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# STATEHOUSE REPORT

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June 23, 2017

## Medicaid MCO amendment approved by Legislature!

The Medicaid MCO amendment submitted by Representative Seitz and Senator Dolan was included in the final budget bill measure (conference committee report) that was approved by both the House and Senate this week. The amendment requires the state to seek federal approval from the Centers for Medicare and Medicaid Services (CMS) to reset the franchise fee on health insuring corporations (HIC) to raise up to an additional \$207 million per year.

Unfortunately, **our advocacy efforts must continue**. We expect the Governor's veto message to be released this evening, and it may include a veto of the MCO amendment. Both the House and the Senate are discussing possible veto overrides, and the House has scheduled session for July 6<sup>th</sup>.

CCAO submitted a letter to the Governor yesterday asking for the amendment to be retained. You can read it [here](#).

**We are asking every member of CCAO to use the talking points below and make several phone calls TODAY:**

1. **The Governor's office** – Ask the Governor to retain the MCO amendment that's currently included in the state's budget bill.

**Governor's Office**  
**Phone: 614-466-3555**  
**Email: [dave.ward@governor.ohio.gov](mailto:dave.ward@governor.ohio.gov)**

*Conference Committee comments from Senator Dolan:*  
**“It's a little inconsistent for him (the Governor) to say that the counties shouldn't rely on it since they've only had it for six years. It's the same for the state. Plus the counties are on the front lines of the opioid crisis, including foster care services and coroners.”**  
**“This is not a time to walk away from counties.”**

[The Columbus Dispatch](#)

2. **Representatives and Senators** - Thank your members of the legislature for including this plan in the budget and tell them that you support an override vote from the legislature if the Governor decides to veto this measure.

3. **Our legislative leaders** – Don't forget to also call Senator Dolan and Representatives Schuring, Seitz and Smith and thank them for their tireless efforts on this issue.

[Senate contact list](#)



[House contact list](#)

4. **One final action item** - Be prepared to release a press release over the weekend using the talking points below.

#### TALKING POINTS:

- Explain what budget cuts you anticipate having to impose if the lost revenue is not replaced. Also, highlight any impacts on your economic development efforts.
- Pursuing an increase in the HIC franchise fee would **not** jeopardize Ohio's current waiver. In the event that the request to reset the fee is not approved, our existing waiver would remain in place. If the state provides documentation to the agency's satisfaction that the new proposal meets federal requirements, it will automatically be approved. The original waiver met the criteria necessary and cannot be withdrawn.
- The Seitz/Dolan amendment directs the state to take a stair-step approach in talking with CMS for approval to reset the proposed HIC franchise fees. It instructs the Medicaid Director to first ask CMS if Ohio's franchise fee can be increased, and if the Director receives a favorable response, then the Director shall request formal approval.
- Remind them that the SFY 18/19 Executive Budget fully replaces lost revenue to the state through a new proposed franchise fee on MCO's, but only provides counties and transit authorities a one-time allocation to be spread out over 2 payments. Counties seek and deserve parity with the state.
- **Indicate that you SUPPORT** the Dolan/Seitz amendment to provide fiscal stability for the state's county partners. If the Governor decides to veto this measure, you support a vote of the legislature to override the veto.

Finally, CCAO heard today that there have been discussions regarding the additional revenue that this would generate and who would be responsible for reimbursing the Medicaid managed care organizations for their new rate. Under federal law, any payments that go towards Medicaid match must be reimbursed. We now know that the legislature and the administration may have reached an understanding that this

reimbursement payment will come from the money designated for counties and transit authorities. If this understanding comes to fruition, locals will receive 68 - 69% of what they received in the past, rather than complete replacement.

## **Governor signs criminal justice facility and services legislation**

On June 28th the Governor signed legislation ([HB 124](#)) sponsored by Representatives Brenner and Carfagna to permit a county to propose as a single ballot question property taxes and a bond issue for the acquisition of, or permanent improvements to, criminal justice-related facilities and the operating expenses associated with such facilities and other criminal justice services.

The bill also authorizes a joint vocational school district to submit the question of a renewal tax levy to voters who did not have an opportunity to vote on the levy at an election held in November of 2015 because the levy was only placed on the ballot in one of several counties in which the district has territory.

The bill has an emergency clause which allows the law to take immediate effect. The county provisions authorize boards of county commissioners to propose, as a single ballot question, a bond levy for the acquisition or improvement of a criminal justice facility and either or both of the following: a levy for related improvements, and an operating levy for the expenses associated with running the facility and other criminal justice services.

The bill also includes temporary law language permitting any board of commissioners prior to the effective date of the permanent county levy law language to adopt one or more resolutions placing the questions of the combined ballot levy on the ballot and directing the county board of elections to accept such resolutions and make arrangements for the submission of ballot language to the voters of such county at the general election to be held November 7, 2017.

This means that once the governor signs this legislation, any board of commissioners may utilize the provisions of this legislation this summer in order to place a property tax levy as authorized by the bill before the voters this November.

For additional information on this bill, please contact Brad Cole of the CCAO staff at [bcole@ccao.org](mailto:bcole@ccao.org)

## **Bills Introduced**



**HB 289**

**OCCUPATIONAL LICENSING ([HOOD, R.](#), [MCCOLLEY, R.](#))**

To establish a statewide policy on occupational regulation, to require standing committees of the General Assembly to periodically review occupational licensing boards regarding their sunset, to require the Common Sense Initiative Office to review certain actions taken by occupational licensing boards, and to require the Legislative Service Commission to perform assessments of occupational licensing bills and state regulation of occupations.

### HB 291

#### **GOVERNMENT INSURANCE (WIGGAM, S.)**

To authorize counties, townships, and municipal corporations to purchase an employee dishonesty and faithful performance of duty insurance policy, instead of a bond, for protection from loss due to the fraudulent or dishonest actions of, and the failure to perform a duty prescribed by law by, an officer, official, employee, or appointee for which a bond is required by law.

### HB 295

#### **DOG REGISTRATIONS (GOODMAN, W.)**

To exempt certain disabled veterans from paying a dog registration fee when application is made to the county auditor that includes proof that the dog is an assistance dog.

### HB 297

#### **VEHICLE TITLES (HAGAN, C.)**

To allow owners of a motor vehicle, watercraft, or outboard motor who have joint ownership with right of survivorship to transfer title through a transfer-on-death designation.

### HB 298

#### **SICK DAYS (MERRIN, D.)**

To make changes with respect to the number of sick days provided to public employees.

## Hearing Schedule



## THURSDAY, JULY 6

### House Session

(Chr. [Rosenberger, C.](#), [\(614\) 466-3357](#)), House Chamber, 9:00 am