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**Legislative Activities Report  
Ohio Dental Hygienists Association  
May 2010**

The May primary on Tuesday the 4<sup>th</sup> had its share of drama in both political parties. In statewide races Democratic Lt. Gov. Lee Fisher beat out Secretary of State Jennifer Brunner for the Democratic nomination for U.S. Senate and faces former U.S. Congressman Rob Portman. Republican Delaware County Prosecutor Dave Yost defeated Representative Seth Morgan for the GOP's state auditor nomination and will square off against Hamilton County Commissioner David Pepper and State Senator Jon Husted received more than 67% of the vote in his defeat of Sandra O'Brien for the Republican nomination for Ohio Secretary of State. He now faces Franklin County Clerk of Court Maryellen O'Shaughnessy. Additionally, Governor Strickland appointed Franklin County Probate Court Judge to be the Ohio State Supreme Court Chief Justice due to the passage of Chief Justice Thomas Moyer in April. Chief Justice Brown can now run as an incumbent for the seat he was already seeking against sitting Justice Maureen O'Connor.

In addition to electoral races, there were two statewide ballot issues that were on the ballot in addition to numerous local levies and issues. By a wide margin (61%-39%) Issue 1, the bipartisan plan to extend the state's high-tech business development program by issuing \$700 million in new state debt, was passed. With its passage, new bonds will be issued over four years starting in 2012, the final year of issuances for the current Third Frontier Program.

Also passing with more than 68% support was Issue 2, a constitutional amendment to shift the location of a Columbus casino, which was approved during last fall's general election. Approval means the Columbus casino, originally authorized to be built in the Arena District, will instead be constructed on the city's west side at the site of a former auto parts manufacturing plant.

Governmental Policy Group will keep ODHA apprised of the developments in all of these races and the candidates that will be on the ballot in November. A full list of candidates will be posted on the ODHA website. We will again this fall be encouraging you to meet candidates or invite them to component meetings to listen to your concerns and issues because it is during the campaigns when candidates are listening the most!

On the legislative front House Bill 215, which seeks to modify the investigation efforts of the Ohio State Dental Board, had its first hearing on May 11<sup>th</sup> before the Senate Health, Human Services and Aging Committee after passage by the House in early March. The Health Committee is going to hold two hearings the week of May 17<sup>th</sup>, one each for proponents and opponents. There is a strong possibility that the bill will be reported from the committee and passed by the Senate by the end of May when the General Assembly begins its summer recess.

On May 12<sup>th</sup> the Senate held a floor vote on House Bill 190, which passed unanimously 32-0. The bill now goes back to the House for concurrence on Senate amendments, including the Ohio Department of Health's mouthrinse program and ODHA's local anesthesia reciprocity amendment. We do not anticipate any objection to the amendments and we expect the bill to be favorably forwarded to the Governor for his signature so that he can sign the bill hopefully by the beginning of June. The bill will then take effect in 90 days and the OSDB will be given an additional 6 months to prepare for the creation of the Public Oral Health Supervision Program. If the bill is signed by early June 2010, we can expect the program to be operational in March 2011.

ODHA is also going to be involved over the coming months with an effort by the OSDB to change its rules on nitrous oxide-oxygen administration and monitoring as it pertains to RDHs and CDAs. There was a small task force convened by members of the OSDB to explore nitrous oxide practice issues as it pertains to RDHs and CDAs. The Task Force recommended for Board consideration that: A dental hygienist may, under the direct supervision of a licensed dentist, initiate, adjust, monitor and terminate nitrous oxide-oxygen; and a certified dental assistant or expanded function dental assistant, may, under the direct supervision of a licensed dentist, monitor the patient during the use of nitrous oxide-oxygen. ODHA GR will be considering a position on these changes and determining if it is appropriate for these changes to be addressed in rule or statute, like local anesthesia. This issue will continue to develop over the summer and we keep you apprised of the progress.

**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:* 5/11/2010  
Senate Health, Human Services and Aging Committee  
(First Hearing)
- 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 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:* 5/12/2010  
**PASSED BY SENATE**  
Vote 32-0
- HB215**     **STATE DENTAL BOARD (LETSON, T)** To modify the law governing investigations and hearings conducted by the State Dental Board.  
*Current Status:* 5/12/2010  
Senate Health, Human Services and Aging Committee  
(First Hearing)

- 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 on 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:* 5/12/2010  
**SUBSTITUTE BILL ACCEPTED**  
House Health Committee  
(Fourth 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 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 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 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:* 5/12/2010

**SUBSTITUTE BILL ACCEPTED & REPORTED OUT  
AS AMENDED**, Senate Health, Human Services and  
Aging Committee  
(Fourth Hearing)