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RH RESOURCES

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Week in Review

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As a service to the clients and friends of Governmental Policy Group, Inc. and RH Resources we would like to extend the following weekly update of events happening around Capitol Square.

ABORTION

A diverse group of proponents ranging from academic and adoption communities to parents of Down Syndrome children Tuesday urged the Senate Health, Human Services and Medicaid Committee to outlaw the termination of pregnancies based on markers for the disability in prenatal testing. Sen. Frank LaRose's (R-Copley) SB 164 was introduced in early summer.

ADDICTION/SUBSTANCE ABUSE

Cincinnati followed the path set by several other cities, counties and the state itself in recently announcing an opioid-related suit against Columbus-based Cardinal Health Inc., Amerisource Bergen Drug Corporation in Pennsylvania and McKesson Corporation in California. It is represented by a West Virginia law firm, Greene, Ketchum, Farrell, Bailey & Tweel, which is also representing

Portsmouth, Clermont, Brown, Scioto, Pike, Ross, Jackson, Vinton and Belmont counties. The three companies, which distributed opioid prescriptions, have also been sued separately by Dayton, Lorain and Parma.

Gov. John Kasich will give "serious consideration" to an opioid response strategy laid out by a bipartisan group of Ohio mayors, a spokesman for the governor said Wednesday. "In our war against drug abuse and addiction, our partnerships must be absolute and that's why we welcome all ideas that can provide those on our frontlines with new tools and resources to help," Kasich Press Secretary Jon Keeling said in response to a letter from the Ohio Mayor's Alliance (OMA). "The Governor's Opiate Action Team has been meeting with communities that have been hardest hit by this epidemic to ensure that they are taking advantage of all the tools and \$1 billion that are available."

AGING

Ohio has substantially changed how it delivers and pays for long-term services and supports for older adults and adults with disabilities over the last two decades, a new report from Miami University's Scripps Gerontology Center found, and the state has made "considerable progress" towards creating a more balanced system. The research, titled "Policy Does Matter: Continued Progress in Providing Long-Term Services and Supports for Ohio's Older Population," said that in 1993, nine in 10 older people with a severe disability receiving long-term services through Medicaid did so in an institutionalized setting. By 2015, more than half of them received services in a community-based setting, typically in their own home, with family members or in an assisted-living residence.

AFFORDABLE CARE ACT

All of Ohio's 88 counties will have coverage on the federal health care exchange next year under the Affordable Care Act (ACA), the Ohio Department of Insurance (ODI) announced Thursday, though it warned that the plans are only available for 2018. Earlier this year, a number of insurance carriers announced they would not be offering plans in 20 Ohio counties: Coshocton, Crawford, Guernsey, Hancock, Harrison, Hocking, Holmes, Jackson, Knox, Lawrence, Logan, Morgan, Muskingum, Noble, Paulding, Perry, Van Wert, Vinton, Williams and Wyandot. Paulding had been the final county to get coverage restored.

ATTORNEY GENERAL

Ohio Attorney General (AG) Mike DeWine announced that the National Association for Attorneys General (NAAG) has recognized his office with its "Best Brief" award for a brief regarding the *National Association of Manufacturers v. Department of Defense, et al.* case, which litigated the "Waters of the United States" rule. Ohio contended that the federal government went too far in stating which bodies of water it had the authority to regulate.

FY18-19 BUDGET

The Senate voted to override six of Gov. John Kasich's budget vetoes on Tuesday, with three receiving bipartisan support. The upper chamber left five items on the table for future consideration, as the House voted to override 11 of Kasich's 47 vetoes on HB 49 (R. Smith) in July. The contentious items that passed despite the governor's objections included new restrictions on the Controlling Board and a provision prohibiting the Ohio Department of Medicaid (ODM) from covering new, optional groups unless expressly permitted by statute. Those receiving unanimous or near-unanimous support included a provision delaying implementation of the behavioral health redesign into managed care and items dealing with Medicaid neonatal/newborn service rates and nursing home service rates.

The Senate did not act on the item requiring ODM to ask the U.S. Centers for Medicare and Medicaid Services (CMS) for an increase in the health insuring corporation franchise fee that has already been approved, with the additional funds going to counties and transit authorities, pending the outcome of negotiations among the governor, legislative leaders and the County Commissioners Association of Ohio (CCAO) to address the funding issue.

EDUCATION

With students heading back to school this month, two Democratic lawmakers introduced legislation that would require schools to hold a school safety drill at the beginning of the school year to identify gaps in safety plans. Reps. Adam Miller (D-Columbus) and Bernadine Kennedy Kent (D-Columbus) introduced HB 322 on Monday, saying it will help improve emergency response readiness in school districts across the state.

The Ohio Department of Education (ODE) is seeking comments on its proposed updates to Ohio's model curriculum for English language arts and mathematics in kindergarten through high school via an online survey. The survey, which can be found at <http://tinyurl.com/y8yrkvbd>, will close Wednesday, Sept. 13.

State senator and candidate for the Democratic nomination for governor Joe Schiavoni (D-Boardman) Wednesday reacted to the news that the board of the online Electronic Classroom of Tomorrow (ECOT) had voted to convert the online charter school to a "dropout recovery school" effective immediately. Schiavoni commented, "If the state allows ECOT to become a dropout recovery school, they will get exactly what they want: your tax dollars with fewer strings attached."

ELECTIONS 2018

Republican gubernatorial candidate Lt. Gov. Mary Taylor Tuesday unveiled her tax plan if elected, saying she wants to change the culture of tax collection in Ohio by reducing the income tax return to

the size of a postcard, updating tax withholding tables, avoiding retroactive tax policy changes, and installing a taxpayer advocate within the Common Sense Initiative (CSI) office.

The Ohio Republican Party Wednesday announced six regional field directors for the 2017-2018 campaign cycle who will help lead voter contact, voter registration and field efforts across the state. They include the following: Riley Mahoney for Central Ohio; Debbie Pettit for East and Southeast Ohio; J.R. Marshall for Northeast Ohio; McKenzie Watt for Northwest Ohio; Brandon Llewellyn for Southwest Ohio; and Ryan Nichols for West Ohio.

EMPLOYMENT/UNEMPLOYMENT

Ohio's unemployment rate was 5.2 percent in July 2017, up from 5.0 percent in June 2017, the Ohio Department of Job and Family Services (ODJFS) said Friday. Ohio's non-agricultural wage and salary employment increased 1,600 over the month, from a revised 5,536,500 in June to 5,538,100 in July 2017, ODJFS said.

GENERAL ASSEMBLY/STATEHOUSE

Rep. Margaret Conditt (R-Hamilton) will resign her seat on Friday, Sept. 8, House Speaker Cliff Rosenberger (R-Clarksville) announced Thursday. She wants to spend more time with her family. The application deadline for individuals interested in replacing her is Friday, Sept. 1, with the appointment expected Wednesday, Sept. 13.

The Joint Committee on Agency Rule Review's (JCARR) electronic ruling filing (ERF) system has received its first major overhaul since its inception in 2002, the committee announced Wednesday. The system was updated by JCARR, Legislative Information Systems (LIS) and Legislative Service Commission (LSC) in an attempt to make Ohio's rulemaking process more efficient and cost-effective, according to JCARR.

GOVERNOR

Appointments made during the week include the following:

- Stephen P. Casciani of Delaware (Delaware County) to the Ohio University Board of Trustees for a term beginning Aug. 18, 2017, and ending May 13, 2026.

- Megan E. Marchal of Dublin (Delaware County) and Joshua M. Cox of Beavercreek (Greene County) reappointed to the State Board of Pharmacy for terms beginning Aug. 22, 2017, and ending June 30, 2021.

MARIJUANA

The Kasich administration plans to conduct live video surveillance of more than 100 medical marijuana facilities when Medical Marijuana Control Program (MMCP) businesses begin operating. The Ohio Department of Commerce (DOC) has issued a request for proposal (RFP) "for an open video management system (VMS), which will provide the department and State of Ohio Board of Pharmacy with real-time access to the live video surveillance cameras installed at all the various MMCP entity facilities." Those being surveilled will include cultivators, processors, dispensaries and testing labs.

The Ohio Department of Commerce (DOC) on Tuesday announced it had selected vendors to design and implement information technology systems for the Ohio Medical Marijuana Control Program (MMCP). The seed-to-sale system contract was awarded to Metrc; the cost proposal for the work is nearly \$1.2 million.

NATURAL RESOURCES

Ohio State University (OSU) researchers estimate harmful algal blooms at two Ohio lakes cost homeowners \$152 million in lost property value over six years, according to a new study. Meanwhile, a related study suggests that toxic algae is driving anglers away from Lake Erie, causing fishing license sales to drop at least 10 percent every time a bloom reaches a moderate level of health risk. Based on those numbers, a computer model projects that a severe, summer-long bloom would cause up to \$5.6 million in lost fishing revenue and associated expenditures by anglers.

TECHNOLOGY

Some in the unmanned aviation industry have concerns over the potential for a "patchwork system" of state and federal regulation of unmanned aircraft systems (UASs) and have sought to have the federal government exercise sole jurisdiction. UASs, also called unmanned aerial vehicles (UAVs) or drones, have a host of applications including law enforcement, land surveillance, wildlife tracking, search and rescue operations, disaster response, border patrol and photography. According to the National Conference of State Legislatures (NCSL), 40 states have enacted laws addressing UASs, so far, and an additional three states have adopted resolutions.

WORKERS' COMPENSATION

Ohio Bureau of Workers' Compensation (BWC) Administrator/CEO Sarah Morrison asked her board of directors Friday to approve a 6.1 percent rate cut for school districts, municipalities and other local jurisdictions, a move that brings total BWC reductions for public employers to 33.9 percent under the Kasich administration. The proposal will receive an up-or-down vote at September's board meeting.

LEGISLATIVE ACTIVITY:

SENATE:

CONSIDERATION OF GOVERNOR'S VETO

HB49 OPERATING BUDGET (Rep. Ryan Smith) Creates FY 2018-2019 main operating budget.

Item #23: Medicaid Eligibility, Vote 23-10, Veto Overridden by Senate

HB49 OPERATING BUDGET (Rep. Ryan Smith) Creates FY 2018-2019 main operating budget.

Item #26: Neonatal Medicaid Rates, Vote 33-0, Veto Overridden by Senate

HB49 OPERATING BUDGET (Rep. Ryan Smith) Creates FY 2018-2019 main operating budget.

Item #27: Nursing Medicaid Rates, Vote 32-1, Veto Overridden by Senate

HB49 OPERATING BUDGET (Rep. Ryan Smith) Creates FY 2018-2019 main operating budget.

Item #3: Controlling Board Authority, Vote 23-10, Veto Overridden by Senate

HB49 OPERATING BUDGET (Rep. Ryan Smith) Creates FY 2018-2019 main operating budget.

Item #31: Behavioral Health Redesign, Vote 33-0, Veto Overridden by Senate

HB49 OPERATING BUDGET (Rep. Ryan Smith) Creates FY 2018-2019 main operating budget.

Item #34: Controlling Board Medicaid Expenditures, Vote 23-10, Veto Overridden by Senate

HB49 OPERATING BUDGET (Rep. Ryan Smith) Creates FY 2018-2019 main operating budget.

Veto Items 25, 30, 33, 36, and 37 Left Pending by Senate

HOUSE:

No House activity to report.