status:* 5/4/2021 - Referred to Committee House State and Local Government

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-267>

- HB269 REPEAL SB22 (GALONSKI T)** To repeal the version of Section 3 of S.B. 22 of the 134th General Assembly scheduled to take effect on June 23, 2021, to repeal the changes made by S.B. 22 of the 134th General Assembly to the laws governing legislative oversight of certain orders and rules issued by the executive branch, including the establishment of the Ohio Health Oversight and Advisory Committee, and to declare an emergency.  
*Current Status:* 5/4/2021 - Referred to Committee House State and Local Government  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-269>
- HB350 PROHIBIT MANDATORY COVID-19 VACCINE (CUTRONA A)** To prohibit mandatory COVID-19 vaccinations, requiring proof of COVID-19 vaccination, and certain other actions relating to an individual's COVID-19 vaccination or health status and to declare an emergency.  
*Current Status:* 6/22/2021 - House Civil Justice, (First Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-350>
- HB359 LICENSE, REGULATE ART, MUSIC THERAPISTS (RUSSO A, CALLENDER J)** To license and regulate art therapists and music therapists.  
*Current Status:* 9/21/2021 - Referred to Committee House State and Local Government  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-359>
- HB376 OHIO PERSONAL PRIVACY ACT (CARFAGNA R, HALL T)** To enact the Ohio Personal Privacy Act.  
*Current Status:* 10/28/2021 - House Government Oversight, (Second Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-376>
- HB388 REGARDING VACCINE REFUSAL (JORDAN K)** To prohibit taking certain actions against an individual because the individual refuses to be vaccinated against a disease.  
*Current Status:* 8/12/2021 - Introduced  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-388>
- HB401 EMPLOYER-MANDATED COVID VACCINATION INJURY (EDWARDS J)** To exempt an injury or disability caused by an employer-mandated COVID-19

vaccination from the Workers' Compensation Law and to allow the employee to sue the employer for damages.

*Current Status:* 8/24/2021 - Introduced

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-401>

**HB411**     **INDIVIDUAL PRIVACY, ANTI-DISCRIMINATION ACT** (CLICK G, GRENDELL D) To prohibit mandatory disclosures related to an individual's COVID-19 vaccination status, to name the act the Individual Privacy and Anti-Discrimination Act, and to declare an emergency.

*Current Status:* 9/8/2021 - Introduced

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-411>

**HB424**     **COVID-19 VACCINE - QUALIFIED IMMUNITIES** (KOEHLER K) To prohibit a political subdivision, public official, public school, state agency, or state institution of higher education from taking certain actions related to the COVID-19 vaccine, to codify the qualified civil immunities under H.B. 606 of the 133rd General Assembly permanently, to repeal section 3792.05 of the Revised Code on the date that is two years after the effective date of that section, and to declare an emergency.

*Current Status:* 9/20/2021 - Introduced

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-424>

**HB435**     **VACCINE REQUIREMENTS** (CARFAGNA R, SEITZ B) To address COVID-19 vaccine requirements for employees and students; to extend certain timelines for qualified civil immunity and expand immunity to include hearing aid dealers and hearing aid fitters; to authorize emergency medical technicians to administer COVID-19 tests; to expressly cover COVID-19 vaccine injuries under the workers' compensation system; and to repeal sections 3792.05, 3792.06, 3792.07, and 3792.08 of the Revised Code on June 30, 2023.

*Current Status:* 10/13/2021 - Bills for Third Consideration; (Pending Committee Report)

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-435>

**HB446**     **OHIO HEALTH CARE PLAN** (SKINDELL M) To establish and operate the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents.

*Current Status:* 10/27/2021 - House Insurance, (First Hearing)

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-446>

**HB466**      **HEALTH CARE STAFFING AGENCY REQUIREMENTS (EDWARDS J)** To establish requirements for the registration and operation of health care staffing agencies.

*Current Status:* 11/2/2021 - Referred to Committee House Commerce and Labor

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-466>

**HB479**      **ESTABLISH CONGRESSIONAL DISTRICTS (OELSLAGER S)** To declare the General Assembly's intent to enact legislation establishing congressional district boundaries for the state based on the 2020 decennial census.

*Current Status:* 11/12/2021 - , (Second Hearing)

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-479>

**HB481**      **COVID VACCINE, PASSPORT PROTECTION ACT (JORDAN K)** To enact the COVID-19 Vaccination and Passport Protection Act to prohibit schools, institutions of higher education, employers, and places of public accommodation from requiring COVID-19 vaccines or proof of vaccination.

*Current Status:* 11/8/2021 - Introduced

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-481>

**HB489**      **INALIENABLE RIGHTS OF CONSCIENCE ACT (CLICK G)** To enact the Inalienable Rights of Conscience Act regarding students and employees who object to certain vaccines and other treatments based on reasons of conscience, including religious convictions.

*Current Status:* 11/16/2021 - Introduced

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-489>

**HB498**      **ADULT USE ACT (CALLENDER J, FERGUSON R)** To enact the Ohio Adult Use Act and to levy a tax.

*Current Status:* 12/2/2021 - Introduced

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HB-498>

**HCR30**      **OPPOSE VACCINE MANDATES (KOEHLER K)** To urge the Congress of the United States to oppose any COVID-19 vaccine mandates made by government entities and to prohibit discrimination based on COVID-19 vaccination status.

*Current Status:* 10/26/2021 - Referred to Committee House Government Oversight

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HCR-30>

- HCR35**     **INVALIDATE PROPOSED AMENDMENTS TO OAC RULE 3301-35-04**  
(CALLENDER J) To invalidate the proposed amendments to rule 3301-35-04 of the Administrative Code, the latest version of which was filed by the Department of Education with the Joint Committee on Agency Rule Review on August 20, 2021.  
*Current Status:* 10/20/2021 - **ADOPTED BY SENATE**; Resolution Vote 30-0  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-HCR-35>
- SB3**        **NURSE LICENSURE COMPACT** (ROEGNER K) To enter into the Nurse Licensure Compact.  
*Current Status:* 7/1/2021 - **SIGNED BY GOVERNOR**  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-SB-3>
- SB5**        **PHYSICAL THERAPY LICENSURE COMPACT** (ROEGNER K, BLESSING III L) To enter into the Physical Therapy Licensure Compact.  
*Current Status:* 3/31/2021 - **SIGNED BY GOVERNOR**; eff. 6/30/21  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-SB-5>
- SB6**        **MEDICAL LICENSURE COMPACT** (ROEGNER K, HUFFMAN S) To enter into the Interstate Medical Licensure Compact.  
*Current Status:* 7/1/2021 - **SIGNED BY GOVERNOR**; eff. 90 days  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-SB-6>
- SB7**        **OCCUPATIONAL THERAPY LICENSURE COMPACT** (ROEGNER K) To enter into the Occupational Therapy Licensure Compact.  
*Current Status:* 3/31/2021 - **SIGNED BY GOVERNOR**; eff. 6/30/21  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-SB-7>
- SB9**        **REDUCE REGULATIONS** (MCCOLLEY R, ROEGNER K) To require certain agencies to reduce the number of regulatory restrictions in their administrative rules.  
*Current Status:* 10/28/2021 - **BILL AMENDED**, House Government Oversight, (Third Hearing)  
*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-SB-9>
- SB22**      **LEGISLATIVE OVERSIGHT-PUBLIC HEALTH ORDERS** (JOHNSON T, MCCOLLEY R) To establish legislative oversight of orders issued by the executive

branch, including by establishing the Ohio Health Oversight and Advisory Committee.

*Current Status:* 3/24/2021 - Consideration of Governor's Veto; House Overrides Veto, Vote 62-35

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-SB-22>

**SB60**      **MEDICAID ESTATE RECOVERY-INFORMED CONSENT** (SCHAFFER T) To require Medicaid applicants to certify that they have been notified about the Medicaid estate recovery program.

*Current Status:* 2/10/2021 - Referred to Committee Senate Health

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-SB-60>

**SB111**      **VACCINATIONS, CORONAVIRUS RECOVERY INCLUDING TOWNSHIPS** (BLESSING III L, BRENNER A) To prohibit certain mandatory vaccinations and other activities related to an individual's vaccination status and to make an appropriation related to coronavirus local fiscal recovery.

*Current Status:* 6/24/2021 - **PASSED BY HOUSE**; Amended on Floor, Bill Vote 62-34

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-SB-111>

**SB131**      **LICENSURE RECIPROCITY** (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 and to amend the version of section 3319.22 of the Revised Code that is scheduled to take effect on April 12, 2023, to continue the changes on and after that date.

*Current Status:* 5/26/2021 - Senate Workforce and Higher Education, (Second Hearing)

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-SB-131>

**SB206**      **REGULATE ART, MUSIC THERAPY** (YUKO K, BRENNER A) To license and regulate art therapists and music therapists.

*Current Status:* 9/8/2021 - Referred to Committee Senate Health

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-SB-206>

**SB233**      **SCHOOL NURSE LICENSURE, RETIREMENT** (BLESSING III L) Regarding licensure and state retirement system membership for school nurses.

*Current Status:* 11/9/2021 - Senate Primary and Secondary Education, (First Hearing)

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-SB-233>

**SB258**      **ESTABLISH CONGRESSIONAL DISTRICTS (MCCOLLEY R)** To establish congressional district boundaries for the state based on the 2020 decennial census and to delay certain deadlines related to the 2022 congressional primary election.

*Current Status:* 11/20/2021 - **SIGNED BY GOVERNOR**

*State Bill Page:* <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA134-SB-258>