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**Ohio Dental Hygienists' Association
Legislative Report
August 2010**

Providing continued fodder for the election cycle is Ohio's bleak economic landscape. Fiscal year 2010 did end "in the black" on June 30, 2010; the final balance showed a \$139 million surplus thanks primarily in part to under spending in Medicaid. Despite this news, the state is still facing a \$5 - \$8 billion budget shortfall for the next biennium. With that in mind, the General Assembly appointed a group of legislators to serve on a Budget Planning and Management Commission.

The commission's goal is to identify options available to address the structural changes that must occur in the budget in order to achieve sustainability in fiscal years 2012 and 2013 and beyond. The six-member commission is co-chaired by Representative Vernon Sykes (D-Akron) and Senator Shannon Jones (R-Springboro). They are joined by Senator Chris Widener (R-Springfield), Senator Dale Miller (D-Cleveland), Representative Jay Goyal (D-Mansfield) and Representative Ron Amstutz (R-Wooster).

The commission's most recent meeting took place on August 25th. The commission heard presentations regarding Senate Bill 22 (sentencing and correctional reform) from Senator Bill Seitz, John Murphy of the Ohio Prosecuting Attorneys Association and Marshall Clement, Project Director for the Council of State Governments. The discussion was centered on reforming Ohio's criminal justice system, which is at 133% capacity and costs the state \$1.8 billion each year. The panel also heard testimony from various groups advocating for government collaboration and cost saving measures. The commission's statutory requirement is to complete a study and make final recommendations by November 30, 2010.

In the midst of the commission's deliberations, the Office of Budget and Management (OBM) recently released its budget guidance for preparation of the Fiscal Years 2012 and 2013 budget. According to the OBM directive, state agencies are to put together their proposed department core budgets based on 90 percent of FY11 adjusted appropriations, while extended program budget requests can be based on 100 percent of FY11. To many observers, this guidance reflects an extraordinarily optimistic projection of incoming revenue during this

sustained economic downturn. All state agencies are required to respond to OBM with their budget proposals by November 1, 2010. The budget will be introduced in early 2011.

As it relates to ODHA, the Ohio State Dental Board is seeking to promulgate rules that deal with administration and monitoring of nitrous oxide by dental hygienists and monitoring of nitrous oxide by dental assistants. ODHA representatives are serving on the Nitrous Oxide Task Force and are providing valuable input on the rules and what needs to be accomplished in the rules to protect the profession and consumers. It is anticipated that the rules will move forward through the Joint Committee on Agency Rule Review (JCARR) process after the Board hears from the Task Force in September. We will continue to monitor the situation and engage the Board with ODHA's thoughts and concerns as this process continues.

The following legislation might be of interest to the Ohio Dental Hygienist Association.

HB1 **BIENNIAL BUDGET** (SYKES, V) To make appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011 for the operation of state programs.

Current Status: 7/17/2009

SIGNED BY GOVERNOR

Effective: 7/17/09 appropriations; other sections subject to referendum 10/16/09

HB60 **SCHOOL NUTRITIONAL STANDARDS** (PILLICH, C) To establish nutritional standards for food and beverages sold in vending machines in public schools.

Current Status: 5/12/2010

HB60 is amended into SB210

HB68 **HEALTHY FARMS/HEALTHY SCHOOLS** (DODD, D) To establish the healthy farms and healthy schools grant program for the purpose of providing grants to schools to establish nutrition and agricultural education programs for kindergarteners.

Current Status: 6/3/2009

Referred to the Senate Education Committee

HB84 **INMATE HEALTH SCREENINGS** (BOYD, B) To require health-trained personnel to perform a medical, dental, and mental health screening on each inmate upon arrival at a jail and establish procedures if inmate is taking certain medications.

Current Status: 7/1/2009

House Criminal Justice Committee
Second Hearing

HB127 **PROFESSIONAL LICENSES** (WILLIAMS, S) To revise the laws governing issuance of certain professional licenses.

Current Status: 10/21/2009

House State Government Committee
Second Hearing

HB190 **DENTAL PROCEDURES** (FENDE, L) To modify certain licensing procedures for dentists and dental hygienists and to establish the Public Oral Health Supervision Program for the provision of dental hygiene services.

Current Status: 5/27/2010

SIGNED BY GOVERNOR

Effective: 8/31/2010

HB215 **STATE DENTAL BOARD** (LETSON, T) To modify the law governing investigations and hearings conducted by the State Dental Board.

Current Status: 6/13/2010

SIGNED BY GOVERNOR

Effective: 9/13/2010

HB240 **MEDICAID PROGRAM** (SEARS, B) To modify the Medicaid program.

Current Status: 2/3/2010

House Health Committee
First Hearing

HB287 **MEDICAID** (BURKE, D) To require the Medicaid program to cover, subject to federal approval, all health benefits established as mandated health benefits under the state's insurance laws and preclude additional mandated benefits.

Current Status: 2/24/2010

House Health Committee
First Hearing

HB308 **MARGINAL INCOME TAX RATE (FOLEY, M)** To increase the marginal income tax rate applicable to individuals, estates, and trusts with taxable income greater than \$200,000.

Current Status: 10/28/2009

House Ways and Means Committee
First Hearing

HB318 **INCOME TAX FREEZE (SYKES, V)** Postpone for two years the last of scheduled income tax rate reductions, create the Construction Reform Demonstration Project, provide for delay in all day kindergarten.

Current Status: 12/22/2009

SIGNED BY GOVERNOR

Some sections effective 12/22/09; others 3/23/10

HB373 **NUTRITIONAL STANDARDS FOR SCHOOLS (CARNEY, J)** To establish standards for certain foods and beverages sold in public and chartered nonpublic schools, to require public school students to have periodic body mass index measurements; to require daily physical activity for students.

Current Status: 5/26/2010

House Health Committee
Fifth Hearing

SB1 **BUILDING OHIO JOBS PART II (HUGHES, J)** Allocates the remaining \$340 million of targeted investments identified last session as part of the \$1.57 billion bipartisan economic stimulus package.

Current Status: 3/5/2009

Referred to the House Finance and Appropriations
Committee

SB2 **FEDERAL INFRASTRUCTURE FUNDING (CAREY, JR., J)** Provide for the distribution of moneys received by the state from the federal American Recovery and Reinvestment Act of 2009 by making appropriations and to declare an emergency.

Current Status: 3/18/2009

Referred to the House Finance and Appropriations
Committee

- SB34** **HEALTH INSURANCE PROGRAMS** (MILLER, D) To create a health insurance program that allows municipal corporations, small employers, and nonprofit corporations or associations to purchase for their employees the same policies provided to state employees.
Current Status: 3/31/2009
Senate Insurance, Commerce and Labor Committee
First Hearing
- SB52** **EXECUTIVE BRANCH-STATE GOVERNMENT** (GRENDALL, T) To reorganize the executive branch of state government.
Current Status: 10/27/2009
Senate State and Local Government and Veterans Affairs Committee
Sixth Hearing
- SB59** **HEALTHY STUDENTS ACT** (FEDOR, T) Enact the "Healthy Students Act" to establish standards for K-12 health education in public schools and to create the Office of Healthy Schools within the Department of Education.
Current Status: 3/24/2009
Senate Education Committee
First Hearing
- SB136** **INSURANCE AND MEDICAID COVERAGE** (MILLER, R) Regarding insurance and Medicaid coverage of telemedicine services.
Current Status: 6/17/2009
Referred to the Senate Insurance, Commerce and Labor Committee
- SB158** **HEALTH CARE PROFESSIONALS** (MILLER, R) To require certain health care professionals to complete instruction in cultural competency.
Current Status: 3/16/2010
Senate Health, Human Services and Aging Committee
First Hearing

SB210 **NUTRITIONAL STANDARDS FOR SCHOOLS** (COUGHLIN, K) To establish nutritional standards for certain foods and beverages sold in public and chartered nonpublic schools; to require public school students to have periodic body mass index measurements; require daily physical activity.

Current Status: 6/18/2010

SIGNED BY GOVERNOR

Effective: 9/17/2010

SB269 **RESTRUCTURING STATE GOVERNMENT** (GRENDALL, T) Relative to joint purchasing by members of a regional council of governments; consolidation of boards and commissions for purposes of Central Service Agency support services; privatization of governmental functions.

Current Status: 5/26/2010

Referred to the Senate State and Local Government and
Veterans Affairs Committee