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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.

ADDICTION/SUBSTANCE ABUSE

A new series of reports from the Health Policy Institute of Ohio (HPIO) outlines what policies have helped improve opioid abuse prevention, treatment and recovery, and where the state has significant room for improvement. The "Ohio Addiction Policy Inventory and Scorecard" examines what policies implemented between 2013 and 2017 have had the most impact.

AGING

Nearly one year after members officially began holding meetings, the House Task Force on Alzheimer's and Dementia released its legislative recommendations for improving care that members hope will be considered before the Legislature heads into the next General Assembly. The report, issued by Task Force Chair Dorothy Pelanda (R-Marysville) Tuesday, focused on two key areas: the training

requirements for individuals providing long-term services and support for those diagnosed with Alzheimer's or dementia, and the Ohio Department of Aging's definitions and guidelines governing respite and supportive services for such individuals, their families and their caregivers.

AGRICULTURE

The Ohio Department of Agriculture (ODAg) is now offering produce growers free, Food and Drug Administration (FDA) approved consultations to help farmers comply with the upcoming Food Safety Modernization Act (FSMA) produce safety rule.

ATTORNEY GENERAL

Ohio Attorney General Mike DeWine announced a new initiative to help child victims of crime. Funded by grants from the federal Victims of Crime Act, DeWine's office said it is setting aside at least \$25 million to fund children's programs in areas such as providing comprehensive services to child victims of physical or sexual abuse; addressing mental health issues in children who have experienced trauma; providing trauma-informed care training to interested Ohio schools; helping children whose families are struggling with substance abuse; researching the impact of child abuse, neglect and other adverse childhood experiences; and locating safe, trauma-informed living environments for children.

Implementation of safe harbor for companies that meet cybersecurity requirements under SB 220 (Hackett-Bacon) and further increasing youth engagement and entry in cybersecurity fields were key topics of discussion at Thursday's quarterly meeting of Attorney General Mike DeWine's CyberOhio Advisory Board.

Attorney General Mike DeWine announced a multi-state action Thursday against a Florida-based "nonprofit" accused of misleading donors across the U.S. into believing their money would primarily benefit ex-service members. The action is part of a nationwide crackdown on sham veterans' charities, the AG said. Help the Vets reportedly collected more than \$11 million from donors in Ohio and other states between 2014 and 2016 but used less than five percent of it on charitable programming. Instead, the vast majority of funds went to its founder and paid fundraisers, according to DeWine's office.

BUSINESS/CORPORATE

The Ohio Chamber of Commerce's Research Foundation released recommendations outlining ways to expand the state's "innovation economy" while leaving exact details on implementation up to policymakers after the November election. Implementing the report, referred to as "Ohio BOLD," would require hundreds of millions of dollars in spending over an extended period of time, according to Brian Hicks, president of the research foundation's board of directors. The report noted, however, that "significant revenue" already exists for the vast majority of resources required by drawing on the Ohio research and development bond fund and JobsOhio's liquor profits, as well as federal workforce funds and private capital investments.

CORRECTIONS

The rising number of Ohio inmates with severe mental illnesses (SMI) has resulted in increasing costs of psychotropic drugs and struggles to comply with state law, according to an ongoing series of

reports from the Center for Community Solutions (CCS). The second and third installments of the center's "By the Numbers 4" report examined the mental health services currently offered in Ohio jails and presented survey results from jail administrators regarding mental health practices. The first installment of the report provided a broad overview and history of the institutionalization of individuals with SMI.

EDUCATION

Sponsors who are shutting down charter schools have a longer and more detailed set of tasks to perform to assure the state the schools' affairs are in order, under a new policy from the Ohio Department of Education (ODE) taking effect this summer. The new policy comes after the Educational Service Center of Lake Erie West earlier this year shut down Ohio's largest online charter school, Electronic Classroom of Tomorrow (ECOT). Updates to the policy governing charter closings were already in the works before the January shutdown, according to ODE.

The second round of grants to help schools replace lead plumbing fixtures will conclude at the end of the month, the Ohio Department of Education (ODE) notes. The program is offered through the Ohio Facilities Construction Commission (OFCC), successor agency to the Ohio School Facilities Commission.

The Ohio Department of Education (ODE) recently posted application materials for organizations interested in becoming sponsors of charter schools. The deadline to apply for the 2018-2019 cycle is Monday, Dec. 31.

The Executive Committee of the State Board of Education voted Wednesday to approve board members' evaluation of Superintendent Paolo DeMaria, including a recommendation for a 2.75 percent raise and payment of \$20,000 of his salary that is contingent on his being evaluated as effective. The committee met in executive session for more than an hour before returning to vote on the evaluation.

Superintendent Paolo DeMaria floated a template Wednesday for a new, customizable graduation pathway that would have high school students pursue an "anchor experience" -- internship, research, portfolio, community service project -- and then articulate their lessons learned via writing, data analysis, presentations and other means.

ELECTIONS 2018

Steve Dettelbach, Democratic candidate for attorney general and former U.S. attorney, said Monday that Republican leaders are making excuses for not having pursued Electronic Classroom of Tomorrow (ECOT) earlier. Democrats and critics of Attorney General Mike DeWine and Auditor Dave Yost have recently attacked the two men -- respectively the GOP candidates for governor and attorney general -- for not going after the online charter school sooner, including via criminal investigation. DeWine's office has responded by noting the law limits the attorney general's jurisdiction for original prosecutorial authority.

Meanwhile, Yost's campaign criticized Dettelbach over his law firm's defense of drug companies involved in litigation filed by Ohio over the addiction crisis. Citing reporting by the Associated Press, Yost's campaign criticized Dettelbach for not sharing documentation about firewalls he says

are in place to protect against conflicts. The campaign also criticized him for not disclosing his firm's role when speaking out publicly in support of the state's litigation.

Four Democrats seeking to unseat Republican incumbents reported raising more than their November opponents, according to new campaign finance filings. Democrats in U.S. House Districts 1, 7, 10, and 15 all reported higher fundraising totals for the second quarter of the year, though the incumbents still had more money in the bank.

Secretary of State Jon Husted said Thursday that his office has mailed over 855,000 informational notices to potential voters throughout July as part of a partnership with the Electronic Registration Information Center (ERIC).

The following endorsements were made over the week:

- The Ohio Environmental Council Action Fund endorsed Richard Cordray for governor.
- The re-election campaign of Rep. Dave Greenspan (R-Westlake) announced the endorsements of the Fraternal Order of Police Lodge 25 and the Ohio State Medical Association PAC.
- Emily's List endorsed Randi Clites, Mary Lightbody, Beth Liston, Allison Russo and Bride Sweeney for the Ohio House and Sharon Sweda for the Ohio Senate.
- The Ohio Federation of Republican Women endorsed Jim Renacci for U.S. Senate; Mike DeWine and Jon Husted for governor and lieutenant governor, respectively; Dave Yost for attorney general; Keith Faber for auditor of state; Frank LaRose for secretary of state; Robert Sprague for treasurer; and Mary DeGenaro and Craig Baldwin for Ohio Supreme Court.

GAMING/GAMBLING

Gambling addicts seeking to ban themselves from Ohio's casinos and racinos will soon be able to do so anonymously under a one-stop-shop state program. Proposed administrative rules from the Ohio Casino Control Commission (OCCC) and Ohio Lottery Commission (OLC) creating the Ohio Voluntary Exclusion Program (VEP) were recently approved by both state agencies.

As the Legislature begins to look at legalizing sports betting in Ohio, the director of the Ohio Casino Control Commission said that they are still learning about what other states are doing to regulate it and the regulatory structure will ultimately be left up to lawmakers. Rep. Dave Greenspan (R-Westlake) has introduced HB 714 and Sen. John Eklund (R-Chardon), SB 316, placeholder bills that will be used to explore sports gambling in Ohio after the U.S. Supreme Court recently ruled that a federal ban on the practice is unconstitutional. Casino Control Director Matt Schuler told reporters Wednesday that if the General Assembly asks the commission to be the regulatory agency over sports gambling, "we will give it 100 percent, but it is really their call."

GENERAL ASSEMBLY/STATEHOUSE

The House will meet next Tuesday, July 24 at 11 a.m. for a final vote on payday lending restrictions in HB 123 (Koehler-Ashford) -- with co-sponsor Rep. Kyle Koehler (R-Springfield) saying he will ask for agreement to Senate amendments. In addition, Republicans plan to name J. Todd Smith as the new 43rd District representative. Smith won the Republican primary in the race to replace former Rep. Jeff Rezabek (R-Dayton), who ran for Montgomery County juvenile judge rather than seek re-election. However, in the meantime, Gov. John Kasich appointed Rezabek to that office after the incumbent, Judge Nick Kuntz, died.

Joint Committee on Agency Rule Review (JCARR) members had lengthy questions for Ohio Environmental Protection Agency (Ohio EPA) witnesses on water system rules challenged by two churches and several system operators, but ultimately approved the rules in Monday's hearing. Also clearing the committee were rules from the Ohio Department of Transportation on advertising billboards that maintained a requirement for two permits when a billboard has a border or trim, in keeping with a federal agreement. All other JCARR items were approved without discussion.

GOVERNOR

Appointments made during the week include the following:

- Erin B. Lunday of Beavercreek (Greene County) to the State Council on Educational Opportunity for Military Children for a term beginning July 13, 2018, and continuing at the pleasure of the governor.
- Peter M. McLinden of Lebanon (Warren County) to the Ohio Real Estate Commission for a term beginning July 13, 2018, and ending June 30, 2019.
- William R. Knapke of Fort Recovery (Mercer County) reappointed to the Ohio Soil and Water Conservation Commission for a term beginning July 13, 2018, and ending June 30, 2022.
- Kathryn "Kate" Bartter of Columbus (Franklin County) and Bethany Gibson of Ashville (Pickaway County) to the Ohio Soil and Water Conservation Commission for terms beginning July 13, 2018, and ending June 30, 2022.
- Paul F. Wise of Westerville (Delaware County), Kelly Bensman of Toledo (Lucas County), and Francis J. Szollosi reappointed to the Materials Management Advisory Council for terms beginning July 13, 2018, and ending July 1, 2021.
- Helen S. Qin of Cleveland (Cuyahoga County) to the New Americans Advisory Committee for a term beginning July 13, 2018, and ending May 14, 2019.
- Jay C. Russell of Medina (Medina County) reappointed to the Ohio Cemetery Dispute Resolution Commission for a term beginning July 16, 2018 and ending July 1, 2022.
- Rashmi V. Nemade of Columbus (Franklin County) to the Third Frontier Commission for a term beginning July 17, 2018, and ending Sept. 28, 2018.
- Jason R. Loree of Youngstown (Mahoning County) reappointed to the Statewide Emergency Services Internet Protocol Network Steering Committee for a term beginning July 18, 2018, and ending Dec. 31, 2020.

GREAT LAKES

Gov. John Kasich's recent executive order tightening regulations on agricultural enterprises in the Western Basin of Lake Erie is inappropriate, Senate President Larry Obhof (R-Medina) told reporters Monday. "They intentionally, I think, kept the Legislature in the dark about that," Obhof said following a non-voting session in the Senate chambers. "We have several branches of government. Significant policy decisions should be made by the legislative branch, and there is a process for that. Issuing orders that have not been discussed or shared with the Legislature is not the way to go about that." Kasich announced the executive order, which has also been criticized by the Ohio Farm Bureau Federation, during a Statehouse event last week.

Then on Wednesday, House Republican legislative leaders and farmers said Gov. John Kasich should rescind his executive order tightening regulations on agricultural enterprises operating in the Western Basin of Lake Erie.

The Kasich administration was dealt a setback Thursday as the Ohio Soil and Water Conservation Commission (OSWCC) rebuffed its request to declare eight watersheds in the Western Basin of Lake Erie as "in distress." By a count of 4-2, members of the commission voted to send the proposal to subcommittee for further consideration, which OSWCC Chairperson Tom Price said could take from six to nine months.

LOCAL GOVERNMENT

The Ohio Mayors Alliance called local leaders' relationship with the current governor and Legislature "difficult" Thursday but projected better things for the next state executive, whether that is Democrat Richard Cordray or Republican Mike DeWine. The alliance -- or two key members of its board of directors -- said both candidates are responding positively to its concerns, laid out in two new reports, and both are riding platforms favorable to local governments. The alliance, comprising 20 Democratic and 10 Republican mayors, held a press conference in Columbus to announce the release of five recommendations to DeWine and Cordray as well as a second report on the importance of Ohio's metropolitan areas to Ohio's overall economy.

MARIJUANA

A 13th company has been awarded a level two provisional medical marijuana cultivator license following its administrative appeal hearing, Ohio Department of Commerce (DOC) senior policy adviser Mark Hamlin said Thursday. Pure OH LLC did not receive the minimum qualifying score on the security section of its application during its original examination by the department, Hamlin told members of the Medical Marijuana Advisory Committee (MMAC) at the Rhodes State Office Tower. During its Ohio Revised Code Chapter 119 hearing, the company demonstrated that its application included elements that should have resulted in more security section points, putting it over the threshold necessary for a license, Hamlin said.

MEDICAID/MEDICAID REFORM

Caremark, the pharmacy benefit manager (PBM) for most of Ohio's Medicaid managed care plans, is suing the Ohio Department of Medicaid (ODM) to block release of the full version of a recent report about PBMs' practices. Caremark filed suit Monday afternoon, saying the report includes proprietary information, disclosure of which "would be devastating to Caremark's entire nationwide business model." The lawsuit is assigned to Judge Jenifer French of Franklin County Common Pleas Court.

NATURAL RESOURCES

The decision to name the state's newest public park and wildlife area after Ohio State University (OSU) and Olympic track legend Jesse Owens was a no-brainer, Gov. John Kasich said Tuesday at the park's dedication. The 5,735-acre Jesse Owens State Park and Wildlife Area, which Ohio Department of Natural Resources (ODNR) Director Jim Zehringer said will expand to more than 13,000 acres over the next three years, will provide opportunities for visitors to enjoy outdoor recreational activities including hunting, fishing, hiking and camping. It is located in Morgan County.

PENSIONS

A panel of witnesses Friday told the congressional Joint Select Committee on the Solvency of Multi-Employer Pensions that something needs to be done or else businesses will not survive and people who rely on their benefits will be left with nothing. Six witnesses testified as part of a hearing held in the Ohio Statehouse. It was the first hearing held outside of Washington, D.C. The witnesses ranged from business and labor interests to those invested in the pensions who worry they will lose everything. U.S. Sen. Sherrod Brown (D-OH), panel co-chair, said the solution needs to be bipartisan, a notion echoed by other members of the committee, including U.S. Sen. Rob Portman (R-OH).

PEOPLE

The Ohio Air Quality Development Authority (OAQDA) announced it is looking for a new executive director after Chadwick Smith left to take a position out of state.

TRANSPORTATION/INFRASTRUCTURE

Regional planning officials announced that a proposed high-speed route connecting Pittsburgh and Chicago is moving forward with feasibility and environmental studies. Meanwhile, the company behind the proposed Hyperloop tube transportation network said it hopes to start construction on its next phase sometime at the beginning of the next decade.

WORKERS' COMPENSATION

Seven people were convicted in June on workers' compensation fraud-related charges, the Ohio Bureau of Workers' Compensation (BWC) announced Friday, and more than \$269,000 is owed in restitution. The cases involved six employers and an injured worker who received BWC disability benefits while working in Colorado, with three of the employers accounting for most of the restitution amount.

Ohio private employers have until Wednesday, Aug. 15 to complete a "true-up" report for the Ohio Bureau of Workers' Compensation (BWC) so their premiums can be accurately calculated, the bureau announced. "Prior to each policy year (July 1- June 30), employers estimate their projected payroll, allowing BWC to set their premium. At the end of that policy year, employers are required to 'true-up,' meaning they report actual payroll for the policy year that ended June 30 and reconcile any difference in premium paid," BWC explained.

The Ohio Bureau of Workers' Compensation (BWC) Thursday announced a proposal to lower local government rates by 12 percent, with the BWC board of directors set to vote on it on Friday, Aug. 24.

LEGISLATIVE ACTIVITY:

SENATE:

No legislative activity to report.

HOUSE:

No legislative activity to report.