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Ohio Dental Hygienists Association Legislative Activities Report July 2010

The legislature adjourned for the summer after a few marathon sessions during the first week of June. During the summer recess, members of the General Assembly will be back in their home districts campaigning for the November 2nd election. No session dates are scheduled for July or August; however, there are two possible session dates slated for mid-September. After that, the legislators will be busy in “lame duck” session for three weeks in November and two weeks in December.

On the election front, right now it appears to still be too close to call in the race for Ohio Governor. In one recent (Quinnipiac University) poll, Governor Strickland has a 43% to 38% lead over John Kasich. Conversely, another (Rasmussen) poll found Kasich with a 48% to 43% lead over Strickland.

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. Still looming, however, is the \$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 has met twice so far over the summer recess. In its first meeting on June 29th, the members heard a presentation from the Ohio Legislative Service Commission (LSC), which provided legislators with an overview of revenue and expenditure data. In its second meeting on

July 7th, the panel heard presentations from the Office of Budget and Management (OBM) and the National Conference of State Legislatures (NCSL). The commission's statutory requirement is to complete a study and make recommendations by November 30, 2010.

On the legislative front House Bill 215 seeks to modify the investigation efforts of the Ohio State Dental Board. The bill was passed by the Ohio Senate and concurred upon by the Ohio House prior to the summer recess. The Governor signed the bill on June 13th and it will take effect on September 13, 2010. Prior to the vote on HB 215 in the Senate Health Committee, a situation was raised about the newly approved CE requirement included in House Bill 190 and to which registration period the 24-hour requirement would begin, the current, the next, or two cycles from now. Governmental Policy Group was able to work with Chairman Coughlin to get an amendment drafted and added to House Bill 215 that clarifies the issue. A summary of the issue is provided below and appears on the ODHA website.

In the case of a dental hygienist who is seeking a registration renewal that is to be effective in the 2010-2011 registration period (registration that ended 12-31-2009), the dental hygienist remains subject to the former requirement to certify completion of a minimum of twelve hours of continuing education. For delinquent filers that did not meet the 12-31-2009 deadline and still have not registered, they are also subject to the twelve hour CE requirement.

In the case of a dental hygienist who is seeking a registration renewal that is to be effective in the 2012-2013 registration period (registration due 12-31-2011), the dental hygienist is subject to the requirement of those provisions to certify completion of a minimum of twenty-four hours of continuing education. Therefore, currently licensed hygienists must complete a minimum of 24 hours by the end of this current registration period to be able to renew a license for the next registration period.

Please note that House Bill 190 was signed on May 27, 2010 and the CE provisions take effect in 90 days. However, the clarifying amendment that was added to House Bill 215, which was signed by the Governor on June 13, 2010 and takes effect in 90 days. The intent of the ODHA was to have RDHs acquire 24 CEUs during the 2010-11 registration period. Even though the effective dates are different, RDHs must still gather 24 CE by December 31, 2011.

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