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

The Ohio House recently passed its version of the state's \$69 billion operating budget. In an expression of bipartisanship not usually seen with massive policy bills like the state budget, the House passed the bill (HB 166) by a vote of 85-9. Prior to the floor vote, the bill underwent some significant changes, including a massive tax overhaul. The bill eliminates the income tax on income below \$22,250 and provides a 6.6% reduction in every other tax bracket. Similarly, just this week, the Senate Finance Committee just this week made changes to the bill through its substitute version. Among the relevant changes:

- Removes the healthcare price transparency provision;
- Removes provisions allowing MCOs to require providers to enter into value-based contracting;
- Removes provisions allowing hospitals to act as MCOs;
- Creates the Managed Care Claims Fund, which will consist of money that Medicaid MCOs pay to ODM in order for ODM to make payments to providers under the care management system that the organizations are unable to make due to systems issues. Requires moneys in the fund to be used to make such payments;
- Removes a provision requiring ODM to evaluate the MCOs financial standing;
- Removes the 365 day limitation on recoupment actions by MCOs against providers;
- Removes the July 1, 2020 deadline for MCO reprourement by ODM;
- Creates a security grant fund, which makes competitive grants to nonprofit organizations to acquire the services of a resource officer, special duty police officer, or licensed armed security guard or the purchase of qualified equipment, including equipment for emergency and crisis communication or crisis management. The language specifies that grants awarded cannot exceed

\$100,000 per resource officer per building or \$25,000 for the purchase of qualified equipment, and requires each grant recipient to provide a matching contribution at a ratio of one to one;

- Removes a provision that would have required audits on ESCs relative to the services provided and cost of those services;

The budget bill is not done in the Senate yet. We expect an omnibus amendment prior to the Senate Finance Committee vote this week. The bill will then go to the Senate floor for a vote and finally to conference committee for reconciliation between the House and Senate versions. It is required to be on the Governor's desk by June 30<sup>th</sup> for a July 1<sup>st</sup> implementation date.

Outside of the budget process, HB 243 was introduced in late May. The bill requires commercial insurance plans to cover hearing aids for children. As introduced the bill provided \$1,400/aid every 36 months. However, the sponsors have decided to support a substitute version of the bill that would pay \$2500/aid every 48 months. The sponsors are also considering an increase in the age limit for the coverage. The bill has yet to be scheduled for a hearing; however, the sponsors did hold a press conference in early June. The sponsors asked GAC to reach out to audiologist, Carrie Spangler, for her professional expertise and personal experience as a person with a hearing loss. Carrie provided terrific testimony, and the press conference was widely covered by various media outlets.

Outside of the legislature, you will recall that Ohio Medicaid (ODM) proposed changes to its Telehealth Rule, 5160-1-18. The proposal seeks 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).

GAC Chair, Jennell Vick, provided testimony at the public hearing on Monday, May 20, 2019. Her testimony advocated that the rule be expanded to include telehealth services provided by speech-language pathologists and audiologists. Several other practitioner types (physical therapists, nutritionists, etc.) also testified asking for inclusions. Unfortunately, following the public hearing, ODM made some small tweaks to the draft rule, but did not add speech or audiology services to the rule (no other practitioners were added). The rule now proceeds to JCARR for consideration.

Finally, the House also seated several new members. First, in the 76<sup>th</sup> House District, Republicans seated Diane Grendell to replace Sarah LaTourette, who was appointed by Gov. Mike DeWine to be executive director of Ohio Family and Children First. Grendell previously served in the House from 1992-2000. She also served at the 11<sup>th</sup> District Court of Appeals judge for 16 years and previously served as a JAG officer in the Ohio Military Reserve.

House Republicans also selected Jeffrey LaRe (R-Violet Twp.) to represent the 77<sup>th</sup> House District, which includes most of Fairfield County. Representative LaRe will replace Senator Tim Schaffer who was selected to serve in the Ohio Senate earlier this month. Representative LaRe serves as the Executive Vice President of The Whitestone Group, where he has worked since 2000. Whitestone is a nationwide provider of asset protection and security services. Prior to his work there, he was an Ohio Peace Officer Training Academy (OPOTA) Certified Peace Officer and an OPOTA Certified Corrections Officer at the Fairfield County Sheriff's Office.

House Democrats selected State Rep. Gil Blair (D-Weathersfield) to fill the 63<sup>rd</sup> House district seat previously held by Glenn Holmes (D-Girard). Blair, an attorney and lifelong resident of the 63<sup>rd</sup> district, previously served eight years as a Weathersfield Township trustee and five as a municipal court prosecutor for the City of Warren. He operates a private law practice and earned his BA and JD from the University of Akron.

We are monitoring the following legislation for you in the 133<sup>rd</sup> 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:* 5/29/2019 - **REPORTED OUT AS AMENDED**, House State and Local Government, (Fourth 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:* 6/21/2019 - Senate Finance, (Fourteenth Hearing)

**HB243 HEARING AIDS COVERAGE (WEINSTEIN C, RUSSO A)** To require health plan issuers to cover hearing aids and related services for persons under twenty-two years of age.

*Current Status:* 5/21/2019 - Referred to Committee House Health

**HB263 OCCUPATIONAL LICENSING-CRIMINAL CONVICTIONS (KOEHLER K)** To revise the initial occupational licensing restrictions applicable to individuals convicted of criminal offenses.

*Current Status:* 6/12/2019 - House Commerce and Labor, (First 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:* 6/12/2019 - House State and Local Government, (First Hearing)

**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:* 5/22/2019 - House Armed Services and Veterans Affairs, (First Hearing)

**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