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**Ohio Speech & Hearing Governmental Affairs Coalition
Legislative Activities Report
April 2018**

Lawmakers recessed for two weeks at the end of March/beginning of April and returned to session on April 11th. Senate President Larry Obhof recently announced that the Senate will likely have two session days in April and at least one session day in May before breaking for summer recess. While the session schedule for the second half of the year is still uncertain, Obhof indicated that his chamber may schedule sessions in September. The House added an additional session day on May 16th.

Before the spring break, both the House and the Senate agreed to the \$2.6 billion capital budget bill (HB 529). The capital budget is used to fund projects panning from K-12 and higher education facility construction, road improvements, water and sewer projects, and numerous other public projects. In years past, some of our speech and hearing center members have sought and received capital budget dollars. This year, the focus of much of the spending in the bill was projects related to addressing the opiate epidemic.

On April 10th, House Speaker Cliff Rosenberger announced his resignation as Speaker of the House, effective immediately. In addition to his leadership post, he is also resigning his House seat at the end of the month. His resignation is related to an FBI probe of possible campaign finance or other violations, about which he has maintained his innocence. Taking over leadership of the caucus is Speaker Pro Tempore, Representative Kirk Schuring (R-Canton).

GAC was approached by Senator Kenny Yuko's office recently to participate in an interested parties meeting on music therapy. The music therapy association has asked him to sponsor their licensure legislation. Because we testified as opponents on the bill last session, the Senator has asked us to review the changes in the new draft and determine if we would still be opposed. The bill has been revised since the last time GAC reviewed it and now contains the following language:

“(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.”

It seems this language may have been added in an attempt to respond to some of the scope of practice violation issues that we raised last time the bill was pending. That said, it is unlikely that the inclusion of this language would prevent them from assessing and treating communication disorders. Since this is the sole domain of audiologists and speech-language pathologists, it cannot be in the scope of practice for music therapists. It seems we would need to see a defined scope of practice for music therapists listed in the draft. GAC will have to review this bill carefully and determine our position in advance of the interested parties meeting, which is yet to be scheduled. GAC did proactively engage our collaborators on this issue from the last time this arose; they include the Licensure Boards and the OT and PT associations. All have agreed to participate in the upcoming dialog on this possible bill.

Outside of the legislature, GAC continues to collaborate with the Ohio School Health Services Association (OSHS). You may recall that OSHS is a collaboration of related service providers in the schools, Medicaid billing agents and school districts. Representatives of the Licensure Boards, ODE and ODM also participate as ex-officio members. Per GAC agreement, Kelly O’Reilly represents GAC on the group. Kelly also serves as the Advocacy Chair for OSHS; this is a position on the Board, where Kelly weighs in on happenings in the General Assembly. Kelly does not lobby for OSHS; they have their own separate lobbying firm that represents them in the General Assembly.

GAC discussed the creation of OSHS and decided to participate in OSHS last Spring after we were able to work collaboratively with these groups toward a solution on the ORP/MSP issue that arose at the end of 2016. As you may recall, there have been a number of MSP issues through the years that GAC has worked hard to address with the Licensure Board, ODE and ODM, including clarifying the status of the conditional license holder, ORP status of school-based SLPs and AUDs, and the ethical impact of the ORP resolution under the licensure laws, among many others. In working through those issues, we have found that the silo approach can result when state agencies are not effectively communicating or do not fully understand how the issue may impact our scope of practice. Accordingly, it was our hope that collaboration with all

the stakeholders through participation in OSHA would help us achieve better, quicker results for our school-based SLPs and AUDs and the children that they serve.

On the administrative front, the Ohio Department of Insurance recently submitted a request to waive the individual health insurance mandate. This comes in the form of a request for a state innovation, or Section 1332 waiver, which would eliminate the requirement that individuals in Ohio maintain health insurance. ODI submitted the application to the U.S. Department of Health & Human Services on March 31st. In addition, they are also preparing to submit a separate waiver request that would strike a mandate that most large employers offer health insurance coverage to employees or pay a fine. ODI expects to release that application later this spring. Lawmakers required ODI to prepare both waivers in the biennial budget (HB 49).

Ohio's unemployment rate dropped for the second month in a row as the state added 13,500 jobs in February, the Department of Job and Family Services recently reported. The unemployment rate fell from 4.7% in January to 4.5% in February. A year ago, Ohio's unemployment rate was 5.1%. The U.S. unemployment rate for February was 4.1%, which was unchanged from January.

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: 3/7/2017 - House Federalism and Interstate Relations, (First 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. 90 days
- 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: 4/11/2018 - Consideration of Senate Amendments; House Does Concur, Vote 91-0
- HB131** **PHYSICAL THERAPY LAWS (GAVARONE T, REINEKE W)** To modify the laws governing the practice of physical therapy.
Current Status: 4/11/2018 - **PASSED BY HOUSE**; Vote 95-0
- 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)

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: 11/28/2017 - Referred to Committee House Health

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: 1/24/2018 - Referred to Committee House Health

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: 3/20/2018 - **REPORTED OUT AS AMENDED**, House Education and Career Readiness, (Fourth Hearing)

- 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. 90 days
- HB557 ART THERAPY LICENSURE (ANIELSKI M)** To require the licensure of art therapists and to require the State Medical Board to regulate the licensure and practice of art therapists.
Current Status: 4/11/2018 - House Health, (Second 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: 4/10/2018 - Referred to Committee House Economic Development, Commerce and Labor
- 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
- 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: 9/7/2017 - Referred to Committee Senate Transportation, Commerce and Workforce
- 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: 4/11/2018 - Senate Government Oversight and Reform, (Third 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)