



# STATEHOUSE REPORT

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**February 17, 2017**

## **Updates made to Medicaid Managed Care Sales Tax Materials**

### **MEDICAID MANAGED CARE SALES TAX ADVOCACY MATERIALS**

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

CCAO sent out materials last week to help our members advocate for an equitable and long term solution to the loss of the Medicaid managed care sales tax. These materials have been updated and the latest version are linked in the box above. The links include 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](#).

If your county passes a resolution or engages your legislators with a letter on this topic, please forward these to [cpratt@ccao.org](mailto:cpratt@ccao.org)

## **CCAO needs your voice and help!**

In light of this year being a very challenging state budget process and several issues possibly having a significant impact on counties, the Association formed a Lobbying Committee headed by Shelby County Commissioner Julie Ehemann and Morrow County Commissioner Tom Whiston. You are strongly encouraged to participate in this Committee, if you are not already. CCAO's members are our strongest voices!

The Committee is focused on advocating for fiscal stability and the impact the loss of Medicaid Managed Care Organizations (MCO) sales tax revenue will have on counties' budget. Moreover, counties are seeking parity with the state, as the Administration has proposed a long-term budget fix for itself while proposing a transition plan to wean counties from this sales tax revenue. The Committee convenes via conference call on Friday mornings at 8 AM. The next meeting is March 3, and subsequent meetings will be held every other Friday.

If you would like to join the Committee, please contact CCAO Managing Director Cheryl Subler at 614-220-7980 or at [csubler@ccao.org](mailto:csubler@ccao.org).

# Administrations Proposed Changes to the Local Government Fund Distributions

The Administration proposes a new distribution formula for the Local Government Fund that will, over time, allocate 20 percent of the funds based on jurisdictions' revenue capacity. This change would be implemented slowly as follows:

CY 2018: 95 percent of CY 2017 LGF dollars will be distributed using current state formula as well as local county distribution formulas. Remaining 5 percent of CY 2017 LGF dollars and any new growth will be distributed based on the new method.

CY 2019: 90 percent of CY 2017 LGF dollars will be distributed using current state formula as well as local county distribution formulas. Remaining 10 percent of CY 2017 LGF dollars and any new growth will be distributed based on the new method.

**New Method** -- This newly designated pot of money will be distributed to the jurisdiction types as follows:

- 37.3 percent counties
- 47.7 percent cities
- 3.7 percent villages with an income tax
- 1.5 percent villages without an income tax
- 9.8 percent townships

Within each of these types of jurisdictions, they would be rated based on their capacity to generate revenue.

- For counties, this would be a weighted determination based on 80 percent sales tax and 20 percent property tax.
- For cities and villages with an income tax, their allocation would be weighted on income tax.
- For villages without an income tax and townships, their allocation would be weighted on property tax.

Overall, the LGF line item proposes a 0.4 percent and 3.1 percent increase in SFY 2018 and 2019, respectively.

1. For information about the Administration's LGF capacity-based distribution proposal, [click here](#).
2. CY 2016 undivided LGF distributions to counties, [click here](#).
3. County government LGF distribution table, [click here](#).

4. City LGF distribution, [click here](#).
5. Income tax levying villages LGF distribution table, [click here](#).
6. Non-income tax-levying villages LGF distribution table, [click here](#).
7. Township LGF distribution table, [click here](#).

For additional information regarding the Administration's proposed changes to the LGF formula please contact Brad Cole or Cheryl Subler at [bcole@ccao.org](mailto:bcole@ccao.org) or [csubler@ccao.org](mailto:csubler@ccao.org)

## **CCAO supporting indigent defense funding amendment to budget bill**

State Representative and former Ottawa County Commissioner Steve Arndt, a member of the House Finance Committee, is having an amendment drafted to HB 49, the state biennial budget bill to address indigent defense funding.



The amendment would require the state to reimburse counties for “at least 50%” of the costs and expenses for general cases, reimburse at 100% for capital cases, and adjust the budget general fund appropriation line items to provide the funding to meet the state’s reimbursement obligations.

This is one of CCAO’s four major budget issues and we need our members support to secure the adoption of this amendment into the state budget bill. Please contact your state representative ASAP, tell them to support this important amendment, and have them contact either Representative Arndt, Representative Steve Hambley or Representative Mike O’Brien to add their name as a co-sponsor, if they are a member of the finance committee, or add their name to the list of representatives supporting this amendment.

## **CCAO opposes proposal in budget bill to allow for appointed engineer & coroner**

The Governor’s budget includes a proposal that would allow voters to choose if their county would have an appointed county engineer and/or coroner, absent a county charter. The proposal also would allow for multi-county operations overseen by an appointed official. The CCAO Board took action to support the recommendation of the CCAO General Government & Operations Committee to oppose the proposal as an item in the Governor’s budget.



If you have questions about the proposal, please contact CCAO Managing Director of Operations Cheryl Subler at 614-220-7980 or at [csubler@ccao.org](mailto:csubler@ccao.org).

## CCAO supports prevailing wage proposal

Senator Matt Huffman (R-Lima) presented draft legislation to CCAO's Jobs, Economic Development and Infrastructure committee that would allow local political subdivisions, universities and special districts to opt-in to prevailing wage requirements. After the presentation, the committee voted to recommend a favorable position on the proposal and the Board of Directors took action today to support this recommendation.



If you have any questions on the proposal, please contact CCAO policy staff members [Brad Cole](#) or [Kate Neithammer](#).

## Bills Introduced



### SB 50

#### ***OIL GAS LAWS*** ([SKINDELL, M.](#))

To prohibit land application and deep well injection of brine, to prohibit the conversion of wells, and to eliminate the injection fee that is levied under the Oil and Gas Law.

### SB 51

#### ***LAKE ERIE*** ([SKINDELL, M.](#), [EKLUND, J.](#))

To authorize the creation of a special improvement district to facilitate Lake Erie shoreline improvement.

### SB 53

#### ***LAKE ERIE DRILLING*** ([SKINDELL, M.](#))

To ban the taking or removal of oil or natural gas from and under the bed of Lake Erie.

### SB 56

#### ***STEP THERAPY*** ([LEHNER, P.](#), [TAVARES, C.](#))

To adopt requirements related to step therapy protocols implemented by health plan issuers and the Department of Medicaid.

### SB 59

#### ***BICYCLE 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.

### SB 60

#### **DRONE USE** ([SKINDELL, M.](#), [JORDAN, K.](#))

To regulate the use of drones for gathering evidence and information by law enforcement officers in Ohio.

### SB 61

#### **PUBLIC TRANSPORTATION** ([SKINDELL, M.](#))

Related to public transportation.

### HB 51

#### **AGENCY REVIEWS** ([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.

### HB 53

#### **UNION DUES** ([BECKER, J.](#))

To remove any requirement under the Public Employees Collective Bargaining Law that public employees join or pay dues to any employee organization, to prohibit public employers from requiring public employees to join or pay dues to any employee organization, to prohibit an employee organization from being required to represent public employees who are not members of the employee organization, and to make an appropriation.

### HB 54

#### **REVENUE OBLIGATIONS** ([BLESSING, L.](#), [GAVARONE, T.](#))

To authorize the Treasurer of State to issue revenue obligations of the state for the purpose of making loans to qualifying public entities for their acquisition of permanent improvements through the Treasurer of State's purchase of public obligations of those qualifying entities.

### HB 56

#### **HUMAN TRAFFICKING** ([DEVER, J.](#), [GAVARONE, T.](#))

To permit a person who is found not guilty or is the defendant in a dismissed case to apply for an expungement of the person's records in the case if the complaint, indictment, or finding of not guilty resulted from the applicant having been a victim of human trafficking, to permit a person convicted of certain prostitution-related offenses to apply for the expungement of any record of conviction of an offense, with certain exceptions, if the person's participation in the offense was a result of having been a victim of human trafficking, and to authorize intervention in lieu of conviction for persons charged with committing an offense while a victim of compelling prostitution.

## HB 57

### ***DOMESTIC STEEL*** (*BOCCIERI, J., RAMOS, D.*)

To require the use of domestic steel in construction, repair, or improvement projects involving certain buildings used by public schools, state institutions of higher education, and specified private colleges.

## HB 60

### ***DRIVER'S LICENSES*** (*HAMBLEY, S., ROGERS, J.*)

To authorize the issuance of an enhanced driver's license, enhanced commercial driver's license, and enhanced identification card to facilitate land and sea border crossings between the United States and Canada and Mexico, pursuant to an agreement with the United States Department of Homeland Security.

## HB 61

### ***SALES TAX*** (*JOHNSON, G., KELLY, B.*)

To exempt from sales tax the sale of tampons and other feminine hygiene products associated with menstruation.

## HB 62

### ***WATER QUALITY*** (*PATTERSON, J., SHEEHY, M.*)

To require the Director of Agriculture to adopt rules establishing the Ohio Water Quality Improvement Program, to exempt land enrolled in the Program from taxation, and to reimburse local taxing units for revenue lost due to that exemption.

## HB 65

### ***SANITARIAN REVIEWS*** (*HILL, B.*)

To require the Director of Agriculture and the Director of Health to adopt rules governing reviews of registered sanitarians and sanitarians-in-training who conduct inspections of retail food establishments and food service operations.

## HB 69

### ***TIF DISTRICTS*** (*CUPP, R.*)

To require reimbursement of certain township fire and emergency medical service levy revenue forgone because of the creation of a municipal tax increment financing district.

## HB 70

### ***FUEL TAX DISPLAYS*** (*MERRIN, D.*)

To enact the "Fuel Tax Transparency Act" requiring stickers to be placed on retail service station pumps displaying the rates of federal and state taxes applicable to gasoline and diesel fuel.

## Hearing Schedule



## TUESDAY, FEBRUARY 21

### 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. --4th Hearing-Possible substitute

### House Economic Development, Commerce & Labor

(Chr. [Young, R.](#), (614) 644-6074), Rm. 113, 1:30 pm

#### HB 2

#### **CIVIL RIGHTS LAWS** ([SEITZ, B.](#))

To modify Ohio civil rights laws related to employment. --2nd Hearing-Proponent

### Senate Health, Human Services & Medicaid

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

#### SB 56

#### **STEP THERAPY** ([LEHNER, P.](#), [TAVARES, C.](#))

To adopt requirements related to step therapy protocols implemented by health plan issuers and the Department of Medicaid. --1st Hearing-Sponsor

## WEDNESDAY, FEBRUARY 22

### House Finance: Agriculture, Development & Natural Resources Sub.

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

Budget testimony from Housing Finance Agency, Air Quality Development Authority and Southern Ohio Agricultural & Community Development Foundation

### 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. --5th Hearing-All testimony

## 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. --2nd Hearing-All testimony-Possible vote

### 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. --2nd Hearing-Proponent

## Senate Government Oversight & Reform

(Chr. [Coley, B.](#), (614) 466-8072), Finance Hearing Rm., 9:45 am

### SB 44

#### **CAMPAIGN FINANCE** ([LAROSE, F.](#))

To allow certain campaign committees and other entities to file campaign finance statements electronically and to require the Secretary of State to make the information in those electronic statements available online. --1st Hearing-Sponsor

### SB 19

#### **PROSECUTING ATTORNEYS** ([THOMAS, C.](#))

To prohibit prosecuting attorneys of counties with a population of 400,001 or more from engaging in the private practice of law. --1st Hearing-Sponsor

### SB 10

#### **PRIMARY ELECTIONS** ([LAROSE, F.](#))

To expand the circumstances under which a board of elections or the secretary of state is not required to hold a primary election. --2nd Hearing-Proponent

## Senate Transportation, Commerce & Workforce

(Chr. [LaRose, F.](#), (614) 466-4823), South Hearing Rm., 10:15 am

### SB 6

#### **BRIDGE PROGRAM** ([HOAGLAND, F.](#))

To extend the Ohio Bridge Partnership Program through the end of fiscal year 2019 and to require the Director of Transportation to submit a report to the Governor, Senate, and House of Representatives recommending ways to continue to fund the program. --1st Hearing-Sponsor



## 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 Energy & Natural Resources

(Chr. [Balderson, T.](#), [\(614\) 466-8076](#)), Finance Hearing Rm., 2:30 pm or after session

### SB 2

#### **ENVIRONMENTAL LAWS** ([HITE, C.](#))

To revise specified laws relating to environmental protection. --**2nd Hearing-All testimony**

### SB 50

#### **OIL GAS LAWS** ([SKINDELL, M.](#))

To prohibit land application and deep well injection of brine, to prohibit the conversion of wells, and to eliminate the injection fee that is levied under the Oil and Gas Law. --**1st Hearing-Sponsor**

### SB 53

#### **LAKE ERIE DRILLING** ([SKINDELL, M.](#))

To ban the taking or removal of oil or natural gas from and under the bed of Lake Erie. --**1st Hearing-Sponsor**

## 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. --**2nd Hearing-All testimony-Possible amendments & vote**

### 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." --**2nd Hearing-Proponent**

## THURSDAY, FEBRUARY 23

### [House Finance: Agriculture, Development & Natural Resources Sub.](#)

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

Budget testimony from Department of Natural Resources

### [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. --**6th Hearing-All testimony-Possible amendments & vote**