

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



CAPITOL

Consulting Group, Inc.



# Introduction



- Danny Hurley, Capitol Consulting Group
- 134<sup>th</sup> General Assembly, 1<sup>st</sup> 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

# 134<sup>th</sup> General Assembly So Far...



- **House Bill 110 (State Operating Budget)**

- Continued investments in child health from HB 166 (133<sup>rd</sup>) – 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 procurement 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 402** – Sponsored by State Rep. Janine Boyd, would create scope of practice for midwives. Some overlap with newborn care that is concerning.
- **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. Baldrige 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?



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