OhioAAP 2018 Annual Meeting
Ohio Advocacy Update
Becoming a Pediatric Hero for Kids at Ohio Statehouse
Introduction

- Danny Hurley, Capitol Consulting Group
- 132nd General Assembly, 2nd Session
- Ohio General Assembly on Summer Recess, Lame Duck Session following November Election
- Remember to vote on November 6th!
- New Governor, Statewide Officeholders coming in 2019; Republicans expected to retain control of legislative branch
- Healthcare / Medicaid policy a top issue at Ohio Statehouse
Introduction to Ohio General Assembly

• **Ohio House of Representatives**
  - 99 Members (66R/33D); led by Speaker selected from majority party
  - Members serve 2-year terms, can serve a maximum of 4 terms
  - Key committees—House Health, House Finance; chairs selected from majority party

• **Ohio Senate**
  - 33 members (24R/9D); led by President selected from majority party
  - Members serve 4-year terms, can serve maximum of 2 terms
  - Key committees—Senate Medicaid/HHS, Senate Finance; chairs selected from majority party

• **Other Legislative Entities**
  - Joint Medicaid Oversight Committee
  - Joint Education Oversight Committee
  - Ohio Commission on Infant Mortality
Recap of 132nd General Assembly Actions

• HB 64—State Operating Budget for FY 18/19
  o Medicaid is single largest state budget expenditure; Legislature growing more critical of program, several harmful provisions (i.e. work requirements) attached to budget
  o Several of Kasich line-item vetoes were overridden
  o OhioAAP Budget Priorities
    ▫ Protect BCMH Program
    ▫ Increase Tobacco Cessation Funding
    ▫ Extend Fireworks Retail Permit Freeze
    ▫ Preserve funding for CPC

• House Bill 559—Immunization Policy
  o Major focus following budget was introduction of immunization legislation

• Several regulatory issues (OSMB One-bite rule, Medical Marijuana) have kept physician groups busy
Status of Ohio Medicaid Program

- Ohio Medicaid expenditures finished State Fiscal Year 2018 $340.5 million ($678.6 million all funds) below estimate; SFY19 expenditures are $168.7 million ($213.9 million all funds) below estimate
- Trump Administration expected to approve work requirement waiver later this month—would apply to Medicaid Expansion (Group 8) adults only
- Major ODM Initiatives / Issues
  - Behavioral Health Redesign Roll-out
  - Pharmacy Benefit Manager Conduct
  - Managed Care Reprocurement (2019)
- It is unclear what the next Governor will do with SIM Grant projects (CPC, Episode-Based Payments)
- ODM recently cancelled plans to unveil Primary Care Report Cards for Providers
OhioAAP Legislative Priorities for 2018

• Passage of HB 559 (immunization policy)
• Passage of HB 585 (gun control) and enactment of tax credit for gun storage systems
• Defeat of HB 226 (fireworks legalization)
• Defeat of harmful scope of practice measures—most notably, HB 726 (APRN independent practice)
• Passage of Step Therapy Bills (HB 72 and SB 56)
• Lay groundwork for 2019
  o State Operating Budget
  o Tobacco 21 Statewide push
  o Surprise Billing Legislation ( Physicians for Fair Coverage)
Immunization Advocacy

- **House Bill 559 (School Entry Immunization Process)**
  - Sponsored by State Reps. Al Landis (R-Dover) and Anne Gonzales (R-Westerville); would establish standardized form and process for opt-outs
  - Has received several hearings in House Health Committee, some amendments adopted. Goal is passage this fall

- **House Bill 193 (Employer Flu Vaccine Mandates)**
  - Sponsored by State Rep. Christina Hagan (R-Alliance), would prohibit employers from requiring flu vaccine
  - OhioAAP and many other groups strongly oppose this measure; unlikely to pass in Lame Duck

- **Ohio Advocates for Medical Freedom**
  - Anti-vax group backing HB 193, fighting us on HB 559; will continue to be a nuisance in 2019
Key Legislation—Injury Prevention

- **House Bill 73 (DXM Sales to Minors)**
  - Sponsored by State Reps. Jeff Rezabek (R-Dayton) and Kyle Koehler (R-Springfield), would prohibit sales of OTC drugs containing DXM to minors

- **House Bill 226 (Fireworks Legalization)**
  - Sponsored by State Reps. Bill Seitz (R-Cincinnati) and Martin Sweeney (D-Cleveland), would legalize fireworks discharge in 2020 and create study committee to review regulations

- **House Bill 231 (Lockable Containers)**
  - Sponsored by State Reps. Robert Sprague (R-Findlay) and Tim Ginter (R-Salem), would establish pilot program for pharmacies to distribute controlled substances in lockable containers

- **House Bill 535 (Overdose Reporting)**
  - Sponsored by State Rep. Theresa Gavarone (R-Bowling Green), would require ODH to publish reports on overdoses and naloxone use

- **House Bill 585 (Gun Control)**
  - Sponsored by State Rep. Mike Henne (R-Clayton), based upon recommendations from Kasich work group; would establish ‘red flag’ law, ban bump stocks, and enact several other moderate gun control provisions.
Key Legislation—Scope of Practice

- **House Bill 131 (Physical Therapy Scope of Practice)**
  - Sponsored by State Reps. Theresa Gavarone (R-Bowling Green) and Bill Reineke (R-Tiffin); clarifies PT scope related to making diagnoses (originally was major PT scope expansion bill)

- **House Bill 191 (CRNA Independent Practice)**
  - Sponsored by State Rep. Anne Gonzales (R-Westerville), would allow CRNA’s to practice without physician supervision

- **Senate Bill 275 (CRNA post-operative practice)**
  - Sponsored by State Sen. Dave Burke (R-Marysville), would grant CRNA’s greater autonomy in the post-operative period

- **House Bill 326 (Psychologist Prescriptive Authority)**
  - Sponsored by State Reps. Bill Seitz (R-Cincinnati) and Theresa Gavarone (R-Bowling Green), would allow certain psychologists to prescribe psychotropic drugs

- **House Bill 726 (APRN Independent Practice)**
  - Sponsored by State Rep. Theresa Gavarone (R-Bowling Green), would grant APRN’s with independent practice authority; also makes several changes to Ohio’s youth sports concussion law
Key Legislation—Insurance Issues

- **House Bill 416 (Health Care Price Transparency)**
  - Sponsored by State Rep. Steve Huffman (R-Tipp City), would require patients to be given cost estimate for services scheduled at least 7 days from time of request.
  - Developed with provider input, meant to be alternative to current law (held up by OHA, OSMA, OhioAAP lawsuit). Current law is unworkable for providers in Ohio.

- **House Bill 72 and Senate Bill 56 (Step Therapy Reform)**
  - Sponsored by State Reps. Terry Johnson (R-McDermott) and Nickie Antonio (D-Lakewood) and State Sens. Peggy Lehner (R-Kettering) and Charleta Tavares (D-Columbus).
  - Seeks to reign in use of step therapy protocols; OhioAAP and several patient advocacy groups support these bills.

- **House Bill 450 (Health Insurance Mandates)**
  - Sponsored by State Rep. Niraj Antani (R-Miamisburg), would reign in current health insurance coverage mandates in law and make future mandates more difficult to enact.
Key Legislation—Other Healthcare Issues

- **House Bill 7 (Medical Liability)**
  - Sponsored by State Rep. Bob Cupp (R-Lima), would grant immunity to providers working in an emergency situation/disaster, would expand Ohio’s ‘apology statute’, and would enact other protections

- **House Bill 273 (MOC Prohibition)**
  - Sponsored by State Rep. Theresa Gavarone (R-Bowling Green), would prohibit hospitals and health plans from requiring MOC for reimbursement, admitting, etc.

- **House Bill 286 (Palliative Care)**
  - Sponsored by State Rep. Sarah LaTourette (R-Bainbridge), would require hospitals to identify and connect patients to palliative care services

- **House Bill 658 (Gender Based Treatment)**
  - Sponsored by State Reps. Tom Brinkman (R-Cincinnati) and Paul Zeltwanger (R-Mason), would require governmental entities to identify transgender children
Preview of 133rd General Assembly

- New Governor, Statewide Officeholders will be sworn in
- Republicans expected to retain control of legislature
  - President Larry Obhof (R-Medina) will lead Ohio Senate
  - Speaker Ryan Smith (R-Bidwell) will face a challenge from State Rep. Larry Householder (R-Glenford) for leadership of Ohio House of Representatives
- First six months of 2019 will be focused largely on state operating budget for FY2020-FY2021
- Several health care issues on the horizon, including APRN independent practice
- Senate Health, Human Services, and Medicaid Committee Chair Dave Burke (R-Marysville) expected to retain gavel
- House Health Committee Chair Steve Huffman (R-Tipp City) running for Senate, State Rep. Theresa Gavarone (R-Bowling Green) expected to take over House Health Committee
Top OhioAAP Priorities for 2019

- **Immunization Policy and Related Issues**
  - Pursue legislation and rules to curb increase in opt-outs
  - Push back against efforts to undermine current immunization laws

- **Statewide Youth Bike Helmet Legislation**
  - OhioAAP unsuccessfully fought for passage of a law in 130th General Assembly; new legislators, renewed interest in this issue

- **Tobacco 21 Statewide Push**
  - Several cities have passed ordinances in recent years to restrict tobacco/e-cig purchases to adults age 21 and older
  - Legislative Republicans strongly oppose tax increases—Tobacco 21 could be a way to address smoking rates without tax component

- **Surprise Billing Legislation**
  - Physicians for Fair Coverage advancing legislation to deal with surprise out of network charges

- **Scope of Practice Legislation**
  - APRN independent practice issue expected to resurface next year, other provider groups also expected to introduce scope expansion bills
Both Gubernatorial candidates have committed to preserving Medicaid Expansion, but could face resistance from Republicans in General Assembly.

Healthcare community will need to push back against attempts to enact harmful Medicaid provisions.

OhioAAP and other advocates will need to ensure BCMH, cessation funding, and other public health priorities are protected.

Given positive state revenue and economic indicators, could be opportunity for a pediatric/primary care rate increase; Republicans will likely want to use revenue for tax cuts.

Budget will be unveiled by Governor in March—must be enacted by June 30th.
2018 General Election—Statewide Races

- **Ohio Governor’s Race**
  - Ohio Attorney General Mike DeWine (R) squaring off against former CFPB Director Richard Cordray (D)
  - Polling shows Ohio Gubernatorial Race is a toss-up, expected to be closely watched nationwide

- **Other statewide contests**
  - Attorney General—Dave Yost (R) v. Steve Dettelbach (D)
  - Auditor of State—Keith Faber (R) v. Zack Space (D)
  - Secretary of State—Frank LaRose (R) v. Kathleen Clyde (D)
  - Treasurer of State—Robert Sprague (R) v. Rob Richardson (D)

- **Ohio Supreme Court**
  - Mary DeGenaro (R) v. Melody Stewart (D)
  - Craig Baldwin (R) v. Michael Donnelly (D)
2018 General Election—Congressional Races

• **United States Senate**
  - Incumbent Democratic Senator Sherrod Brown (D) has healthy lead in polls over challenger Jim Renacci (R); national Republicans focused on other races
  - Republican Senator Rob Portman not up for reelection this year

• **Key Congressional Races**
  - Ohio 1st District—Steve Chabot (R) v. Aftab Pureval (D)
  - Ohio 12th District—Troy Balderson (R) v. Danny O’Connor (D)
  - Generally, most Ohio Congressional races are not competitive due to current maps

• **Nationally, Democrats have strong chance of regaining control of US House of Representatives**
2018 General Election—Ohio General Assembly

- Republicans have strong majorities in each chamber, have benefit of favorable maps and fundraising

- Ohio Senate
  - 5th District—Steve Huffman (R) v. Paul Bradley (D)
  - 13th District—Nathan Manning (R) v. Sharon Sweda (D)
  - 33rd District—Michael Rulli (R) v. John Boccieri (D)

- Ohio House of Representatives
  - Several competitive races, Democrats focusing on eight or so key GOP-held seats; Republicans likely to lose some ground
  - 21st District—Stu Harris (R) v. Beth Liston (D); Dr. Liston is a pediatrician!
What Can You Do to Help?

• Be sure to vote on November 6th!
• Connecting with your elected officials
  ○ OhioAAP regularly sends out action alerts—consider writing/calling/e-mailing your state rep and state senator
  ○ Member of the Ohio General Assembly are very accessible, invite them to coffee or attend a district event
• Legislative Advocacy
  ○ If there is an issue or bill you’re passionate about, we always need witnesses for committee hearings
  ○ You can also meet with legislators in Columbus to advocate for OhioAAP priorities
• Legislators need to hear from you, most of them aren’t doctors!
Questions?