



GOVERNMENTAL POLICY GROUP, INC.

17 SOUTH HIGH STREET - SUITE 245

COLUMBUS, OHIO 43215-3413

PHONE: 614-461-9335

FAX: 614-461-9336

**Ohio Speech and Hearing Governmental Affairs Coalition
Legislative Activities Report
June 2018**

Lawmakers returned to Columbus following the primary elections expecting to act on a flurry of bills before breaking for summer recess. Nevertheless, the House was forced to cancel their scheduled sessions after the GOP was unable to come to a consensus on a replacement for former Speaker Cliff Rosenberger, who resigned in April due to an FBI investigation. After weeks of failed negotiations, the House convened on June 6th to vote on a new speaker. The parliamentary rules provided that if no candidate is able to secure the required 50 votes, after 10 rounds of voting, the member who gets a plurality of votes on the 11th round will be elected. Therefore, after 10 rounds of voting, Rep. Ryan Smith did get a plurality of votes and was sworn in as speaker. With a new speaker in place, the chamber is finally able to vote on legislation. The Senate, which has been acting on legislation since after the primary election, is expected to meet through to the end of June before breaking for the summer.

On the legislative front, GAC attended a May 16th “interested parties’ meeting, hosted by Senator Kenny Yuko, to discuss a possible music therapy bill. Many other interested parties attended the meeting, including Gregg Thornton from the Speech & Hearing Professionals Board and representatives from the OT and PT associations. We discussed the necessity of clarifying the scopes of practice to ensure that it is clear that only SLPs and AuDs can diagnose and treat communications disorders. We also discussed the need to clarify who can make referrals and what codes music therapists could bill under. Finally, a dialog also took place regarding more specificity on the education and training necessary to become a music therapist. The proponents of the bill seemed receptive to working on all of these issues. The next step is for them to propose some changes to the language of their draft bill.

Separately, GAC submitted written opponent testimony on HB 557, a bill that would license art therapists in Ohio. In that testimony, GAC explained that it opposes HB 557 because of the overly broad definition of “art therapy” in the bill. As outlined in lines 1975 – 1979 of the bill, “art therapy includes 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.” This could be interpreted to suggest that an art therapist will be permitted to evaluate, assess, and treat communication disorders. This is in direct conflict with the scope of practice of speech-language pathologists. Despite our opposition, along with that of the OTs, PTs and counselors, HB 557 was favorably reported out of committee and is awaiting a vote on the House floor.

The Ohio Speech Professionals Board reached out to GAC last week to update us on their intent to pursue legislation to update some of their licensure laws. While GAC did not have any concerns or recommendations to the proposed changes when we reviewed them in May, the hearing aid dealers’ association did have one recommendation with regard to R.C. 4747.06(B). Specifically, they recommended that the listed continuing education providers not be removed from statute. Gregg Thornton took that recommendation with the Rules Committee on June 5th; the Committee agreed and submitted its report to the full board at their meeting on June 6, which was accepted. The Board will be continuing to work with the Governor’s office on the next steps for these legislative changes.

Outside of the legislature, JCARR heard testimony on the Medicaid SGD rule on Monday, June 11th. Without a JCARR prong on which to invalidate the rule, JCARR “approved” the new SGD rule. This follows on a very lengthy public hearing that took place at ODM on May 29th. Many SLPs, providers and one consumer appeared to voice concerns with the rule. The primary concerns involved access to open tablets and the requirement for a 4 week ‘trial period.’ Following the public hearing, ODM made three substantive changes to the rule:

- 1) They clarified that the trial must occur before payment not before approval. This clarifies that there won’t be the delay in the process, which was the concern articulated at the hearing.
- 2) They removed “wheelchair” in the mount section such that the mount could also be used on a bed or other appropriate place.
- 3) They strengthened the language regarding the SLP prescription and the fact that no other device could be substituted for that which was prescribed by the SLP.

After reviewing these changes in conjunction with all of the other changes to the rule that ODM agreed to make, along with revisions to the CMN form, GAC voted on June 6th to support the rule as drafted. As such, we informed ODM and JCARR on June 7th that GAC had no opposition to the rule going into the June 11th hearing.

We have been tracking the following legislation that has been introduced in the 131st 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. 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: 5/2/2018 - **SIGNED BY GOVERNOR**; eff. 90 days

HB131 PHYSICAL THERAPY LAWS (GAVARONE T, REINEKE W) To modify the laws governing the practice of physical therapy.

Current Status: 6/5/2018 - **BILL AMENDED**, Senate Health, Human Services and Medicaid, (Second Hearing)

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: 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: 5/23/2018 - House Health, (First 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.

Current Status: 6/7/2018 - **PASSED BY HOUSE**; Vote 86-2

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

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: 5/23/2018 - House Health, (Third Hearing)

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
- 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)
- 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)

SB293 **REDUCTION OF AGENCY REGULATIONS (PETERSON B, MCCOLLEY R)** To require agencies to reduce the number of regulatory restrictions.

Current Status: 6/6/2018 - Senate Transportation, Commerce and Workforce, (Third Hearing)