



STATEHOUSE REPORT

Published by: County Commissioners Association of Ohio

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

September 11, 2015

New House workgroups to address foreclosures, etc.

The House Judiciary Committee will take a unique approach to its work this fall, with five working groups expected to focus on subjects ranging from the death penalty to foreclosures, Chairman Rep. Jim Butler said Tuesday.



Chairman Rep.
Jim Butler

The committee work groups, which according to the Oakwood Republican are in the early stages of establishment, will respectively be tasked with looking at: OVI statutes; death penalty task force recommendations; drug trafficking and possession penalties; abuse of process; and foreclosure overhaul. They will also be charged with making recommendations on their assigned topics - proposals which could be turned into future legislation, Rep. Butler said.

Although the subgroups, which will work on an informal basis, will examine these five subject areas, Rep. Butler stressed, the committee will continue to look at other topics. Rep. Butler "We'll obviously hear, just like we always do, whatever bills are assigned to our committee," he said in an interview. "This is a new approach, that I can tell anyway, to coming up with solutions to problems. I think that's what's needed to work collaboratively in a bipartisan fashion."

Chairman Butler said he hopes to have the working groups up and running by the time the lawmakers return to Columbus later this month. Currently, he said, there is no timeframe for the subpanels to make recommendations, adding that their work could be ongoing throughout the remainder of the legislative session.

Criminal Justice Recodification Committee gets legislative support for its efforts

[Ohio's Criminal Justice Recodification Committee](#) was created in last year's Mid-biennium Review Budget bill. The committee, which has been meeting since May, is comprised of state lawmakers, judges and other stakeholders and is tasked with evaluating the Ohio criminal statutes and recommending improvements to the General Assembly by August 2016.

At a press conference, held prior to the committee's regular meeting, Senate President Keith Faber joined other lawmakers as well as representatives of the U.S. Justice Action Network to

show support for the Criminal Justice Recodification Committee's efforts. Those holding the press conference urged the committee to make recommendations that address recidivism rates, access to community controls and rehabilitation and mandatory sentences for non-violent offenders.

President Faber indicated that the legislature will stand behind proposals seeking to update the state's criminal justice system in an effort to minimize the growing prison population. Indicating that there is a need to provide the prosecutorial, judicial and penal flexibility to make Ohio's justice system work more effectively, Faber noted that "This is not about being soft or hard on crime, it's about being smart on crime."

Members of the U.S. Justice Action Network include the ACLU, Americans for Tax Reform, the Center for American Progress, FreedomWorks, the Leadership Conference on Civil and Human Rights, Right on Crime and the Faith and Freedom Coalition. Grover Norquist, president of Americans for Tax Reform, and Alison Holcomb, Director of the ACLU's Campaign for Smart Justice, pointed to their unlikely pairing as proof that Americans are ready to see reforms that reduce the number of inmates and create alternative sanctions. "This is principled men and women on the right and left who, for their own reasons, agree that there are too many people in prison, not the right people in prison, that there is movement that can be made (and) that there are too many laws and we can function with fewer laws," Mr. Norquist said.

The U.S. Justice Action Network also released poll results indicating that 85% of respondents said how long a person is incarcerated doesn't matter as much as whether they return to prison. 87% believe mandatory minimum sentences shouldn't exist for non-violent offenders and 83% think fewer non-violent offenders should be sent to prison so that money can be spent on tracking violent offenders. The poll also found that 65% of Ohioans think there are too many people in prison and the state is spending too much money to keep them there, while 64% think there are too many criminal laws. The bipartisan group is focusing its lobbying efforts on Ohio and two other states that are poised to overhaul criminal justice laws.

During the committee's meeting, the committee chair Auglaize County Common Pleas Judge Fred Pepple laid out the timeline committee workgroups should follow in order to meet the August 2016 deadline to formally present recommendations to the General Assembly. The various workgroups are to first review sections of the code for any "low-hanging fruit" and consistency changes that can be made and report back on those by Oct. 29. The next step in the process will be to take the more controversial topics addressed in the first phase of code review. The big ideas and drafts of code sections will be taken up last and are due to the committee's staff by the end of the year. Preliminary recommendations for public review and input are expected by March 2016

House study panel examines behavioral health system

Access to mental health and addiction care is improving, but increased reimbursement rates and care coordination are necessary to better serve more Ohioans, witnesses told the House Healthcare Efficiencies Study Committee. The committee met at Shawnee State University in Scioto County to hear from service providers, managed care plans, health insurers and mental health and addiction recovery advocates.

A common focus was on increased access to care thanks to Medicaid expansion, but many raised concerns that reimbursement rates and the number of services covered and behavioral health providers available aren't keeping pace with the influx of patients.

The state's behavioral health population, which includes those receiving treatment for mental health or addiction, makes up about 27% of Medicaid members, but accounts for half of all Medicaid spending, Department of Mental Health and Addiction Services (OMHAS) Director Tracy Plouck told the panel. The department is working to redesign the behavioral health system to better serve that population and lower Medicaid costs, she said. To do that, it's added new services to the benefits, which will be in managed care by January 2018. OMHAS is also concentrating on coordinating benefits across payers and implementing value-based payment methodologies by January 2018, Ms. Plouck added.

One of the state's five Medicaid managed care plans, CareSource has already begun working with its providers to pilot payment incentives for outcomes and outreach, its Vice President of Behavioral Health Jonas Thom told members. "We intend to continue and expand incentives for behavioral health providers - under the firm belief that we need to reward quality, engagement and access," he said, adding that coordinating care to ensure patients are receiving physical and mental care simultaneously is also a focus.

Ohio Psychiatric Physicians Association Executive Director Janet Shaw said, "Research indicates that better integration of behavioral health services into the broader health care continuum can have a positive impact on quality, costs and outcomes." She recommended that the state: ensure private health insurers are compliant with the Mental Health Parity Laws and that insurance networks are adequate; require private insurers to cover telehealth services the way Medicaid does; and pass laws that appropriately allow mental healthcare workers to work at the top of their scope of practices.

Anthem's Behavioral Health Director Chris Philpot added that when depression and other forms of mental illness are linked with chronic diseases or conditions, the average yearly cost to treat those patients more than doubles. Kelly Smith, the program and policy director for the Mental Health and Addiction Advocacy Coalition noted that while medication assisted treatment, which research has shown works well for those facing mental illness and addiction when paired with behavioral therapy, it is also difficult to access in Ohio.

The Medicaid system will be the major topic at the committee's next meeting.

Statehouse, Etc.



CCAO Biennial Budget Summary is now up on our website - the Budget Summary prepared by the policy staff and presented during the recent Budget Briefings held by the CCAO and OSU Extension are now available – just [click here](#) to find the information on our CCAO web site.

Congressional redistricting proposal may be coming from the Constitutional Modernization Commission - The Legislative Branch and Executive Branch Committee of the Ohio Constitutional Modernization Commission (OCMC) is prepared to take action recommending congressional redistricting be completed by an independent commission rather than the legislature. OCMC Senior Policy Advisor Steven Steinglass briefed members on United States Supreme Court's decision in *Arizona State Legislature v. Arizona Independent*

Redistricting Commission. Arizona lawmakers had challenged the constitutionality of an independent commission created by Arizona voters to draw legislative districts, however, earlier this year U.S. Supreme Court upheld the concept in a 5-4 decision. "The decision in *Arizona State Legislature* removes an obstacle to the adoption of a commission-based method for drawing congressional district lines which is proposed for Ohio. While the committee members agreed that a November vote by the committee to recommend the proposal to the full OCMC was possible if an October meeting was held to hammer out a report, the meeting adjourned without an October meeting being scheduled.

Casino revenues continue downward trend - Overall revenue at Ohio's 4 casinos and 7 racinos dipped slightly in August compared to July, but the facilities continued to take bets at a fairly steady pace, with nearly \$1.5 billion in wagers placed last month on slots and table games. The state's four casinos took in a total of about \$660.6 million in bets while recording about \$66.2 million in revenue for the month, according to the latest data released Tuesday by the Ohio Casino Control Commission. For July, those respective totals were roughly \$704 million and \$69.5 million. Most of the casino bets and revenue continue to come from slot machines versus table games, state data shows. Despite the lack of table games, the Hard Rock racino at the former Northfield Park location is regularly equaling the gaming action and revenues generated at any one of the four casinos, and lead the other 10 gaming establishments in revenue for August.

Day of remembrance at the Ohio Statehouse – 2977 flags were placed on the Ohio Statehouse lawn to commemorate the lives lost on 9/11. The flags will be there thru Monday evening.



Water bond issue – Senator Randy Gardner (R-Bowling Green) is among lawmakers interested in pursuing a bond issue to address water quality issues across the state. In a letter late last month, he sought to gauge the interest of Lake Erie Caucus members in pursuing a Clean Water Bond issue. In addition, he stated that "It appears that a range of between \$500 million and \$1 billion is worthy of discussion." Interest in such a bond issue is gaining popularity. Senate Minority Leader Joe Schiavoni introduced a separate proposal (SJR 3) to establish a \$100 million a year bond program, and Healthy Water Ohio launched its long-term strategic plan which includes advocating for a \$100 million a year bond issue.

Bills Introduced



HB 325 DRUG ADDICTION TREATMENT ([Green, D.](#), [O'Brien, S.](#)) Regarding encouraging pregnant women who are addicted to controlled substances to seek treatment. Am. 5119.17 and 5139.01 and to enact sections 2151.26, 2945.65, and 3701.70.

HB 326 INCOME TAX LAW ([Amstutz, R.](#), [McClain, J.](#)) to make technical changes to the state income tax law, to modify the requirements for receiving the joint filing credit, and to provide that, for the 2015 taxable year, any taxable business income under \$125,000 for married taxpayers filing separately or \$250,000 for other taxpayers is subject to the graduated tax rates applicable to nonbusiness income, while business income in excess of those amounts remains subject to the existing 3% flat tax. Am. 9.66, 122.16, 122.172, 122.173, 5709.65,

5709.66, 5733.33, 5733.42, 5733.98, 5747.01, 5747.02, 5747.05, 5747.054, 5747.055, 5747.056, 5747.059, 5747.21, 5747.212, 5747.22, 5747.27, 5747.28, 5747.29, 5747.331, 5747.37, 5747.65, 5747.66, 5747.71, 5747.75, 5747.76, 5747.80, 5747.81, and 5747.98 and to repeal sections 5733.48, 5747.051, 5747.057, 5747.26, 5747.261, 5747.31, 5747.32, 5747.34, 5747.35, 5747.36, 5747.38, 5747.39, and 5747.77.

HB 327 HOMESTEAD EXEMPTION (Gonzales, A.) To extend eligibility for the enhanced disabled veterans homestead exemption to veterans whose disability rating is less than total but who have been judged by the Department of Veterans Affairs as unable to secure or follow a substantially gainful occupation as a result of service-connected disabilities. Am. 323.151.

Hearing Schedule



Tuesday, September 15

House Community & Family Advancement (Chr. **Derickson, T.**, 644-5094), 213 E. 4th St., East Liverpool, 1:00 pm

Presentations from Kathie Chaffee - Columbiana County Mental Health and Recovery Services; Maureen Waybright - Columbiana County Mental Health and Recovery Services; Carol Cowan - East Liverpool Health Commissioner; Wesley Vins - Columbiana County Health Commissioner; Ray Travelene - Hot Dog Shoppe; Eileen Dray-Bardon - Columbiana County Jobs and Family Services; Mike Mancuso - Salem Area Sustainable Opportunity Development Center; D.R. Gossett - Ironton-Lawrence Co. Area Community Action Organization; Judge Carol Robb - Bridges to Sustainable Communities in Columbiana County

Wednesday, September 16

House Healthcare Efficiencies Summer Study Committee, (Chr. **Huffman, S.**, 466-9624), MetroHealth Main Campus, 2500 MetroHealth Drive, Cleveland, 12:00 pm

Presentations on Medicaid and Aging from Director John McCarthy, Ohio Department Medicaid, Director Bonnie Kantor-Burman, Ohio Department of Aging and public testimony.

House Ways & Means, (Chr. **McClain, J.**, 644-6265), Rm. 121, 1:00 pm

HB 326 ■ **INCOME TAX LAW** (**Amstutz, R.**, **McClain, J.**) to make technical changes to the state income tax law, to modify the requirements for receiving the joint filing credit, and to provide that, for the 2015 taxable year, any taxable business income under \$125,000 for married taxpayers filing separately or \$250,000 for other taxpayers is subject to the graduated tax rates applicable to nonbusiness income, while business income in excess of those amounts remains subject to the existing 3% flat tax. --

Sponsor-Proponent

Thursday, September 17

Joint Medicaid Oversight Committee, (Chr. **Sears, B.**, 466-1731), Rm. 313, 9:00 am

Quarterly Update on the Implementation of the Behavioral Health Redesign from John McCarthy, ODM Director; Readiness Update from: --Providers: Hugh Wirtz, Ohio Council of BH Providers -- Counties: Cheri Walters, Ohio County BH Authorities --Consumers: Terry Russell, NAMI --Health Plans: Jonas Thom, Chair, OAHF Behavioral Health Committee