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# STATEHOUSE REPORT

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**April 25, 2014**

## Got Signs?

Only 11 days remain until Election Day, so please be sure to reach out to your community and encourage support for Issue 1.

The **Issue 1 Strong Ohio Communities** yard signs and brochures are ready and waiting for you. Please contact your county coordinator if you don't yet have your campaign materials. If you encounter any problems, please let [Mary Jane Neiman](#) at CCAO know, and we will assist.



## House Committee discusses state and federal health care mandates interaction

Debate over new health care mandates aimed at making state laws more consistent with the federal Affordable Care Act will continue in a House committee despite its being marked twice for a possible vote.

The House Health & Aging Committee will hold more hearings on the measure [HB 511](#) that would eliminate state mini COBRA, reduce the age at which a child can be covered under a parent's health care plan and increase the number of hours employees can work before their company is required to extend health care.

A possible vote on the measure did not occur Wednesday when the committee failed to attract a quorum during the spring break hearing. In the previous hearing, the vote was forgone because of time constraints regarding a discussion on a pending mid-biennium budget review bill. Questions have been raised in previous hearings regarding how many Ohioans will be affected by a change in state health care law. Because of that, opponents and interested parties have asked the committee to table the measure.

Ohio Poverty Law Center director Eugene King, who testified before the committee, indicated that without an extended study on the provision that would allow companies to employ workers

for up to 30 hours per week before having to supply health insurance it would be hard to know if that provision would be beneficial or harmful. Currently, the requirement includes employees who work 25 or more hours per week. King said it's acceptable for the state and the federal government to have different guidelines because the Affordable Care Act creates a floor, not a ceiling.

Bill sponsor Rep. Barbara Sears (R-Sylvania) reiterated an argument from a previous hearing that allowing children in Ohio to stay on their parent's health care until 28 years old makes them ineligible for subsidies on the federal exchange when they're 26 and 27 because they technically have health care available to them. She said the same gap issue exists with Ohio employers being required to provide mini COBRA to workers. Mr. King said he understood that, legally, having access to a parent's coverage would not require that person to claim that they are passing up on eligible coverage in favor of the exchange and added that people who lose their insurance and must use gap coverage could go onto the exchange and they could be paying the same or less.



Rep. Sears

Kathleen Gmeiner, the director of two projects at Universal Health Care Action Network Ohio and a consumer representative to the National Association of Insurance Commissioners, listed a number of questions for the committee that could help them determine how many and which Ohioans would be affected by the measure.

Ms. Gmeiner offered clarification on an earlier argument, saying that only those Ohioans ages 26 and 27 years old who are tax dependent on their parents would be required to claim under the ACA that health care is available to them through their parents. She said that some Ohioans who select COBRA plans may be negatively impacted because they can't drop the plan to purchase on the marketplace with a subsidy until a set enrollment period. Because of this, she suggested the measure be amended to require employers to provide information on how COBRA enrollment works in tandem with the ACA as well as how the employee could go about entering the marketplace. Rep. Sears noted that state law already requires employers to provide a summary of benefits available to employees that would notify them of special enrollment rights.

In responding to a question from Committee Chairman Lynn Wachtmann, Ms. Gmeiner said about 75% of the individuals her program assisted with enrollment were eligible for Medicaid. Nationally, about 80% of the total number of those enrolled through the health care marketplace is paying a premium, she said.

## **New full-service jail standards in place**

Revised standards for full-service jails in Ohio became effective as of April 20. All county jails are considered to be full-service jails.

At the request of the Department of Rehabilitation and Corrections, all counties were [notified](#) by email from CCAO regarding the adoption of new standards for full-service jails in Ohio, most of which are operated by county sheriffs. This notification included a memo from Director Gary

Mohr regarding the standards and their adoption process and the revised standards and a copy of the new standards.



The new full service jail standards meet or exceed the constitutional minimums and basic needs of those persons incarcerated in county jails, municipal jails, regional jails and workhouses. They also focus sheriffs, chiefs and jail administrators in supporting the life, safety, and health of jail inmates, employees, contract employees and volunteers.

Under the new full service jail standards, full service jails will have to comply with 100 percent of 54 essential jail standards that directly support the life, safety and health of jail inmates. Jails must also comply with 90 percent of important jail standards that directly support good correctional practices in training, operations, inmate services, physical plant, safety and emergency procedures, sanitation, food service, inmate rules and discipline and other areas that address good correctional practice. The 180 standards are similar to those standards created by the American Correctional Association, an elite international corrections association dedicated to excellence. American Correctional Association standards are the highest jail standards nationally and internationally.

The “Standards for Jails in Ohio” are defined through the Ohio Administrative Code and help guide the operations of local jails. The standards are designed to pass constitutional muster and promote correctional best practices. Compliance will help jails avoid litigation. The standards are however flexible enough to account for the various jail designs and operations and allow for multiple ways of compliance.

A majority of the standards contain one or more of the following elements:

- A requirement for policy and procedure
- A required condition
- A specific standard reference number such as a space, time, or ratio to be maintained
- A requirement that a process be in place

The Department of Rehabilitation and Correction will be working collaboratively with Executive Director Jim Dennis, Corrections Center of Northwest Ohio and Lieutenant Ryan Kidwell, Jail Administrator, Hancock County Sheriff’s Office, representing the Ohio Jail Advisory Board, to deliver revised jail standards training to each of the four jail regions in Ohio as well as at the May Buckeye State Sheriff’s Association Training.

For more information contact John Leutz at [jleutz@ccao.org](mailto:jleutz@ccao.org) or (614) 220-7994.

## Legislation of Interest



**HB 523** ■ **SPEED LIMITS** ([Stinziano, M.](#), [Retherford, W.](#)) To permit a person or neighborhood association or organization to request the Director of Transportation to reduce the speed limit on the street or highway of the person's residence or a street or highway located within the area of representation of the association or organization if the

street or highway has a speed limit of not more than 35 miles per hour, and to permit a person or neighborhood association or organization to request the Director or a local authority to erect a stop sign at an intersection where currently no stop sign is present. Am. 4511.11 and 4511.21

## Upcoming Legislative Committee Calendar



### Wednesday, April 30

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**Senate Public Utilities, (Chr. Seitz, B., 466-8068), Finance Hearing Rm., 2:30 pm**  (Updated: 8:25 a.m., April 25, 2014)

**SB 310** **RENEWABLE ENERGY (Balderson, T.)** To make changes to the renewable energy, energy efficiency, and peak demand reduction requirements and to create a study committee. **--4th Hearing-All testimony**