



**GOVERNMENTAL POLICY GROUP, INC.**

17 SOUTH HIGH STREET - SUITE 245

COLUMBUS, OHIO 43215-3413

PHONE: 614-461-9335

FAX: 614-461-9336

**Ohio Speech & Hearing Governmental Affairs Coalition  
Legislative Activities Report  
May 2019**

The Legislature has been busy with hearings on HB 166, the biennial budget bill. A substitute version of the bill was accepted on May 2<sup>nd</sup>. An omnibus amendment and House floor vote are expected during the week of May 6<sup>th</sup>. The bill will then go to the Senate, which will have to finish its work by mid-June so that conference committee can finish its work and get the bill to the Governor's desk by June 30<sup>th</sup>.

HB 166 includes several provisions of interest to OSHGAC:

- The Ohio Hearing Aid Assistance Program continues with funding at \$200,000/year in the bill. That funding can be accessed by parents (up to 400% of FPL) with kids with hearing loss and whose commercial insurance does not cover hearing aids;
- New language in the bill requires that certain health care providers and health plan issuers provide to patients or their representatives a cost estimate for nonemergency health care products, services, or procedures before each is provided. The provisions apply to hospitals immediately but after March 1, 2020, the requirement applies to all other health care providers. The provision grants qualified immunity from civil liability to a health care provider or health plan issuer that provides cost estimates in accordance with the bill's provisions.
- Regional hospitals are permitted to become MCOs;
- Managed care plans who pay more than the fee-for-service rate may require providers to enter into value-based contracts as a condition of joining the MCOs provider panel;
- Managed care plans must prohibit a provider from joining its panel unless the provider complies with cost estimate requirements in HB 166;
- The House version requires managed care procurement to be concluded by July 1, 2020 and clarifies that there is no limit on the number of MCO contracts that ODM can have at any given time;

- ODM is required to seek a waiver from CMS to address “social determinants of health, including housing, transportation, food, interpersonal safety, and toxic stress; and
- The House sub-bill removed language from the as-introduced version that requires insurance plans to cover services delivered by telemedicine if they would have covered the services in an in-person setting.

Separate from the budget bill, HB 129 recently passed out of House Transportation and Public Safety Committee. It allows motorcyclists to wear ear phones for hearing protection in both ears. OSHGAC is scheduled to meet with Rep. McClain on May 14th to discuss how to improve the bill by allowing for the appropriate type of hearing protection for motorcyclists. We will be advocating that “earphones” be removed from the bill so that additional harm to the motorcyclist’s hearing will be avoided by eliminating the extra, dangerous noise coming from music played above the sound of the motorcycle itself.

GAC is participating in an interested parties meeting on May 15<sup>th</sup> with Representatives Weinstein and Russo. The meeting will focus on their upcoming legislation that will require commercial insurance plans to cover the cost of hearing aids for children up to age 18. The required coverage includes up to \$1400/ear every 36 months. GAC will want to be prepared to testify in support of the bill once it is introduced.

Outside of the legislature, Ohio Medicaid (ODM) proposed changes to its Telehealth Rule, 5160-1-18. ODM is proposing to expand Medicaid coverage for telehealth services to those provided by advanced practitioners (physicians' assistants (PA), clinical nurse specialists (CNS), certified nurse-midwives (CNW), certified nurse practitioners (CNP), licensed independent social workers (LISW), licensed independent chemical dependency counselors (LICDC), licensed independent marriage and family therapists (LIMFT), and licensed professional clinical counselors (LPCC). The previous rule was limited to physicians.

The proposed rule makes other changes including removing the five-mile radius restriction and originating site fee found in the current rule and expanding the list of patient site locations to include the patient's home or school and an Intermediate Care Facility for Individuals with an Intellectual Disability (ICF/IID). The rule is set for a public hearing on Monday, May 20, 2019. GAC may want to consider providing public testimony at that hearing to advocate that the rule be expanded to include telehealth services provided by speech-language pathologists and audiologists.

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:* 5/7/2019 - **REPORTED OUT**, House Transportation and Public Safety, (Second Hearing)

**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 active duty.

*Current Status:* 4/3/2019 - House State and Local Government, (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:* 5/15/2019 - Senate General Government and Agency Review, (Sixth Hearing)

**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:* 5/8/2019 - Bills for Third Consideration

**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:* 4/2/2019 - Referred to Committee House Armed Services and Veterans Affairs

**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