Ohio Advocacy Update
2021 Virtual Annual Meeting
Ohio Chapter of the American Academy of Pediatrics
Introduction

- Danny Hurley, Capitol Consulting Group
- 134th General Assembly, 1st Session
  - HB 110 (State Operating Budget) enacted in June
  - Significant time spent on COVID-19 vaccine bills
  - Division within Ohio House GOP Caucus and between Governor and Legislative Republicans
  - New State Legislative Maps finalized; Congressional maps coming next month
- Ohio Department of Medicaid continuing work on managed care reforms
- Ballot initiative formed to pursue cannabis legalization; legislation to be introduced in November
- DeWine, Secretary LaRose, and some state lawmakers facing primary challenges in May
134th General Assembly So Far...

- **House Bill 110 (State Operating Budget)**
  - Continued investments in child health from HB 166 (133rd) – more than $1 billion
  - Hospital licensure established under Ohio Dept. of Health
  - School funding overhauled and increased
  - CMH eligibility increased through age 23
  - SMA and ADL added to Newborn screening; language added to require ODH to add new screenings automatically
  - Controversial ‘conscious clause’ added (lawsuit pending)
  - No major Medicaid changes despite push to modify Ohio Medicaid’s reprocurement process

- **COVID-19 Pandemic**
  - Lawmakers enacted (over DeWine veto) Senate Bill 22, which limits state and local health department powers and allows General Assembly to rescind public health orders
  - As a result, DeWine unable to pursue statewide mandates during summer Delta variant surge
  - The Ohio House of Representatives spent considerable time on anti-vaccine legislation, but failed to garner enough support (exception: HB 244)

- **Bills Enacted to Date**
  - Licensure Compacts: Medical, Nurse, OT, PT, and SLP/Audiologist compact bills have been enacted (SB 6 – Medical Licensure Compact)
  - HB 9 – Prohibit sale of OTC drugs containing DXM to minors
Immunization Issues and COVID-19

- Ohio House of Representatives held several hearings on anti-vaccine bills and activists have protested at statehouse and in legislator hometowns (some lawmakers given security details due to death threats)
- These bills have divided House Majority caucus along ideological lines, and none have garnered enough support to move; Senate unlikely to advance these bills
- **House Bill 248** – Sponsored by State Rep. Jennifer Gross, would require broad exemptions for all vaccines; several hearings but no votes. Testimony has received national attention.
- **House Bill 435** – Sponsored by State Reps. Carfagna and Seitz, this bill was leadership’s attempt to craft a compromise on COVID-19 vaccination. Failed to pass after anti-vaccine groups strongly opposed
- **Other Issues** – Bills introduced related to school mask mandates, vaccine passports, and data collection. Some hearings, but little chance of passage.
- Most Republican lawmakers feel that SB 22 was sufficient; a small faction of House members continue to push these bills and have held up other important issues from being brought to the House floor
- Launch of COVID-19 vaccine for children under 12 and potential for school mandates could reignite this debate
- New COVID-19 quarantine rules for schools and declining caseloads seem to have chilled the issue for now
Transgender Issues and Legislation

- Several conservative advocacy groups are pushing anti-LGBTQ bills and opposing non-discrimination laws aimed at protecting these populations.

- **House Bill 61 / Senate Bill 132** – Companion bills sponsored by State Reps. Powell and Stoltzfus and State Senator Roegner; would prohibit transgender females from participating in women’s sports.

- **House Bill 208 / Senate Bill 119** – Companion bills sponsored by State Reps. Hillyer and Skindell and State Senators Antonio and Rulli that would add sexual orientation and general identity to Ohio Civil Rights Law.

- **House Bill 454** – Recently introduced by State Representatives Gary Click and Diane Grendell, would prohibit hormone therapy, gender reassignment, and most other gender affirming services to pediatric patients.

- Along with anti-CRT bills, these issues have strong support among most conservative members of Ohio House of Representatives.

- Already, there has been a push to amend HB 61 into another measure on House floor – these issues will continue to be hot topics.

- Coalition forming to combat HB 454 – first step is to educate members on gender affirming medicine and dispel misinformation.
Practice of Medicine/Prescribing Issues

- **House Bill 160** – Sponsored by State Rep. Holmes, would enact unworkable healthcare price transparency requirement for providers
- **House Bill 122** – Sponsored by State Reps. Frazier and Holmes, would expand Ohio’s telehealth parity law and codify Medicaid telehealth coverage
- **House Bill 221** – Sponsored by State Reps. Brinkman and Gross, would grant APRN’s a pathway to independent practice after 12 months or 2,000 hours of supervised practice
- **House Bill 135** – Sponsored by State Reps. Manchester and West, would prohibit plans and PBM’s from using copay accumulator programs
- **House Bill 153** – Sponsored by State Reps. Liston and Carruthers, would prohibit mid-year changes to drug coverage and copays
- **House Bill 193** – Sponsored by State Reps. Cutrona and Pavliga, would require e-prescriptions for schedule II drugs in most situations
Injury Prevention Legislation

- **Fireworks Issues**
  - **House Bill 172 / Senate Bill 113** – Companion bills sponsored by State Reps. Baldridge and O’Brien and State Senators Rulli and Johnson to legalize fireworks discharge in Ohio
  - DeWine vetoed SB 113 earlier this year, citing concerns over safety and proposed changes to fireworks retail facilities
  - HB 172 passed with modest changes to address DeWine’s concerns; passed both chambers this week and expected to be signed by DeWine in November
  - OhioAAP will have a seat on fireworks advisory panel created under the bill and can advocate for tight discharge rules with State Fire Marshal

- **House Bill 159** – Sponsored by State Reps. Hillyer and Lightbody, would prohibit tanning by minors without parental consent

- **House Bill 262** – Sponsored by State Reps. Miranda and Kelly, would increase penalties for firearm storage and create tax credit for storage devices

- **House Bill 285** – Sponsored by State Reps. Cindy Abrams and Brian Lampton, would expand Ohio’s distracted driving law.
Ohio Department of Medicaid Update

- ODM nearly completion of managed care reprocurement – launch date is July 1, 2022
  - Managed Care Plans – United Healthcare, Humana, Molina, AmeriHealth Caritas, Anthem BCBS, Buckeye and Caresource
  - Single State PBM – Gainwell Technologies (also fiscal intermediary)
  - OhioRISE – Aetna Better Health ($25m transition grants)
  - Pharmacy Pricing/Audit Consultant – Myers and Stauffer
- Ohio-based Paramount health, a current MCO, is litigating decision
- OhioAAP participated extensively in discussions with ODM in buildup to RFA release
- Planning to meet with new vendors in 2022 and work with ODM on final stages of implementation
- New program should reduce administrative burden for providers, expand pediatric behavioral health, improve oversight of PBM’s and pharmacy spending
- One major outstanding issue is open enrollment and patient allocation under the new program
- Joint Medicaid Oversight Committee continues to investigate PBM’s
Questions?