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**Ohio Speech and Hearing Governmental Affairs Coalition
Legislative Activities Report
September 2017**

The Ohio General Assembly has concluded its work for the first half of the year after spending the last week in June passing multiple bills and putting the finishing touches on the \$65 billion state operating budget (HB 49). Governor Kasich vetoed 47 items of HB 49, including a controversial provision that would freeze Medicaid expansion enrollment starting July 1, 2018, after which point no new Ohioans could enroll. Veto overrides very rarely occur; however, the House reconvened after the July 4th holiday to override 11 of the governor's vetoes. Surprisingly, the House did not override the governor's elimination of the provision that would freeze enrollment in the Medicaid expansion group.

The action by the House of Representatives marks the first time the House has voted to override multiple vetoes from a governor in four decades. Then on August 22nd, the Senate convened and agreed with the House on six of the override votes. Here is a summary of the vetoes and overrides that impact speech and hearing practitioners and consumers:

LEGISLATURE'S VERSION WINS – These vetoes were overridden by the House and the Senate; therefore, the legislative language from HB 49 stands:

- Eliminates Ohio Department of Medicaid authority to cover optional eligibility groups without legislative authority;
- Requires Controlling Board authorization of Medicaid expenditures.

GOVERNOR'S VETO WINS – These vetoes were overridden by the House but NOT taken up by the Senate (for now); therefore, the veto stands:

- Prohibits ODM from increasing Medicaid payment rates without JMOC oversight;
- Requires ODM to seek CMS approval of the Healthy Ohio waiver.

While all of these changes to Medicaid are in flux, it is important to note that HB 49 did include language which requires that, in order to stay covered as a part of the Medicaid expansion eligibility group, a consumer must be at least 55 OR employed OR enrolled in school or a training program OR participating in treatment OR have intensive physical health needs or serious mental illness. Therefore, if a Medicaid consumer who is in the expansion population (100% – 138% federal poverty level) fails to meet one of these five new criteria, they will no longer be eligible for Medicaid coverage.

Outside of the Medicaid changes, the budget bill also consolidated the Ohio Board of Speech-Language Pathology and Audiology with the Hearing Aid Dealers and Fitters Board. The new Board will take effect in January 2018 and will be made up of 3 audiologists, 2 SLPs, 2 Hearing Aid Dealers and 2 public members.

In the administrative rules arena, OSHGAC submitted comments in July to the Ohio Department of Medicaid regarding proposed changes to the Medicaid speech-generating device rule. This is the time for the five-year required review of that rule and Medicaid has proposed some changes. Most notably, they propose to allow access to iPads as speech generating devices. GAC expressed concern about this provision because of the durability of iPads, as well as the ability for others to access the device for purposes other than speech generation. We will be meeting with Ohio Medicaid this fall to further discuss our concerns with the draft rule.

Although just over a quarter of the 132nd General Assembly is completed, the race for the top position in the Ohio House of Representatives is heating up as three candidates are maneuvering behind the scenes to gain support from their caucus. Rep. Larry Householder, Rep. Ryan Smith, and Rep. Rob McColley have all expressed interest replacing Speaker Cliff Rosenberger as speaker of the House of Representatives. Rep. Smith has made his intentions clear and has spent the most time approaching members. Rep. Householder, who has already served as Speaker, has a fundraising advantage over his two opponents. Rep. McColley has just recently expressed interest in the position and, having served as co-chairman of OHROC, is well-versed in the way of campaign fundraising. Smith, only has a single term remaining in the House, Householder would be able to serve as Speaker for three terms, and McColley has two terms remaining.

In other news, Rep. Margaret Conditt (R-Liberty Twp.) announced that she will resign from the House in September in order to spend more time with her family. Rep. Conditt is serving her third full term in the Ohio House in the 52nd District. She currently serves as vice chair of the Community and Family Advancement Committee, and is a member of the Criminal Justice and Public Utilities Committees. The House Republican Caucus has selected a three-person panel to interview applicants. The caucus is expected to seat a replacement during the September 13th session.

Also of note, Ohio's unemployment rate rose to 5.2% in July, up from 5% in June, according to data released by the Ohio Department of Job and Family Services. In the past 12 months, the number of unemployed Ohioans has increased by 19,000, from 281,000 in July 2016, when the state's unemployment rate was 4.9%. Ohio's jobless rate is nearly a full percentage point higher than the national rate, which was 4.3% in July.

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.
Current Status: 9/12/2017 - House Education and Career Readiness, (Third Hearing)
- 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: 6/6/2017 - Senate Government Oversight and Reform,
(First Hearing)

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

Current Status: 6/21/2017 - House Health, (Third 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

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: 9/12/2017 - 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: 2/28/2017 - Referred to Committee House Insurance

- 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: 9/13/2017 - **SUBSTITUTE BILL ACCEPTED**, House Higher Education and Workforce Development, (Fourth Hearing)
- 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: 4/25/2017 - **REPORTED OUT**, House State and Local Government, (Third Hearing)
- 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: 9/12/2017 - Referred to Committee House Government Accountability and Oversight

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: 4/26/2017 - Referred to Committee Senate Health, Human Services and Medicaid

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: 9/7/2017 - Referred to Committee Senate Judiciary