



STATEHOUSE REPORT

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209 East State Street • Columbus, Ohio 43215-4309
Phone: 614-221-5627 • Fax: 614-221-6986 • www.ccao.org

February 10, 2017

Medicaid Managed Care Sales Tax Materials Available

The Executive State Budget has proposed a plan to address the loss of Medicaid managed care sales tax revenue to the state, counties and transit authorities. The plan utilizes a [waiver](#) from the Centers for Medicare and Medicaid Services that will allow the state to fully replace its sales tax loss for this budget cycle, but only provides counties a one-time allocation that is equivalent to one year's worth of their loss. In order to help members advocate for an equitable and long term solution to the loss of the Medicaid managed care sales tax, CCAO has developed the following materials. The links below provide quick talking points as well as a sample letter and resolution that you can send to your state legislators. If you have any questions on these materials please contact CCAO staffers [Brad Cole](#) or [Kate Neithammer](#).

MEDICAID MANAGED CARE SALES TAX ADVOCACY MATERIALS

[Talking Points](#) • [Sample Letter](#) • [Sample Resolution](#)

Regional Legislative Briefings - Update

The first of fourteen scheduled Regional Legislative Briefings was held today in Wood County.

This Monday, February 13, we are in Marietta – for those of you in the 30th State Senate District.

We have one date change. The Lima Briefing Session has been moved to Friday MARCH 10 – same time and same location – from its original date of Thursday, February 16.

These legislative briefing sessions will allow our counties to tell their stories to their legislators about the real consequences to service delivery that will be effectuated by HB 49, the proposed FY 18/19 Executive Budget, which was introduced this week. The disparate treatment proposed in the governor's budget casts huge doubt on the administration's commitment to a viable state/county partnership. While the proposal makes the state permanently whole for its loss of

Medicaid managed care organization (MCO) sales tax revenue, county government receives a one-time payment of less than one year's loss. In addition, because the new assessment on managed health care organizations will be credited to a special fund outside of the state general revenue fund, none of the revenue raised through this assessment will be credited to the Local Government Fund. The proposal also alters the distribution of the Local Government Fund and reduces funding for indigent defense reimbursement.

Commissioners, council members, county executives, county administrators and all county commission/council clerks were emailed the details regarding the scheduled briefing sessions last week on Thursday, February 2nd. The [information](#) is available on the CCAO home page. The email also contained an RSVP form for each county to return.

As the 132nd General Assembly convenes, the need for state legislators to understand the issues confronting county government is more important than ever. We must stress to them the critical need for ensuring fiscal stability and help them understand the impact of the (MCO) sales tax, alteration of the Local Government Fund distribution formula and cutting of indigent defense reimbursement will have upon our ability to maintain that fiscal stability and meet the needs of our mutual constituents.

Recognizing that legislators' schedules can be quite challenging, our invitations to legislators invite them to a specific briefing session but also extend an open invitation to them to attend any of the scheduled events. We ask you to follow up with your legislators to personally invite them to the briefing session being planned for your area.

Indigent defense reimbursement rate will be 42% in FY 18 and 41% in FY 19 in “as introduced” version of the budget

As you talk with your state legislators, the three points below should be stressed:

- Additional appropriations of \$13.2 million in FY 18 and \$14.9 million in FY 19 will need to be provided by the legislature in order to reach the realistic expectation of 50% reimbursement.
- Because the hourly rates and case maximums for death penalty cases are now to be set by a 5 member commission of appellate judges and it is no longer the county's responsibility, these rates reflect an unfunded mandate. The state should take over complete payment or reimburse at 100%.
- The allocation of the non-GRF revenues of the Indigent Defense Support Fund (IDSF) committed to reimbursement is proposed to be permanently reduced from the current 88% to 83%. This 5% reduction amounts to over \$6.5 million in each year being cut from IDSF funds available for reimbursement.

Statehouse, Etc.



Joint Letter Addresses Opiate Epidemic Investment. A letter sent by the Public Children Services Association, Job and Family Services Directors Association and CCAO to the Ohio Department of Job and Family Services addressing the administration's investment in substance use-related custody cases was mentioned in the [Columbus Dispatch](#) this week. You can read the letter [here](#).

Bills Introduced



SB 30

VEHICLE TRAFFIC (EKLUND, J.)

To authorize counties to adopt resolutions regulating motor vehicle traffic on county and township roads.

SB 31

SEWAGE SYSTEMS (EKLUND, J.)

To authorize a board of county commissioners or municipal legislative authority to elect to withdraw the county or municipal corporation from the application of any rule adopted by the Department of Health after January 1, 2014, that governs the design of household sewage treatment systems.

SB 32

TRIAL TIMELINES (EKLUND, J.)

To provide a prosecutor an additional fourteen days to commence a trial after a person charged with a felony has been discharged because the person has not been brought to trial within the required amount of time and to authorize the court to release the person from detention in connection with those charges pending trial.

SB 33

LAW ENFORCEMENT DATA (EKLUND, J.)

To allow disclosure of information from the law enforcement automated data system (LEADS) to a defendant in a traffic or criminal case.

SB 34

ACADEMIC YEAR (MANNING, G.)

To generally require public and chartered nonpublic schools to open for instruction after Labor Day.

SB 35

TAX CREDIT ([SKINDELL, M.](#))

To remove the income restriction on the earned income tax credit and to make the credit refundable beginning in 2017.

SB 36

AGRICULTURAL LAND ([HITE, C.](#))

To require that the computation of the capitalization rate for the purposes of determining CAUV of agricultural land be computed using a method that excludes appreciation and equity buildup and to stipulate that CAUV land used for a conservation practice or enrolled in a federal land retirement or conservation program for at least three years must be valued at the lowest of the values assigned on the basis of soil type.

SB 38

MINIMUM WAGE ([YUKO, K.](#))

To raise the minimum wage; to eliminate the prohibition against political subdivisions establishing a different minimum wage; to raise the salary threshold above which certain employees are exempt from the overtime law; and to create a uniform standard to determine whether an individual performing services for an employer is an employee of that employer.

SB 40

AGGRAVATED MURDER ([EKLUND, J.](#), [WILLIAMS, S.](#))

To provide that a person convicted of aggravated murder who shows that the person had a serious mental illness at the time of committing the offense cannot be sentenced to death for the offense and to provide a mechanism for resentencing to a life sentence a person previously sentenced to death who proves that the person had a serious mental illness at the time of committing the offense.

SB 41

TESTIMONIAL PRIVILEGE ([EKLUND, J.](#))

To provide generally a testimonial privilege for communications between a qualified advocate rendering advocacy services and a victim of sexual violence, menacing by stalking, or domestic violence, to exempt the nondisclosure of that privileged communication from the offense of failure to report a crime, to require a qualified advocate to report knowledge or reasonable suspicion of child abuse or neglect of the victim except for privileged communications, and to specify circumstances in which the victim is considered to have waived the privilege.

SB 42

DRUG OFFENSES ([EKLUND, J.](#))

To expressly provide that drug offense penalties that refer to a particular type of drug also apply to a compound, mixture, preparation, or substance containing a detectable amount of that drug and to declare an emergency.

HB 34

PUBLIC NOTICES ([HAMBLEY, S.](#), [RYAN, S.](#))

To authorize certain state agencies, local governments, and other boards, commissions, and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail.

HB 38

AGGRAVATED MURDER ([GREENSPAN, D.](#))

To provide that purposely causing the death of a first responder or military member is aggravated murder and to require an offender to serve the prison term imposed for felonious assault on a peace officer, investigator, first responder, or military member consecutively to the prison term imposed for any related offense.

HB 40

STATE SPENDING ([DEVER, J.](#), [GREENSPAN, D.](#))

To require the Treasurer of State to establish the Ohio State Government Expenditure Database.

HB 41

VOTER REGISTRATION ([PELANDA, D.](#))

To modify the law concerning challenges to voter registrations, the appointment of observers, and the procedures for processing absent voter's ballots and for casting absent voter's ballots in person.

HB 48

WAR RELICS ([SCHAFFER, T.](#))

To prohibit a war relic that is located on public property or on the property of a cemetery association from being sold or otherwise disposed of, or destroyed, relocated, removed, altered, or otherwise disturbed, except under certain circumstances.

HB 49

BIENNIAL BUDGET ([SMITH, R.](#))

To provide authorization and conditions for the operation of state programs.

HB 50

EBT CARDS ([SCHAFFER, T.](#))

To establish requirements for electronic benefit transfer cards issued under the Supplemental Nutrition Assistance Program.

Hearing Schedule



TUESDAY, FEBRUARY 14

Senate Judiciary

(Chr. [Bacon, K.](#), (614) 466-8064), North Hearing Rm., 9:00 am

SB 25

PERRY COUNTY COURT ([HOTTINGER, J.](#))

To create the Perry County Municipal Court in New Lexington on January 1, 2018, to establish one full-time judgeship in that court, to provide for the nomination of the judge by petition only, to abolish the Perry County County Court on that date, to designate the Perry County Clerk of Courts as the clerk of the Perry County Municipal Court, and to provide for the election for the Perry County Municipal Court of one full-time judge in 2017. --2nd Hearing-Proponent-Possible vote

SB 32

TRIAL TIMELINES ([EKLUND, J.](#))

To provide a prosecutor an additional fourteen days to commence a trial after a person charged with a felony has been discharged because the person has not been brought to trial within the required amount of time and to authorize the court to release the person from detention in connection with those charges pending trial. --1st Hearing-Sponsor

SB 33

LAW ENFORCEMENT DATA ([EKLUND, J.](#))

To allow disclosure of information from the law enforcement automated data system (LEADS) to a defendant in a traffic or criminal case. --1st Hearing-Sponsor

SB 1

DRUG OFFENSES ([LAROSE, F.](#))

To increase penalties for drug trafficking violations, drug possession violations, and aggravated funding of drug trafficking when the drug involved in the offense is a fentanyl-related compound, to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse, and to add lisdexamfetamine to the list of schedule II controlled substances. --2nd Hearing-Proponent

SB 4

HUMAN TRAFFICKING ([KUNZE, S.](#), [OELSLAGER, S.](#))

To allow a person who is found not guilty of an offense or who is the defendant named in a dismissed criminal charge to apply for a court order to expunge the person's official records in the case if the charge or not guilty finding was the result of the applicant having been a human trafficking victim, to allow a person convicted of certain prostitution-related offenses to apply for the expungement of the conviction record of any offense, other than a specified disqualifying offense, the person's participation in which was a result of having been a human trafficking victim, and to allow intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution. --2nd Hearing-Proponent

SB 20

FELONY SENTENCES ([HACKETT, B.](#))

To require an additional prison term of 3 to 8 years for an offender who is convicted of or pleads guilty to a felony offense of violence if the offender is convicted of or pleads guilty to a specification that the victim suffered permanent disabling harm. --2nd Hearing-Proponent

House Finance

(Chr. [Smith, R., \(614\) 466-1366](#)), Rm. 313, 9:00 am

HB 49

BIENNIAL BUDGET (SMITH, R.)

To provide authorization and conditions for the operation of state programs. --5th Hearing-Sponsor-
Pending referral

HB 26

TRANSPORTATION BUDGET (MCCOLLEY, R.)

To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of those programs. --2nd Hearing-All testimony

House Financial Institutions, Housing & Urban Development

(Chr. [Dever, J., \(614\) 466-8120](#)), Rm. 115, 9:00 am

HB 35

BANKING LAW (HUGHES, J.)

For the purpose of enacting a new banking law for the State of Ohio. --1st Hearing-Sponsor

House Ways & Means

(Chr. [Schaffer, T., \(614\) 466-8100](#)), Rm. 121, 9:00 am

HB 11

TAX LAWS (SCHERER, G.)

To expressly incorporate changes in the Internal Revenue Code since February 14, 2016, into Ohio law. --2nd Hearing-All testimony-Possible vote

Senate Insurance & Financial Institutions

(Chr. [Hottinger, J., \(614\) 466-5838](#)), Finance Hearing Rm., 10:15 am

SB 24

LOAN ACT (TERHAR, L.)

To create the Ohio Consumer Installment Loan Act. --1st Hearing-Sponsor

SB 29

BANKING LAW (COLEY, B., OELSLAGER, S.)

For the purpose of enacting a new banking law for the State of Ohio. --1st Hearing-Sponsor

House State & Local Government

(Chr. [Anielski, M.](#), (614) 644-6041), Rm. 116, 11:00 am

Presentations by County Commissioners Association of Ohio, Ohio Township Association & Ohio Municipal League

HB 5

MICROBUSINESSES ([PELANDA, D.](#), [GAVARONE, T.](#))

To create a statutory definition of "microbusiness." --1st Hearing-Sponsor

HB 12

OFFICIAL STATE STRUCTURE ([GONZALES, A.](#))

To designate the barn as the official historical architectural structure of the state. --1st Hearing-Sponsor

HB 31

GOVERNMENT CONTRACTING ([CUPP, R.](#))

To abolish the Government Contracting Advisory Council. --1st Hearing-Sponsor

HB 34

PUBLIC NOTICES ([HAMBLEY, S.](#), [RYAN, S.](#))

To authorize certain state agencies, local governments, and other boards, commissions, and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail. --1st Hearing-Sponsor

House Rules & Reference

(Chr. [Rosenberger, C.](#), (614) 466-3506), Rm. 119, 12:00 pm

Senate Health, Human Services & Medicaid

(Chr. [Burke, D.](#), (614) 466-8049), South Hearing Rm., 3:15 pm

SB 23

DAY DESIGNATION ([TERHAR, L.](#))

To designate January 31 as "Omphalocele Awareness Day." --1st Hearing-Sponsor

SB 27

MONTH DESIGNATION ([BEAGLE, B.](#))

To designate the period beginning March 13 and ending April 15 as "Ohio Deaf History Month." --1st Hearing-Sponsor

House Education & Career Readiness

(Chr. [Brenner, A.](#), (614) 644-6711), Rm. 121, 4:30 pm

HB 21

COMMUNITY SCHOOLS ([HAMBLEY, S.](#))

Regarding verification of community school enrollments. --1st Hearing-Sponsor

HB 37

SCHOOL FACILITIES ([ARNDT, S.](#))

To require the Ohio School Facilities Commission to establish a program assisting school districts in purchasing technology and making physical alterations to improve technology infrastructure and school safety and security. --1st Hearing-Sponsor

WEDNESDAY, FEBRUARY 15

Senate Ways & Means

(Chr. [Eklund, J.](#), (614) 644-7718), South Hearing Rm., 9:00 am

SB 9

SALES TAX HOLIDAY ([BACON, K.](#))

To provide for a three-day sales tax "holiday" in August 2017 during which sales of clothing and school supplies are exempt from sales and use taxes. --1st Hearing-Sponsor

SB 35

TAX CREDIT ([SKINDELL, M.](#))

To remove the income restriction on the earned income tax credit and to make the credit refundable beginning in 2017.--1st Hearing-Sponsor

SB 36

AGRICULTURAL LAND ([HITE, C.](#))

To require that the computation of the capitalization rate for the purposes of determining CAUV of agricultural land be computed using a method that excludes appreciation and equity buildup and to stipulate that CAUV land used for a conservation practice or enrolled in a federal land retirement or conservation program for at least three years must be valued at the lowest of the values assigned on the basis of soil type. --1st Hearing-Sponsor

House Finance

(Chr. [Smith, R.](#), (614) 466-1366), Rm. 313, 9:00 am

HB 26

TRANSPORTATION BUDGET ([MCCOLLEY, R.](#))

To make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2017, and ending June 30, 2019, and to provide authorization and conditions for the operation of those programs. --3rd Hearing-All testimony

House Transportation & Public Safety

(Chr. [Green, D.](#), [\(614\) 644-6034](#)), Rm. 017, 9:00 am

HB 9

TRAFFIC SIGNALS (KOEHLER, K.)

To specify that the alternative protocol for proceeding into an intersection with malfunctioning traffic lights due to a failure of a vehicle detector applies only to bicycles. --2nd Hearing-All testimony-Possible vote

HB 16

ROAD NAMING (CERA, J.)

To designate a portion of State Route 43 in Jefferson County as the "Army Corporal Carl H. Bernhart Memorial Highway." --2nd Hearing-All testimony-Possible vote

HB 22

ROAD NAMING (HAMBLEY, S.)

To designate a portion of State Route 261 in Medina and Summit Counties as the "Sergeant James F. Allen III Memorial Highway." --2nd Hearing-All testimony-Possible vote

House Insurance

(Chr. [Brinkman, T.](#), [\(614\) 644-6886](#)), Rm. 113, 10:00 am

Presentations from Ohio Department of Insurance, Ohio Association of Health Plans, Ohio Insurance Institute and Association of Ohio Life Insurance Companies

Senate Rules & Reference

(Chr. [Obhof, L.](#), [\(614\) 466-7505](#)), Majority Conf. Rm., 11:00 am

Senate Session

(Chr. [Obhof, L.](#), [\(614\) 466-4900](#)), Senate Chamber, 1:30 pm

House Session

(Chr. [Rosenberger, C.](#), [\(614\) 466-3357](#)), House Chamber, 1:30 pm

Senate Education

(Chr. [Lehner, P.](#), [\(614\) 466-4538](#)), South Hearing Rm., 3:15 pm

Confirmation hearing on governor's appointments of Eric Poklar, Rebecca Vazquez-Skillings, Charlotte McGuire and Martha Manchester, State Board of Education

SB 8

SCHOOL TECHNOLOGY & SAFETY ([GARDNER, R.](#), [TERHAR, L.](#))

To require the Ohio School Facilities Commission to establish a program assisting school districts in purchasing technology and making physical alterations to improve technology infrastructure and school safety and security. --**1st Hearing-Sponsor**

SB 34

ACADEMIC YEAR ([MANNING, G.](#))

To generally require public and chartered nonpublic schools to open for instruction after Labor Day. -
-**1st Hearing-Sponsor**

House Finance: Agriculture, Development & Natural Resources Sub.

(Chr. [Thompson, A.](#), (614) 644-8728), Rm. 018, 3:30 pm

Budget testimony from Liquor Control Commission, Racing Commission, Sea Grant

House Civil Justice

(Chr. [Butler, J.](#), (614) 644-6008), Rm. 113, 4:00 pm

HB 1

DATING PROTECTION ORDERS ([SYKES, E.](#), [MANNING, N.](#))

To authorize the issuance of dating violence protection orders with respect to conduct directed at a petitioner alleging dating violence, to provide access to domestic violence shelters for victims of dating violence, and to require the Attorney General's victim's bill of rights pamphlet to include a notice that a petitioner alleging dating violence has the right to petition for a civil protection order. --
1st Hearing-Sponsor & proponent

HB 7

MEDICAL PROVIDER IMMUNITY ([CUPP, R.](#))

To grant qualified civil immunity to certain medical providers who provide emergency medical services as a result of a disaster; to provide that certain communications made regarding an unanticipated outcome of medical care, the development or implementation of standards under federal laws, and an insurer's reimbursement policies on health care are inadmissible as evidence in a medical claim; to provide that medical bills itemizing charges are inadmissible as evidence and an amount accepted as full payment for medical services is admissible as evidence of the reasonableness of the charges; to specify the manner of sending a notice of intent to file a medical claim and provide a procedure for the discovery of other potential claims within a specified period after the filing of a medical claim; to provide that any loss of a chance of recovery or survival by itself is not an injury, death, or loss for which damages may be recovered; to provide civil immunity to certain medical providers regarding the discharge of a patient with a mental condition that threatens the safety of the patient or others; to require that governmental agencies that receive peer review committee records maintain their confidentiality; and to clarify the definition of "medical claim." --**1st Hearing-Sponsor**

[House Finance: State Government & Agency Review Sub.](#)

(Chr. [Faber, K.](#), [\(614\) 466-6344](#)), Rm. 115, 4:00 pm

[House Community & Family Advancement](#)

(Chr. [Ginter, T.](#), [\(614\) 466-8022](#)), Rm. 114, 4:00 pm

[HB 36](#)

MARRIAGE CEREMONIES ([VITALE, N.](#))

To provide that an ordained or licensed minister or religious society is not required to solemnize a marriage and a religious society is not required to allow any building or property of the religious society to be used to host a marriage ceremony if the marriage does not conform to the ordained or licensed minister's or religious society's sincerely held religious beliefs, to provide that an ordained or licensed minister or religious society is not subject to civil or criminal liability for such a denial, and to provide that the state and political subdivisions may not penalize or withhold benefits to an ordained or licensed minister or religious society for such a denial. --2nd Hearing-Proponent

THURSDAY, FEBRUARY 16

[House Finance: State Government & Agency Review Sub.](#)

(Chr. [Faber, K.](#), [\(614\) 466-6344](#)), Rm. 017, 9:00 am

[Joint Medicaid Oversight Committee](#)

(Chr. [Huffman, S.](#), [\(614\) 466-7584](#)), Finance Hearing Rm., 9:00 am

Expansion Population - Ohio Medicaid Group VIII Assessment by Barbara Sears, Director, Ohio Department of Medicaid

[House State & Local Government](#)

(Chr. [Anielski, M.](#), [\(614\) 644-6041](#)), Rm. 116, 9:00 am

[HB 5](#)

MICROBUSINESSES ([PELANDA, D.](#), [GAVARONE, T.](#))

To create a statutory definition of "microbusiness." --2nd Hearing-All testimony

[HB 12](#)

OFFICIAL STATE STRUCTURE ([GONZALES, A.](#))

To designate the barn as the official historical architectural structure of the state. --2nd Hearing-All testimony

[HB 31](#)

GOVERNMENT CONTRACTING ([CUPP, R.](#))

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House Finance: Agriculture, Development & Natural Resources Sub.

(Chr. [Thompson, A.](#), [\(614\) 644-8728](#)), Rm. 018, 9:00 am

Budget testimony from OARDC and OSU Extension, Petroleum Underground Storage Tank Release Compensation Board, Environmental Review Appeals Commission and Consumers' Counsel

Joint Education Oversight Committee

(Chr. [Hite, C.](#), [\(614\) 466-8150](#)), South Hearing Rm., 9:30 am

Presentation from Superintendent of Public Instruction Paolo DeMaria on Ohio's Draft Accountability Plan for the Federal Every Student Succeeds Act.

House Aging & Long Term Care

(Chr. [Arndt, S.](#), [\(614\) 644-6011](#)), Rm. 113, 10:00 am

Presentations by the Ohio Department of Aging, Ohio Department of Medicaid and Ohio Department of Job & Family Services

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