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| **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  **January 2015** |

The Ohio House and Senate both adjourned in December bringing an end to the 130th General Assembly. In the weeks leading up to the end of session both legislative chambers were able to move numerous bills, sending them to the governor for final approval. Among the bills that were passed during lame duck session were HB 109 and HB 234, both of which were supported by GAC.

You will recall that HB 234 allows hunters to use suppressors on their guns under certain circumstances. GAC was asked to support the bill due to the reduced decibel level of a gunshot when a suppressor is used. Accordingly, GAC participated in a demonstration at a local shooting range where the sound production was monitored with and with the use of a suppressor. Following the demonstration, GAC testified in support of HB 234 in both the House and the Senate. We were pleased to see the bill pass in final form before the end of session and signed into law by Governor Kasich on December 19th.

Also signed into law on December 19th was GAC priority legislation, HB 109, which sought to set forth parameters for the sales of hearing aids over the internet and through the mail. You will recall that this is piece of legislation that GAC worked collaboratively with the Ohio Board of Speech-Language Pathology and Audiology and the Hearing Aid Dealers to have introduced early in 2013. After passing both the full House and Senate committee with no opposition, the legislation got hung up before its Senate floor vote because of “free market” concerns that Senate leadership had. As originally drafted, the bill would have required an in-person evaluation prior to an online hearing aid purchase. However, in order to get a vote on the Senate floor, the bill had to be amended to simply require an informed consent prior to online purchase. Although this resolution did not go as far as we had hoped, it is a good first step, which will allow us to collect data on whether informed consent helps to solve the problems brought on by uninformed online hearing aid purchases. GAC is grateful to HB 109 sponsor, Representative Rex Damschroder and Senate champion, Senator Kevin Bacon, for their hard work in helping us move this important issue forward toward the ultimate passage of HB 109.

With the 130th General Assembly coming to a close, we can now turn our attention to next session, where over 20 new legislators will be sworn into office. These new legislators will be greeted with the state operating budget, which is expected to be offered by Governor Kasich in early February. As with most state operating budgets, we expected the Governor to include sweeping reforms that will touch nearly every facet of state government. The state budget, which must be enacted by June 30th, will likely consume most of the attention of the legislature for the first half of the year.

On the budget front, state agencies have been busy since the summer preparing their budget requests. The Office of Budget and Management (OBM) uses these documents for planning purposes in developing the administration’s executive budget proposal. In its request, the Department of Medicaid increases spending to nearly $25 billion in Fiscal Year 2017. The Department of Medicaid proposal would appropriate $23.5 billion in total program spending in the first half of the biennium and $24.8 billion in the second year. While Department of Medicaid Director John McCarthy touted the department’s success in slowing annual rate of Medicaid growth without cutting the package of services, he said the agency faces certain challenges moving forward. Some of these challenges include uncertainty surrounding the federal Affordable Care Act and how other federal policies could impact state Medicaid programs. According to Director McCarthy, Ohio’s rebounding economy has also led to a slight reduction in its federal reimbursement rate from the previous year. Director McCarthy would also like to see policies that provide his department with the resources needed to carry on efforts to ensure program integrity, through combatting fraud, waste and abuse.

In other news, we have been closely tracking the activity of the Joint Medicaid Oversight Committee (JMOC), which has been working with the Department of Medicaid and other agencies on examining Ohio’s current Medicaid system. JMOC was required to submit a final report to the General Assembly on January 1st. The report looks at how the state’s current regulatory framework can limit the Medicaid program’s flexibility and ability to control costs and improve health outcomes. According to the report, Ohio’s payment system should be flexible enough to accommodate new payment models and allow the Medicaid program to effectively manage changes to the delivery system.

On the rules front, GAC offered testimony on the Ohio Medicaid telemedicine rule, 5160-1-18, at the public hearing on November 17, 2014. Several other provider groups also offered testimony similar to GAC’s, requesting that the rule’s scope be broadened to include their healthcare services. In response to our testimony, GAC received a memo from Ohio Medicaid, which stated that “[t]his first step in seeking the potential benefits of telemedicine matches Ohio Medicaid’s overall pursuit of value-based purchasing and improving health care delivery…[t]here seems to be consensus among stakeholders that the proposal included in this rule represents an effective starting point.” The letter concluded by saying “[w]hile ODM agrees that you are a valuable partner in the Medicaid program, the rule will not be further amended at this time.” GAC will now need to consider what its next steps should be on this important policy.

Ohio’s unemployment rate in November was 5%, a drop from the 5.3% recorded in October, the Ohio Department of Job and Family Services (ODJFS) announced recently. The national rate for November was 5.8%. ODJFS announced the number of unemployed Ohioans in November was 287,000, a reduction of 18,000 from the previous month. Over the last year, the total number of unemployed Ohioans has fallen by 130,000.

We have been tracking the following legislation on your behalf during the 130th Ohio General Assembly:

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| **HB3** | **HEALTH INSURANCE ACCOUNTABILITY ACT** (SEARS B, KUNZE S) To specify licensing and continuing education requirements for insurance agents involved in selling, soliciting, or negotiating sickness and accident insurance through a health benefit exchange. | |
|  | ***Current Status:*** | 4/30/2013  **SIGNED BY GOVERNOR**  Eff. 7/30/2013 |
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| **HB59** | **BIENNIAL BUDGET** (AMSTUTZ R) To make operating appropriations for the biennium beginning July 1, 2013, and ending June 30, 2015; to provide authorization and conditions for the operation of state programs. | |
|  | ***Current Status:*** | 6/30/2013  **SIGNED BY GOVERNOR**  Eff. 6/30/2013; Some Eff. 9/29/2013; Others Various Dates |
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| **HB91** | **HEALTH CARE FREEDOM ACT** (YOUNG R, THOMPSON A) To enact the Health Care Freedom Act. | |
|  | ***Current Status:*** | 4/24/2013  House Health and Aging Committee  Second Hearing |
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| **HB98** | **OCCUPATIONAL LICENSING LAW** (GONZALES A, RETHERFORD W) To revise the Occupational Licensing Law regarding military service members and veterans. | |
|  | ***Current Status:*** | 11/15/2013  **SIGNED BY GOVERNOR**  Eff. 11/15/2013 |
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| **HB109** | **HEARING AIDS** (DAMSCHRODER R) To specify individuals who are permitted to recommend and fit hearing aids and to prohibit specified sales of hearing aids via mail. | |
|  | ***Current Status:*** | 12/19/2014  **SIGNED BY GOVERNOR** |
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| **HB121** | **OHIO HEALTH SECURITY ACT** (HAGAN R, FOLEY M) To enact the Ohio Health Security Act to establish and operate the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents. | |
|  | ***Current Status:*** | 4/17/2013  Referred to the House Insurance Committee |
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| **HB123** | **TELEHEALTH SERVICES** (GONZALES A, WACHTMANN L) Regarding Medicaid and health insurance coverage of telehealth services. | |
|  | ***Current Status:*** | 2/18/2014  **SIGNED BY GOVERNOR**  Eff. 5/20/2014 |
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| **HB125** | **MEDICAID EXPANSION** (CARNEY J, ANTONIO N) To permit the Medicaid program to cover the eligibility expansion group authorized by the Patient Protection and Affordable Care Act and to make an appropriation. | |
|  | ***Current Status:*** | 4/17/2013  Referred to the House Finance and Appropriations Committee |
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| **HB176** | **MEDICAID REFORMS** (SEARS B) To require the Medical Assistance Director to implement Medicaid reforms, to permit the Medicaid program to cover an additional group under certain circumstances, to revise the duties of the Joint Legislative Committee on Medicaid Technology and Reform, and to make an appropriation. | |
|  | ***Current Status:*** | 10/16/2013  House Health and Aging Committee  First Hearing |
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| **HB208** | **MEDICAID REFORMS** (AMSTUTZ R, SYKES V) To require the Medicaid Director to implement certain reforms to the Medicaid program, to require the Director of Job and Family Services to implement certain reforms to workforce development activities, and to create the Joint Medicaid Oversight Committee. | |
|  | ***Current Status:*** | 1/8/2014  House Finance and Appropriations Committee  Fourth Hearing |
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| **HB227** | **HEALTH CARE COMPACT** (RETHERFORD W, BOOSE T) To enter into the Health Care Compact. | |
|  | ***Current Status:*** | 4/1/2014  **REPORTED OUT**  House State and Local Government Committee  Fourth Hearing |
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| **HB234** | **HUNTING GUN LAW** (GROSSMAN C, BECKER J) To allow a person to use a noise suppressor attached to a gun while hunting game birds or wild quadrupeds. | |
|  | ***Current Status:*** | 12/19/2014  **SIGNED BY GOVERNOR** |
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| **HB255** | **MEDICAID ELIGIBILITY** (BECKER J) To revise the law governing eligibility for the Medicaid program and to abolish the Medicaid Buy-In for Workers with Disabilities Program. | |
|  | ***Current Status:*** | 10/16/2013  House Health and Aging Committee  First Hearing |
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| **HB271** | **HEALTH CARE-IMMUNITY EXPANSION** (BECKER J) To expand the immunity from liability for health care professionals, health care workers, and nonprofit health care referral organizations when providing specific care to an indigent and uninsured person. | |
|  | ***Current Status:*** | 10/8/2013  House Insurance Committee  First Hearing |
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| **HB276** | **UNANTICIPATED OUTCOME-MEDICAL CARE** (STAUTBERG P) To provide that certain statements and communications made regarding an unanticipated outcome of medical care are inadmissible as evidence, and to require a plaintiff in a medical claim to establish that the defendant's act or omission is a deviation from the required standard of medical care. | |
|  | ***Current Status:*** | 12/4/2014  Senate Civil Justice Committee  Second Hearing |
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| **HB317** | **MEDICAID REFORM MEASURES** (SEARS B) Regarding reforms relating to Medicaid, fraud committed against the state, penalties for certain drug offenses committed against pregnant women, non-opiate medication for released inmates, prescription-related identification requirements, and education for individuals without a high school diploma. | |
|  | ***Current Status:*** | 10/30/2013  Referred to the House Health and Aging Committee |
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| **HB342** | **STRAIGHT A PROGRAM** (BRENNER A, DRIEHAUS D) To permit an educational service center to be a partner or the lead applicant of an education consortia seeking a grant under the Straight A Program and to modify the goals of projects supported by the program. | |
|  | ***Current Status:*** | 3/11/2014  **SIGNED BY GOVERNOR**  Eff. 3/11/2014 |
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| **HB361** | **HEALTH CARE INSURERS-ACQUIRED BRAIN INJURY COVERAGE** (GONZALES A, SMITH R) To prohibit health insurers from excluding coverage related to acquired brain injuries. | |
|  | ***Current Status:*** | 3/12/2014  House Health and Aging Committee  Third Hearing |
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| **HB431** | **WORKERS' COMPENSATION-MEDICAID ELIGIBILITY STUDY COMMITTEE** (SEARS B, HENNE M) To create the Workers' Compensation and Medicaid Eligibility Study Committee. | |
|  | ***Current Status:*** | 2/25/2014  Referred to the House Health and Aging Committee |
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| **HB434** | **DISABILITY ACCOMMODATIONS THROUGH TECHNOLOGY COUNCIL** (BARNES, JR. J) To create the Disability Accommodations through Technology Council. | |
|  | ***Current Status:*** | 12/17/2014  House Health and Aging Committee  First Hearing |
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| **HB472** | **MBR-MID-BIENNIUM BUDGET REVIEW** (MCCLAIN J) To make operating and other appropriations and to provide authorization and conditions for the operation of state programs. | |
|  | ***Current Status:*** | 3/26/2014  House Ways and Means Committee  Third Hearing |
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| **HB483** | **MBR-OPERATION OF STATE PROGRAMS** (AMSTUTZ R) To make operating and other appropriations and to provide authorization and conditions for the operation of state programs. | |
|  | ***Current Status:*** | 6/16/2014  **SIGNED BY GOVERNOR**  Eff. 6/16/2014 Other Sections Eff. on Other Dates |
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| **HB485** | **MBR-OFFICE OF HUMAN SERVICES INNOVATION** (SMITH R, JOHNSON T) To establish the Office of Human Services Innovation in the Department of Job and Family Services. | |
|  | ***Current Status:*** | 5/14/2014  Senate Medicaid, Health and Human Services Committee  Second Hearing |
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| **HB492** | **MBR-TAXATION** (SCHERER G) To provide authorization and conditions for the levy and administration of taxes in this state. | |
|  | ***Current Status:*** | 6/16/2014  **SIGNED BY GOVERNOR**  Eff. 9/17/2014 |
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| **HB511** | **INSURANCE-RELATED CHANGES** (SEARS B) To suspend the operation of continuation of coverage requirements and make other insurance-related changes. | |
|  | ***Current Status:*** | 12/10/2014  Consideration of Senate Amendments; House Does Not Concur. Vote 9-84 |
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| **HB546** | **LICENSURE-MUSIC THERAPISTS** (DOVILLA M, ANTONIO N) To require the licensure of music therapists. | |
|  | ***Current Status:*** | 5/27/2014  Referred to the House Health and Aging Committee |
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| **HB683** | **MEDICAID SCHOOL PROGRAM** (GONZALES A) Regarding the Medicaid School Program. | |
|  | ***Current Status:*** | 12/16/2014  Referred to the House Health and Aging Committee |
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| **HCR6** | **FEDERAL EXCISE TAX-MEDICAL DEVICES** (BRENNER A, HUFFMAN M) To urge the Congress of the United States and the President of the United States to repeal the new federal excise tax on medical devices. | |
|  | ***Current Status:*** | 4/30/2013  Referred to the Senate Medicaid, Health and Human Services Committee |
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| **SB9** | **HEALTH INSURANCE LAWS** (BACON K) To make changes to Ohio's health insurance laws related to implementation of the Federal Affordable Care Act. | |
|  | ***Current Status:*** | 6/4/2013  **SIGNED BY GOVERNOR**  Eff. 9/4/2013 |
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| **SB21** | **THIRD-GRADE READING GUARANTEE** (LEHNER P) To revise the requirements for reading teachers under the Third-Grade Reading Guarantee. | |
|  | ***Current Status:*** | 6/4/2013  **SIGNED BY GOVERNOR**  Eff. 6/4/2013 |
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| **SB104** | **OHIO HEALTH CARE PLAN** (SKINDELL M) To establish and operate the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents. | |
|  | ***Current Status:*** | 4/16/2013  Referred to the Senate Medicaid, Health and Human Services Committee |
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| **SB117** | **MEDICAID PROGRAM** (SMITH S) To permit the Medicaid program to cover the eligibility expansion group authorized by the Patient Protection and Affordable Care Act and to make an appropriation. | |
|  | ***Current Status:*** | 5/8/2013  Referred to the Senate Finance Committee |
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| **SB131** | **HEALTH CARE PROFESSIONAL REQUIREMENT** (TAVARES C) To require certain health care professionals to complete instruction in cultural competency. | |
|  | ***Current Status:*** | 11/12/2014  Senate Medicaid, Health and Human Services Committee  First Hearing |
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| **SB132** | **HEALTH CARE PROFESSIONAL LICENSE DISPLAY** (TAVARES C) To require certain health care professionals to wear, when providing direct patient care, an identification card, badge, or similar device that includes a photograph of the professional and specifies the license held by the professional. | |
|  | ***Current Status:*** | 5/22/2013  Referred to the Senate Medicaid, Health and Human Services Committee |
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| **SB145** | **MEDICAID REFORMS** (BURKE D, CAFARO C) To require the Medicaid Director to implement certain reforms to the Medicaid program, to require the Director of Job and Family Services to implement certain reforms to workforce development activities, and to create the Joint Medicaid Oversight Committee. | |
|  | ***Current Status:*** | 6/19/2013  Senate Medicaid Finance Subcommittee Committee  First Hearing |
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| **SB166** | **MEDICAID** (CAFARO C) To revise the law governing the Medicaid program. | |
|  | ***Current Status:*** | 9/26/2013  Referred to the Senate Finance Committee |
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| **SB206** | **MEDICAID** (BURKE D, CAFARO C) To require implementation of certain Medicaid revisions, reform systems, and program oversight, and to make an appropriation. | |
|  | ***Current Status:*** | 12/19/2013  **SIGNED BY GOVERNOR**  Eff. 3/20/2014 Section 9 Eff. 12/19/2013 |
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| **SB213** | **NOT-FOR-PROFIT QUARTER AUCTIONS** (GARDNER R) To permit charitable organizations to conduct not-for-profit quarter auctions. | |
|  | ***Current Status:*** | 11/12/2013  Senate State Government Oversight and Reform Committee  Second Hearing |
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| **SB221** | **STROKE CENTER HOSPITALS** (GARDNER R) To provide for state recognition of hospitals that are comprehensive stroke centers, primary stroke centers, and acute stroke ready hospitals. | |
|  | ***Current Status:*** | 1/8/2014  Senate Medicaid, Health and Human Services Committee  First Hearing |
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| **SB257** | **HEARING AID COVERAGE** (BROWN E) To require health insurers to offer coverage for hearing aids. | |
|  | ***Current Status:*** | 2/4/2014  Senate Insurance and Financial Institutions Committee  First Hearing |