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# Ohio Association of Ambulatory Surgery Centers Legislative Update

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### HB90 OVERSIGHT OF GOVERNOR'S AND HEALTH ORDERS (WIGGAM S, EDWARDS

J) To establish legislative oversight of the Governor's executive orders, certain public health orders, and emergency rules, including by establishing the Ohio Health Oversight and Advisory Committee.

*Current Status:* 2/24/2021 - **SUBSTITUTE BILL ACCEPTED**, House State

and Local Government, (Third Hearing)

State Bill Page: <a href="https://www.legislature.ohio.gov/legislation/legislation-">https://www.legislature.ohio.gov/legislation/legislation-</a>

summary?id=GA134-HB-90

**HB110 OPERATING BUDGET** (OELSLAGER S) To make operating appropriations for the

biennium beginning July 1, 2021, and ending June 30, 2023, to levy taxes, and to

provide authorization and conditions for the operation of state programs.

*Current Status:* 7/1/2021 - **SIGNED BY GOVERNOR**; effective 7/1/21 *State Bill Page:* https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-HB-110

**HB122 TELEHEALTH SERVICES** (FRAIZER M, HOLMES A) To establish and modify

requirements regarding the provision of telehealth services, to establish a provider credentialing program within the Medicaid program, to revise the law governing the State Medical Board's One-Bite Program, and to extend the suspension of certain programs and requirements under the state's insurance laws until January 1, 2026.

*Current Status:* 12/22/2021 - **SIGNED BY GOVERNOR**; eff. 3/23/22 *State Bill Page:* https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-HB-122

**HB160 HEALTH CARE COST ESTIMATES** (HOLMES A) Regarding the provision of health

care cost estimates.

Current Status: 3/10/2021 - House Insurance, (First Hearing)

State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-HB-160

**HB196 REGULATE SURGICAL ASSISTANTS** (KELLY B, CARRUTHERS S) To regulate the

practice of surgical assistants.

Current Status: 5/24/2022 - REPORTED OUT, House Health, (Seventh

Hearing)

State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-



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HB218 COVID-19 VACCINE - QUALIFIED IMMUNITIES (CUTRONA A) To address

medical requirements for employees and students; to address qualified civil immunity regarding certain coronaviruses; to authorize emergency medical technicians to administer COVID-19 tests; to expressly cover COVID-19 vaccine injuries under the workers' compensation system; and to repeal sections 3792.05, 3792.07, and 3792.08 of the Revised Code on September 30, 2025.

Current Status: 12/7/2021 - Senate General Government Budget, (Second

Hearing)

State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-HB-218

**HB267 LIMIT PUBLIC HEALTH ORDERS** (JORDAN K) To limit the duration of public health orders and to allow the General Assembly to act via concurrent resolution in

response to a public health emergency if the Governor or Department of Health

does not.

Current Status: 5/4/2021 - Referred to Committee House State and Local

Government

State Bill Page: https://www.leqislature.ohio.gov/leqislation/leqislation-

summary?id=GA134-HB-267

**REDUCE ABUSE OF PRESCRIPTION OPIOIDS** (LOYCHIK M, BIRD A) Regarding

a proposal to reduce the abuse of prescription opioids, to establish addiction treatment facilities, to increase penalties for drug trafficking violations, to modify penalties for drug possession, to require an offender convicted of a drug possession or drug trafficking offense involving certain drugs to be subject to ten years of post-release control, to allow a criminal defendant who has a severe substance use disorder involving certain drugs to be confined by a state detoxification provider while awaiting trial, to create restitution work programs, and to make an appropriation.

*Current Status:* 4/6/2022 - House Criminal Justice, (Third Hearing) *State Bill Page:* https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-HB-356

**HB388 REGARDING VACCINE REFUSAL** (JORDAN K) To prohibit taking certain actions

against an individual because the individual refuses to be vaccinated against a

disease.

Current Status: 8/12/2021 - Introduced

State Bill Page: https://www.leqislature.ohio.gov/leqislation/leqislation-



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**HB401** EMPLOYER-MANDATED COVID VACCINATION INJURY (EDWARDS J) To

> exempt an injury or disability caused by an employer-mandated COVID-19 vaccination from the Workers' Compensation Law and to allow the employee to sue

the employer for damages.

Current Status: 8/24/2021 - Introduced

State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-HB-401

INDIVIDUAL PRIVACY, ANTI-DISCRIMINATION ACT (CLICK G, GRENDELL **HB411** 

> D) To prohibit mandatory disclosures related to an individual's COVID-19 vaccination status, to name the act the Individual Privacy and Anti-Discrimination

Act, and to declare an emergency.

Current Status: 9/8/2021 - Introduced

State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-HB-411

**HB424** COVID-19 VACCINE - OUALIFIED IMMUNITIES (KOEHLER K) To prohibit a

> political subdivision, public official, public school, state agency, or state institution of higher education from taking certain actions related to the COVID-19 vaccine, to codify the qualified civil immunities under H.B. 606 of the 133rd General Assembly permanently, to repeal section 3792.05 of the Revised Code on the date that is two years after the effective date of that section, and to declare an emergency.

Current Status: 9/20/2021 - Introduced

State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-HB-424

**HB425** COVID-19 - GENETIC TECHNOLOGIES (WIGGAM S, HALL T) To prohibit certain

actions related to COVID-19 and genetic technologies.

Current Status: 9/20/2021 - Introduced

State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-HB-425

**HB435** VACCINE REQUIREMENTS (CARFAGNA R, SEITZ B) To address COVID-19

> vaccine requirements for employees and students; to extend certain timelines for qualified civil immunity and expand immunity to include hearing aid dealers and hearing aid fitters; to authorize emergency medical technicians to administer COVID-19 tests; to expressly cover COVID-19 vaccine injuries under the workers' compensation system; and to repeal sections 3792.05, 3792.06, 3792.07, and

3792.08 of the Revised Code on June 30, 2023.

Current Status: 10/13/2021 - Bills for Third Consideration; (Pending

Committee Report)

State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-



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**HB454** SAFE ACT (CLICK G, GRENDELL D) To prohibit certain procedures to alter a minor

child's sex and to designate this act as the Save Adolescents from Experimentation

(SAFE) Act.

Current Status: 6/1/2022 - House Families, Aging and Human Services,

(Fourth Hearing)

State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-HB-454

HB477 EXPULSION, TERMINATION BASED ON VACCINATION STATUS

(RICHARDSON T) To prevent expulsion from school and termination from

employment based on COVID-19 vaccination status. *Current Status:* 11/1/2021 - Introduced

State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-HB-477

**HB481 COVID VACCINE, PASSPORT PROTECTION ACT** (JORDAN K) To enact the

COVID-19 Vaccination and Passport Protection Act to prohibit schools, institutions of higher education, employers, and places of public accommodation from requiring

COVID-19 vaccines or proof of vaccination.

Current Status: 11/8/2021 - Introduced

State Bill Page: <a href="https://www.legislature.ohio.gov/legislation/legislation-">https://www.legislature.ohio.gov/legislation/legislation-</a>

summary?id=GA134-HB-481

**HB489** INALIENABLE RIGHTS OF CONSCIENCE ACT (CLICK G) To enact the

Inalienable Rights of Conscience Act regarding students and employees who object to certain vaccines and other treatments based on reasons of conscience, including

religious convictions.

Current Status: 11/16/2021 - Introduced

State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-HB-489

**HB598** PROHIBIT ABORTIONS BASED ON CONDITION (SCHMIDT J) To enact the

Human Life Protection Act to prohibit abortions based upon a condition precedent.

*Current Status:* 5/26/2022 - House Government Oversight, (Third Hearing) *State Bill Page:* https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-HB-598

**HB704 DESIGNATE PERSONHOOD FROM CONCEPTION** (CLICK G) To enact The

Personhood Act to recognize the personhood of an unborn human individual from

conception.

Current Status: 7/11/2022 - Introduced

State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-



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**HB714** ADVANCED PRACTICE RESPIRATORY THERAPISTS (YOUNG T, JOHN M) To

license advanced practice respiratory therapists and to amend the version of section 4761.01 of the Revised Code that is scheduled to take effect September 30, 2024, to continue the change on and after that date.

Current Status: 8/31/2022 - Introduced

State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-HB-714

SB22 LEGISLATIVE OVERSIGHT-PUBLIC HEALTH ORDERS (JOHNSON T,

MCCOLLEY R) To establish legislative oversight of orders issued by the executive branch, including by establishing the Ohio Health Oversight and Advisory

Committee.

Current Status: 3/24/2021 - Consideration of Governor's Veto; House

Overrides Veto, Vote 62-35

State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-SB-22

**SB150 NONCOMPETE PROVISIONS-PHYSICIANS** (JOHNSON T, WILLIAMS S) To

prohibit the use of noncompete provisions in physician employment contracts.

Current Status: 10/27/2021 - Senate Small Business and Economic

Opportunity, (Third Hearing)

State Bill Page: https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-SB-150

**SB157 ATTEMPTED ABORTIONS** (JOHNSON T, HUFFMAN S) To require reports to be

made after a child is born alive following an abortion or attempted abortion, to establish certain civil or criminal penalties for failing to preserve the health or life of such a child, and to make changes regarding variances from written transfer

agreements.

*Current Status:* 12/22/2021 - **SIGNED BY GOVERNOR**; eff. 3/23/22 *State Bill Page:* https://www.legislature.ohio.gov/legislation/legislation-

summary?id=GA134-SB-157

**SB161 SURGICAL SMOKE** (BRENNER A) Regarding surgical smoke.

Current Status: 3/16/2022 - Senate Health, (Third Hearing)

State Bill Page: <a href="https://www.leqislature.ohio.gov/leqislation/leqislation-">https://www.leqislature.ohio.gov/leqislation/leqislation-</a>



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**SB321 REGARDING APRN AUTHORITY** (ROMANCHUK M) Regarding the authority of advanced practice registered nurses, and to amend the versions of sections 3701.5010, 3705.30, and 3929.67 of the Revised Code that are scheduled to take effect on September 30, 2024, to continue the changes to those sections on and after that date.

**Current Status:** 5/18/2022 - Referred to Committee Senate Health **State Bill Page:** <a href="https://www.legislature.ohio.gov/legislation/legislation-">https://www.legislature.ohio.gov/legislation/legislation-</a>

summary?id=GA134-SB-321

SB322 SEX OFFENSES, MEDICAL PROFESSIONS (HACKETT R) Regarding sex offenses

and individuals regulated by the State Medical Board.

**Current Status:** 5/18/2022 - Referred to Committee Senate Health **State Bill Page:** https://www.legislature.ohio.gov/legislation/legislation-



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# Friday, Oct. 7, 2022

# **ABORTION**

There were 21,813 pregnancy terminations in Ohio in 2021, according to the annual "Induced Abortions in Ohio" report from the Ohio Department of Health (ODH). That total is a 7 percent increase over 2020, when the department reported 20,605 abortions. The 2020 number represented a 3 percent increase over 2019's number. There had been a steady decline in abortions from 2000 to 2019, but they have ticked up in the last two years. "More than half of all induced abortions involved pregnancies of less than nine weeks (60 percent), with approximately 26 percent involving pregnancies of nine to 12 weeks," ODH said. Medication abortions continue to be more widely used than surgical abortions, with 10,240 being non-surgical. A total of 9,152 abortions were by curettage, while 2,437 used the dilation and evacuation (D&E) method.

# ADDICTION/SUBSTANCE ABUSE

Ohio received a \$97 million federal grant for addiction and recovery efforts, the Ohio Department of Mental Health and Addiction Services (OhioMHAS) said Friday. The spending plan for the State Opioid and Stimulant Response (SOS) grant, previously known as the State Opioid Response (SOR) grant, includes the following, among others:

- Expanding the availability of mobile crisis and Quick Response Teams to increase access to life-saving overdose reversal medications and continue the interdiction of illicit drugs before they reach communities.
- Supporting the growth of important recovery strategies such as peer support navigators, quality recovery housing and recovery-focused employment partnerships and practices.

## **AGRICULTURE**

The Ohio Department of Agriculture (ODAg) recently recognized five families as winners of the 2022 Conservation Farm Family Awards at the Farm Science Review in London. Since 1984, the awards program has recognized Ohio farm families for exemplary efforts to conserve soil, water, woodland, wildlife and other natural resources on the land they farm. Conservation farm families also host a variety of educational programs, opening their farms to schools, scout groups, farm organizations and others.

The families each receive \$400 from the Ohio Farm Bureau Federation and are featured in the September issue of *Ohio Farmer* magazine, which has sponsored the conservation award since the program's inception. Nominations are sought annually between January



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and May. For more information or to apply, individuals can contact their local Soil and Water Conservation District (SWCD). The 2022 winners are the following:

- Area 1 Winner Settlage Farm, Auglaize County
- Area 2 Winner Baltes Farm, Mahoning County
- Area 3 Winner Claylick Run Farm, Licking County
- Area 4 Winner Branstrator Farm, Warren County
- Area 5 Winner Brown Family Farm, Highland County

Counties, soil and water conservation districts, land trusts, cities and townships have until Friday, Oct. 14 to apply to the Ohio Department of Agriculture's (ODAg) Office of Farmland Preservation for local sponsor certification for 2023 funding under the program. Local sponsors that complete the certification application and qualify will be allocated a portion of the funding available in Local Agricultural Easement Purchase Program 2023 funds. These funds are used to purchase agricultural easements on Ohio farms, preserving productive agricultural farmland. Certified local sponsors will then accept local landowner applications and help secure easements through ODAg's Local Agricultural Easement Purchase Program. Once the easement is secured, the local sponsor visits the farm once a year to complete a monitoring report to ensure the land is being used for agricultural purposes. The application is available on ODAg's local sponsor page, which can be found at <a href="https://tinyurl.com/ycymvhy6">https://tinyurl.com/ycymvhy6</a>. Any organization interested in being a local sponsor for the 2023 landowner application year must apply during this time period. Contact the Farmland Preservation Office at 614-728-6238 or farmlandpres@agri.ohio.gov with questions.

More Ohio farmland will remain Ohio farmland after the Ohio Department of Agriculture (ODAg) Friday, Sept. 30, announced 261 acres have been added to the Farmland Preservation Program. Father and son Daniel Bingamon and Joshua Bingamon's farms in Greene County become the 23rd and 24th Ohio farms to join the program this year. An agricultural easement in farmland preservation is a voluntary agreement between the landowner and ODAg, where the landowner agrees to perpetually maintain the land predominately in agricultural use. In exchange, the landowner is either compensated or may be entitled to a tax deduction. In partnership with ODAg, local sponsors Tecumseh Land Trust and the Ohio Natural Resources Conservation Service (NRCS) played a significant role in securing the latest agreement. Since the Office of Farmland Preservation began in 1998, 675 farms totaling 102,406 acres have entered into agreements.



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## **BALLOT ISSUES**

Ohio Secretary of State Frank LaRose said in a press conference Thursday that Issue 2 would codify that only U.S. citizens can vote in Ohio's elections and told reporters that has been "assumed" for decades, though cities on the East and West coasts have recently allowed non-citizen voting in local elections and the village of Yellow Springs, OH considered it. LaRose was joined by Reps. Bill Seitz (R-Cincinnati) and Jay Edwards (R-Nelsonville), Franklin County Commissioner candidate Luis Gil and Americans for Citizen Voting (ACV) President Chris Arps. Seitz and Edwards were the sponsors of HJR4, which placed the proposed constitutional amendment on the ballot. LaRose went on to discuss the "administrative nightmares" that would be required to separate non-citizen ballots in local elections from ballots that include state and federal races in which they cannot legally vote. He also said that would "callously" give away the right to vote "earned" by naturalized citizens.

## FY22-23 BUDGET

State revenues for the month of September came in nearly \$155.5 million or 7.2 percent over estimates, according to preliminary figures released Thursday by the Office of Budget and Management (OBM). That brings Ohio's revenues to \$238.2 million or 3.6 percent over estimates through the first quarter of FY23.

The state has collected a total of \$6,845.6 million over the three months compared to the estimate of \$6,607.4 million. Leading the way in September 2022 was the personal income tax which came in nearly \$114.6 million or 11.5 percent above estimate. Also over estimate for the month were the Commercial Activity Tax (CAT) by \$15.0 million or 138 percent and the auto sales tax by \$27.6 million or 18.4 percent.

# **BUSINESS/CORPORATE**

Under Ohio law automatically increasing the state minimum wage in line with inflation, the hourly minimum wage will increase from \$9.30 to \$10.10 in 2023, or from \$4.65 per hour to \$5.05 per hour for tipped employees. The 2006 amendment to the Ohio Constitution setting parameters for minimum wage increases calls for the wage to be tied to the Consumer Price Index for urban wage earners and clerical workers (CPI-W) for the 12-month period prior to September. From September 2021 through August 2022, CPI-W increase 8.7 percent, according to the Ohio Department of Commerce (DOC). For employees at smaller companies with annual gross receipts of less than \$371,000 per year after Jan 1. 2023, and for 14- and 15-year-olds, the state minimum wage is \$7.25 per hour.



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# CHILDREN/FAMILIES

Medicaid coverage would be available to pregnant women and children in families earning up to 300 percent of the federal poverty level under a proposal from Gov. Mike DeWine. The policy is one of several announced as part of the governor's "Bold Beginnings" initiative on Friday. DeWine also plans to work with the Legislature to expand Medicaid access to more adopted youth. On child care, the governor's office plans to work with lawmakers to increase eligibility for publicly-funded child care to 150 percent of the federal poverty level. Additionally, DeWine intends to create small business startup grants that will help child care providers cover their initial operating costs, with a priority focus on areas of the state that are child care deserts. The governor also plans to work with the Legislature both to eliminate state and local taxes on diapers, car seats, wipes, safety gear and other baby supplies and to expand the Healthy Beginnings at Home (HBAH) program.

## **CITIES**

With state agencies in the process of submitting their proposed budgets for the next biennium to the governor's office, the Ohio Municipal League (OML) announced priorities that it said will ensure adequate funding of Ohio's cities and villages while also providing for the health, safety and economic prosperity of millions of Ohioans. OML said it has shared its priorities with Gov. Mike DeWine's office as well as Office of Budget and Management Director Kimberly Murnieks and the offices of House Speaker Bob Cupp (R-Lima) and Senate President Matt Huffman (R-Lima). "With Ohio currently being in a strong financial position, we have a great opportunity to continue strengthening the partnership between the state and its municipalities," OML Board President Patrick Titterington, who serves as city director of the city of Troy, said. "The Ohio Municipal League's priorities for the state operating budget cover a robust list of policy issues that are both helpful and essential to the infrastructure, programs and services provided through municipal government." Restoration of the Local Government Fund continues to be a priority for OML.

## CORONAVIRUS/MONKEYPOX

The Ohio Department of Health (ODH) released data Thursday showing there were 9,997 new COVID-19 cases reported in the past seven days, marking the first week since April 28 with less than 10,000 cases. Additional ODH data show 457,472 people have now received the bivalent booster shot, an increase of 131,987. The Sept. 29 update was the first to include those numbers. Other ODH data showed that in the past week, there were 7,197 initial vaccinations, 6,607 completed vaccinations, 10,853 first booster shots and 63,824 second booster shots. Ohio's vaccination rates are 64 percent or 7.48 million started and 59.32 percent or 6.93 million completed, along with 3.81 million people who



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received first boosters and 1.07 million, second booster shots. The number of new cases fell from 12,101 on Sept. 29 and was in regular decline throughout the month. The number of new hospitalizations fell from 432 to 369, while ICU admissions ticked up from 22 to 27 and deaths increased from 89 to 94. Since the pandemic began, there have been 3.15 million cases, 127,180 hospitalizations, 14,269 ICU admissions and 39,950 deaths reported by ODH.

ODH also reported a minimal increase in monkeypox data, with nine new cases and one hospitalization. The total figures are now 285 cases and 29 hospitalizations with one associated death reported on Sept. 29. There have been 8,594 monkeypox vaccinations.

## **EDUCATION**

Gifted education professionals, school treasurers and Ohio Department of Education (ODE) staff discussed Friday the data on spending for gifted services and potential improvements to how schools account for the spending. The Gifted Funding Accountability Workgroup convened for the first time at ODE headquarters. It was created in 133-SB310 (Dolan) alongside a variety of other education cost studies preceding the enactment of a new school funding formula in the latest biennial budget, HB110 (Oelslager). Aaron Rausch, budget chief for ODE, said the department intentionally waited to commence the workgroup until after passage of HB110, given expectations that it would revise gifted funding parameters, which it ultimately did. In addition to revisions to the formula, the budget also for the first time created a funding restriction that requires districts to spend their gifted funding for allowable gifted education purposes. Disallowed spending will result in reductions to overall formula funding, Rausch said.

October marks the first annual Ohio School Safety Month and will include activities developed by the Ohio School Safety Center (OSCC). The designation of October as Ohio School Safety Month was part of omnibus education bill HB583 (Bird-Jones), which was signed by Gov. Mike DeWine in June. OSCC developed the theme "Know School Safety, Know Your Role - It's Everyone's Responsibility" for October's activities.

The Broadcast Educational Media Commission (BEMC) voted Thursday to approve its FY24-25 operating budget request as well as heard presentations on several projects throughout the state and on FY22 subsidy spending by Ohio broadcasters. Commission members approved the operating budget request that was recommended earlier in the week by the agency's Finance Committee. The overall budget request amounts to \$11,053,750 in each year of the biennium, an 8.46 percent increase from FY23's \$10,119,009. Some of the increases are aimed at offsetting rising energy and electricity costs. BEMC is asking for just over \$4.1 million in FY24 and FY25, a 4.87 percent increase over FY23. The Statehouse News Bureau is seeking \$461,206 in each year of the



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biennium, up 17 percent from FY23. The Ohio Channel is asking for over \$2.2 million for both years, up 13 percent from FY23. The budget request also includes about \$4.2 million in each year of the biennium for Ohio Public Radio and TV and Radio Reading Service (RRS), an 8.7 percent increase over FY23.

Thirteen Ohio school buildings are among nearly 300 recognized recently by the U.S. Department of Education (USDOE) as National Blue Ribbon Schools for 2022. Schools are recognized in two categories: exemplary high-performing schools, for those schools performing highest on state assessments or nationally normed tests; and exemplary achievement gap-closing schools, for those schools with the highest performance in closing achievement gaps among student subgroups.

Ohio 4-H and Google held an event on coding for local youth Wednesday, with Lt. Gov. Jon Husted attending to promote increased access to computer science (CS) education in Ohio. It was held at Ohio State University (OSU) and included display of the OSU Extension's "Mobile Design Lab," a bus used to provide on-site educational programming in areas of Ohio with limited CS education resources. Google's philanthropic organization recently awarded a \$5 million grant to the National 4-H Council on expanding access to CS education. In Ohio, that will help connect 1,500 children in 50 counties with CS programming, expanding the 4-H county coverage area to over 60 percent of the state. The OSU Extension also has 4-H experts acting as lead advisors to develop a national online initiative with 45 activities for expanding CS education.

## **ELECTIONS 2022**

A group of Republicans led by former Hamilton County Commissioner Phil Heimlich have joined with a Democratic political action committee to oppose the candidacy of Republican U.S. Senate nominee J.D. Vance and support Democrat Tim Ryan in the upcoming election. Heimlich, who lost a primary bid for Congress earlier this year against U.S. Rep. Warren Davidson (R-Troy), argued he was once known as one of the most conservative leaders of Southwest Ohio, but he said he was disturbed by the words and actions of former President Donald Trump and backed Joe Biden in the 2020 election. Calling himself a Reagan Republican, he said he wonders how Reagan would react to today's Republican Party. Heimlich said he views the race through three main issues -- a stance against dictators in favor of democracy, support of law enforcement, and extremism. He argued that Vance's opposition to helping Ukraine against Russia, support of those charged with actions related to the riot at the U.S. Capitol on Jan. 6, and support of people that Heimlich called extremists make Vance not the right candidate to represent Ohio in the U.S. Senate.

The Ohio State Bar Association (OSBA) Thursday announced the launch of <a href="http://judicialvotescount.org">http://judicialvotescount.org</a>, a comprehensive voter information website about Ohio's



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judicial elections, for the November general election. A founding partner of Judicial Votes Count, OSBA is administering the site for the first time this election cycle. At judicialvotescount.org, Ohio voters can access quality, unbiased information about the judges who will be on their ballot in the Nov. 8, 2022 General Election, OSBA said. Voters who visit the site can also learn about Ohio's court system, judicial requirements and responsibilities and get important dates and other information about the upcoming election.

The Brennan Center for Justice at NYU Law and All Voting Is Local Monday released their guide for Ohio election officials, which they said explains the legal safeguards "in place to prevent a poll worker from disrupting the voting process," as well as the actions that officials can take to prevent or stop a "rogue" poll worker from interfering in elections. The guide states that Ohio, like other states, already has many guardrails in place to prevent precinct officials from disrupting the lawful administration of an election. The guide can be found at https://tinyurl.com/8z4sa37r.

Continuing to criticize Gov. Mike DeWine for refusing to debate her, the campaign of Democratic gubernatorial nominee Nan Whaley said it was launching a series of events around the state it has dubbed the "Debates Ohio Deserves Tour." The tour will include stops in multiple cities throughout the month of October, including an event in Whaley's hometown of Dayton on Thursday, Oct. 20.

While campaign contribution totals for September show Democratic challenger Nan Whaley raising a closer amount to Gov. Mike DeWine's haul than in August, the incumbent still has a much larger war chest heading in to the final month of the race. Republicans mostly led their Democratic challengers in the statewide races. Monthly filings for statewide candidates due Wednesday afternoon showed DeWine and Lt. Gov. Jon Husted raising \$1.5 million last month and having nearly \$12.5 million on hand. Whaley and running mate Cheryl Stephens netted nearly \$1.2 million but have about a third of DeWine's cash-on-hand total with \$3.9 million.

Republican U.S. Senate nominee J.D. Vance and Donald Trump Jr. ended their three-stop campaign tour Wednesday by pledging support for law enforcement at a Fraternal Order of Police lodge in Columbus. Vance, who has received the endorsement of the Ohio Fraternal Order of Police, told the crowd that police officers need the support and the leadership of a senator who will stand behind them and not throw them under the bus. Vance and Trump Jr. spent most of their comments, which lasted about 20 minutes, attacking Democratic opponent Tim Ryan. Vance argued that Ryan has not backed police officers even though he argues he has not supported the "defund the police movement."

Democratic U.S. Senate nominee Tim Ryan's campaign announced Wednesday that it has raised \$17.2 million in the third quarter of this year, nearly doubling its haul of \$9.1



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million in the second quarter. Saturday, Oct. 15, is the deadline for federal candidates to report fundraising totals for the months of July, August and September to the Federal Elections Commission (FEC).

Common Cause Ohio Wednesday announced the launch of its "Judge the Ads" project, which it called a campaign dedicated to educating voters on how to follow the money in the upcoming Ohio Supreme Court races. The project centers on how to identify whether ads are paid for by candidates or by organizations that often use secret money, Common Cause said. As ads run through the Nov. 8 general election, the website will encourage voters to "follow the money" and identify "dark money" ads. The Judge the Ads website also provides information about the role of the Ohio Supreme Court and has tips for voters on how to learn about the candidates beyond political advertisements. The website can be found at https://judgetheads.org/.

Look Ahead America, a group that says its mission is to "register, educate, and enfranchise" disaffected rural and blue-collar Americans, said it will conduct a "pre-election voter list audit" in nine states including Ohio. The group said it will look to identify voters that are candidates for removal from voter lists due to having illegitimate addresses or having moved permanently out of state. "The plan is to provide this data to each state's secretary of state's elections division and to local activist groups for additional research and follow-up. We believe these records are also grounds for county-level activists to challenge votes and will be making them available upon request for that purpose," Executive Director Matt Braynard said in a statement.

Democratic secretary of state nominee Chelsea Clark Wednesday called for so-called "dark money" groups to voluntarily disclose their donors. She said current loopholes in campaign finance laws allow donors to filter tens of thousands of dollars into third party groups that run attack ads, without the groups' having to disclose those donors.

Gov. Mike DeWine outlined his "Bold Beginnings" initiative for his second term in office should he be re-elected while Democratic gubernatorial nominee Nan Whaley called for more state investments in mental health during separate appearances at a Vote for Ohio Kids Forum held Thursday at the Columbus Convention Center. The forum is the only event both candidates have appeared at this general election cycle, though their appearances came nearly an hour and a half apart and was not a debate. Both were posed the same six questions by a panel that had been agreed to in advance. Whaley, whose campaign had a person dressed outside of the convention center as a chicken, again called out DeWine for refusing to debate her during her remarks.

The following endorsements were made over the week:



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- The Ohio Organizing Campaign endorsed Tim Ryan for U.S. Senate; Greg Landsman and Emilia Sykes for the U.S. House of Representative; Nan Whaley for governor; Jennifer Brunner for Ohio Supreme Court chief justice; Terri Jamison and Marilyn Zaya for Ohio Supreme Court; Catherine Ingram and Patricia Goetz for Ohio Senate; Dani Isaacsohn, Cecil Thomas, Rachel Baker, Jessica Miranda, Alissa Mayhaus, Rita Darrow, Matt Shaughnessy, Tavia Galonski, Casey Weinstein and Thomas West for Ohio House of Representatives.
- U.S. Sen. Sherrod Brown (D-OH) endorsed Matthew Diemer for Congress.
- The League of Conservation Voters (LCV) Action Fund endorsed Marcy Kaptur for reelection.
- Ohio Value Voters endorsed Steve Chabot, Brad Wenstrup, Jim Jordan, Bob Latta, Max Miller, and Warren Davidson for Congress; Sharon Kennedy for Ohio Supreme Court chief justice; Pat Fischer and Pat DeWine for Ohio Supreme Court associate justice; and Sarah McGervey, Jenny Kilgore, John Hagan, and Cierra Lynch Shehorn for Ohio State Board of Education.

# **ENERGY/UTILITIES**

With Ohio's nighttime temperatures now dropping into the low 40s, the Public Utilities Commission of Ohio (PUCO) set this year's "special" winter reconnect order Wednesday to begin in two weeks, denying most of the Ohio Consumers' Counsel (OCC) and partnering organizations' expanded cold-weather protections for Ohio ratepayers during historic inflation and spiking energy prices. In a unanimous ruling, commissioners scheduled the Special Reconnect Order (SRO) to run Monday, Oct. 17 through Friday, April 14, commencing nearly two weeks later than PUCO's winter reconnect order during the 2020 COVID-19 emergency. Among OCC and partners' other recommendations, commissioners declined (1) to place a temporary, across-the-board moratorium on heating disconnections, as it also had refused to do during the 2020 COVID-19 emergency; (2) to extend disconnection dates 15 days when a customer has been unable to schedule an appointment with a community action agency or energy assistance provider; (3) to require utilities to inform customers about their community action agency or energy assistance provider within 60 days of their scheduled disconnection date; (4) to require utilities to report disconnections and reconnections by zip code on a monthly and annual basis; (5) to create a separate Special Reconnection Order for summer cooling months from June 1 to Sept. 30 in conjunction with DOD's Summer Crisis Program, similar to both agencies' winter programs; (6) to suspend PIPP "drops" for unverified income and to allow those with past-due PIPP payments or arrearages to reenroll during winter reconnect; and (7) to work with DOD to protect PIPP customers from paying more than regular, default-service customers of the same utility -- a counterintuitive result of



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expanding PIPP eligibility to 175 percent of federal poverty guidelines, say OCC and partners.

Ohio Attorney General Dave Yost says he's "pushing back" on plaintiff attorneys' proposal in the FirstEnergy class action case to pocket 33 percent of the proposed settlement. Plaintiffs' counsel is seeking U.S. District Judge Edmund Sargus's final approval of a \$49 million settlement with FirstEnergy on behalf of ratepayers, of which attorneys are requesting over \$16 million in legal fees. "The settlement table was set by my office and the U.S. Attorney; now these greedy attorneys are sitting down to dine," Yost said in a statement Wednesday afternoon. "FirstEnergy already shook down Ohio ratepayers. Let's not let plaintiff attorneys do the same."

Ohio "fracking" in April-June of this year moved back toward higher natural gas numbers for 2021 after a first-quarter stall, even as shale oil production in Q2 posted a strong rebound from a rocky ride last year. Oil output from horizontal drilling had fallen below 4,000,000/billion barrels (bbl) of oil last year, nearly hitting 2014 lows, but rose to 5,018,523 bbl in the second quarter of 2022. That is still more than 30 percent off Ohio's all-time high of roughly 7,200,000 bbl of shale oil in the third quarter of 2019. Meanwhile, natural gas posted a respectable rebound in the April-June of this year to 543 billion cubic feet (cf), still lower than the 2021 average and well off Ohio's historical high of 685 billion in 2019. Belmont County (147 billion cf), Jefferson County (143 billion cf) and Monroe County (110 billion cf) once again led the state in natural gas fracking in Q2 of this year.

## GAMING/GAMBLING

Companies hoping to get in on the ground floor of Ohio sports gambling got another talking to Wednesday from Casino Control Commission Executive Director Matt Schuler, who said applicants are deluging his staff with questions they should already know the answer to, gumming up the process of approving their applications. "They're the cause of their own problems," said Schuler, who has previously admonished applicants on their duties to submit required information in a timely manner. Wednesday marked the deadline for companies hoping to be among the first to offer sports gambling to submit information on their key personnel and holding companies to the Ohio Casino Control Commission.

## GENERAL ASSEMBLY/STATEHOUSE

Flexible funding and access to Medicaid data were among recommendations for addressing substance abuse from local officials during the Senate Addiction and Community Revitalization Committee hearing Monday at the University of Findlay. Findlay Mayor Christina Muryn said lawmakers should encourage communities to look



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at a full system of care versus working in silos, and to provide flexible dollars for communities to meet their own needs.

### HIGHER EDUCATION

The Ohio Association of Community Colleges (OACC) this week began a new collaboration among its members to fine-tune their training programs so they can teach the exact skills the semiconductor and tech industry is looking for in job candidates. The announcement comes as Intel has broken ground on a multibillion-dollar semiconductor plant in Licking County. OACC said its Ohio Semiconductor Collaboration Network Steering Committee leverages the know-how of all 23 community colleges to develop career pathways that will provide the skills training and talent needs of the semiconductor industry in Ohio.

The Bureau of Workers' Compensation (BWC) has awarded two grants totaling \$2.1 million to the University of Cincinnati (UC) to support innovations in workforce safety. BWC's Workforce Safety Innovation Center (WSIC) awarded the grants for the research and development of personal protective equipment and technology for workers in fields including public safety, manufacturing, agriculture and others. One grant is for integration of carbon nanotube hybrid active textile (AT) systems in protective equipment for firefighters, with work led by Ashley Kubley. The second grant is for development of the Exposure-Protection Integrated Communicator (EPIC) to improve and promote protective equipment and technology usage in workplaces, with work led by Dr. Jun Wang.

Ohio State University announced the new name of the innovation district on the university's west campus: Carmenton. From restaurants to retail to residences, Carmenton's mixed-use development is designed to give the district a "community that lives beyond the workday. Spaces to live, play and innovate will create a neighborhood that feels vibrant and welcoming -- and will attract and retain talented people," the university said. Carmenton and innovation districts in Cleveland and Cincinnati are expected to support an estimated 60,000 new jobs, 47,000 new students with STEM degrees and \$9 billion in economic impact over the next 10 years, according to JobsOhio President and CEO J.P. Nauseef.

# **HUMAN SERVICES**

Gov. Mike DeWine recognized National Domestic Violence Awareness Month Monday by announcing a multi-million-dollar award to the Ohio Domestic Violence Network (ODVN). The governor says \$6.7 million in grant funding will allow ODVN and the Ohio Association of Community Health Centers (OACHC) to provide mobile health and advocacy services and temporary housing for domestic violence survivors statewide. Of



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total grants, \$5.1 million will support a mobile advocacy and health care partnership between ODVN and OACHC. The remaining \$1.6 million will be used to house survivors and their children in hotels. Many have COVID-19 or other health concerns that prevent them from sheltering in one of ODVN's 76 member programs, the organization said.

# **JUDICIAL**

The mandatory bind-over of minors from juvenile to criminal court disproportionately punishes the state's Black population and holds children accountable for felonies committed by adults, the Ohio Public Defender's (OPD) Office argues in a pending appeal to the Ohio Supreme Court. OPD says even minors like Samiyah Bond who are prescribed medication and counseling for learning disabilities and have no criminal history are not spared.

With the rise of social media, millions of users have access to a near constant stream of new information, and it's getting harder for many Americans to discern between news, entertainment, opinion, and misinformation. As concerns about the effects of social media and partisan politics grow, does the First Amendment need updated for modern times? This was the question posed to the Columbus Metropolitan Club (CMC) panelists Wednesday. The forum was part of CMC's ongoing "democracy in crisis" series, which has featured discussions on the court system and extremism. The latest forum looked at media, the proliferation of misinformation, and the First Amendment.

## **LOBBYISTS**

Paul Werth Associates announced the addition of former Central Ohio District Director for U.S. Sen. Rob Portman (R-OH) Jason Knox as their new vice president of federal and state public affairs. He will provide public relations strategy to help clients and lobbying teams navigate the complexities of the Ohio Statehouse and Washington, D.C. Knox spent more than a decade on Portman's staff.

# MARIJUANA/HEMP

As part of an overall announcement on marijuana reform, President Joe Biden Thursday urged governors to issue pardons for all state convictions related to "simple possession of marijuana." The request is in line with his own action to pardon those convictions at the federal level, and he is seeking an expeditious review on how marijuana is scheduled under federal law as well.

Dan Tierney, spokesperson for Gov. Mike DeWine, responded to Biden's request by telling *Hannah News* it was not very applicable to Ohio. State law does not allow a



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governor to issue "blanket pardons," he said, as they must be applied for individually and considered on a case-by-case basis. Ohio judges further cannot sentence someone to jail or prison for simple possession of marijuana alone, Tierney said, as possession of less than 100 grams of marijuana represents a minor misdemeanor which is punishable only through a fine. That equates to 50 to 100 joints, he said, and jail time would be considered for around a kilogram of marijuana. Mandatory sentencing is not in place until 20 kilograms.

# MEDICAID/MEDICAID REFORM

The Ohio Department of Medicaid (ODM) on Saturday launched two major pieces of the DeWine administration's managed care overhaul -- a single pharmacy benefit manager (PBM) across managed care plans and a centralized process for health care providers to enroll and be credentialed. These moves precede the planned Thursday, Dec. 1 rollout of the new lineup of managed care plans. Gainwell Technologies was selected by ODM to act as the single PBM, a change that follows years of frustration about the pricing practices of PBMs, both in terms of their effect on the financial viability of pharmacies and the amount charged to the state. ODM also has contracted with an independent consultant to help monitor drug pricing, Myers and Stauffer. The centralized credentialing change will enable providers to meet one standardized set of requirements to qualify for all managed care plans.

## **MILITARY AFFAIRS**

Monday's portion of the two-day Ohio Defense and Aerospace Forum included a video address by Gov. Mike DeWine and comments from U.S. Rep. Mike Turner (R-Dayton), who also moderated a panel on the current state of national defense efforts. Scott Sullivan, a U.S. Air Force (USAF) veteran and member of the JobsOhio Board of Directors, followed by discussing the economic development entity's focus on retaining and expanding jobs at military and federal installations in Ohio. He added there are also efforts to ensure Ohio policies support military personnel, their families and veterans, with the goal of becoming the most military-friendly state. The event was organized by the Dayton Development Coalition (DDC), and DDC Executive Vice President for Aerospace and Defense Elaine Bryant noted there is now a space forum in Cleveland and an advanced air mobility forum in Springfield as well.

The second day of the Ohio Defense and Aerospace Forum included discussions on current supply chain opportunities for Ohio as well as workforce needs. The workforce panel included Deborah Ashenhurst, director of the Ohio Department of Veterans Services; Wendy Staiger, plant director of the Joint Systems Manufacturing Center (JSMC) in Lima; and Charlie Perham, vice president and director of government



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consulting services at Matrix Design Group. It was led by Kristi Clouse, senior managing director for talent at JobsOhio.

### NATURAL RESOURCES

The Ohio Department of Natural Resources (ODNR) announced a schedule of weekly fall color updates to report on the progression of tree color changes through the fall. The department's Division of Forestry expects peak color in mid-to-late October. "The supply of water from above average rainfall this year should have the trees healthy and ready to put on a color show with brilliant oranges and blazing yellows," said ODNR Fall Color Forester David Parrott. ODNR maintains a fall color website at <a href="https://ohiodnr.gov/go-and-do/see-the-sights/fall-color">https://ohiodnr.gov/go-and-do/see-the-sights/fall-color</a> . There, visitors can find weekly color updates and information to plan a fall color adventure; unique overnight accommodations at Ohio State parks; and events happening around the state.

Ohio First Lady Fran DeWine and ODNR Director Mary Mertz recently opened the 20th Storybook Trail in the Ohio State park system at Salt Fork State Park in Guernsey County. The trail was created through a partnership with Dolly Parton's Imagination Library of Ohio and through a donation from the Guernsey County Library through the Ohio State Parks Foundation.

ODNR announced the new Hocking Hills Lodge and Conference Center is taking reservations for as early as Sunday, Oct. 9, 2022. The nearly 74,000 square-foot lodge has 81 guest rooms. Room designs include king, double queen, king bunk, and queen bunk rooms. There are also two-room suites available.

ODNR outlined the state's outdoor burning regulations during the fall wildfire season. Ohio law states that most outdoor debris burning is prohibited in unincorporated areas from 6 a.m. to 6 p.m. during October and November. "A major cause of escaped wildfires in Ohio during the fall is the careless burning of trash and debris," Fire Program Administrator and Assistant Chief for the ODNR Division of Forestry Greg Guess said. Burning is limited in the fall due to the abundance of dry grass, weeds, and leaves on the ground. Gusty winds and low humidity can make a seemingly safe fire burn more intensely and escape control. If a fire does escape control, individuals should contact the local fire department immediately.

## **PEOPLE**

Kristen Connelly recently joined the law firm Shumaker as the attorney development officer. In that role, she will promote the professional growth and success of the firm's attorneys. According to the firm, her primary focus is to guide associates as they develop into successful partners. Additionally, she will focus on initiatives related to the



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recruitment, development, and advancement of lawyers at all levels while working closely with firm leadership.

Cheryl J. Lyman, the executive director of the Ohio Facilities Construction Commission (OFCC), recently received the 2022 Exceptional Woman in Building award by the National Institute of Building Sciences (NIBS). Lyman was presented the award at the organization's conference in Washington, D.C. The award recognizes women who make outstanding contributions to the built environment. Lyman was named executive director of OFCC in September 2019. She directs the daily operations of the agency, guiding capital construction projects for state agencies, state-supported universities, and community colleges, as well as Ohio's public K-12 school construction and renovation program. In addition, Lyman also oversees OFCC's grant program for capital improvement projects for local cultural facilities in the state.

# **POVERTY**

The Controlling Board Monday approved a request from the DeWine administration for the Ohio Department of Job and Family Services (ODJFS) to spend \$15 million to buy food for Ohio foodbanks.

ODJFS and the Office of Budget and Management (OBM) had asked for approval to use American Rescue Plan Act (ARPA) funds to help acquire and distribute food products to Ohio's 13 regional foodbanks, noting that the effects of inflation on household food staples like protein, dairy, and poultry products have made it more difficult for Ohioans to afford the food they need for their families, and many are turning to foodbanks to fill the need.

# **PUBLIC SAFETY**

The DeWine administration announced the latest round of funding Monday as part of \$100 million earmarked for the Ohio Violent Crime Reduction Program. Well over a half of all new awards -- more than \$7 million -- will go to Cleveland/Cuyahoga County, including \$4.2 million to the Cleveland Division of Police, \$1.5 million to the county sheriff's office, \$1 million to the county prosecutor's office, \$240,084 to Cleveland State University Police, and \$107,000 to the Euclid Police Department. The single biggest award of \$4.6 million will go to the Dayton Police Department for retention and hiring bonuses, which also comprise the largest share of Cleveland/Cuyahoga County grants.

The Ohio State Highway Patrol (OSHP) began another "6-State Trooper Project" Thursday night on one of the state's busiest interstates for personal and commercial travel. Troopers will join Indiana State Police and Pennsylvania State Police to enforce



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speed, safety belts and OVI on I-70. The 72-hour enforcement blitz will run from 12:01 a.m. Friday, Oct. 7 to 11:59 p.m. Sunday, Oct. 9.

### RACES TO WATCH

The last time Rep. Casey Weinstein (D-Hudson) faced off with Republican Beth Bigham for state Legislature, he won a tight re-election in the 37th House District. The map and number have change with redistricting but not the closeness of their exurban rematch in north Summit County's new District 34. As current and former members of Hudson City Council, respectively, Bigham and Weinstein bring a grassroots sensibility to the swing district, previously held by Republicans before Weinstein's election in 2018.

An open House seat in the Northwest corner of Franklin County will see a long-time physician face off against a suburban city council member. The candidate lineup in House District 11 was among those left in flux for a while amid Ohio's redistricting saga. Democratic nominee Dr. Anita Somani of Dublin, a gynecologist, had to sue to get on the ballot. Republicans nominated Omar Tarazi, a member of Hilliard City Council and an attorney. According to the 2022 Ohio Election Guide, published by the Ohio Manufacturers' Association and compiled with assistance from Hannah News, the district has a Republican political index of 46.92 percent.

While their views on issues related to education and gun legislation are far apart, both candidates in the 27th House District have a background in the nursing field and each told Hannah News they've attracted support from independents and voters across the aisle. Democrat Rachel Baker is a nurse researcher and adjunct professor who volunteers as a court-appointed special advocate. Republican Jenn Giroux co-owns a Catholic-focused book and gift shop, continues to work as a nurse and previously served as assistant to the president at Citizens for Community Values. The 2022 Ohio Election Guide, published by the Ohio Manufacturers' Association and compiled with assistance from Hannah News, gives the district a Republican index of 48.57 percent. Democratic gubernatorial nominee Richard Cordray won the district with 51.7 percent in 2018, and Joe Biden carried it with 57.53 percent in the 2020 presidential election.

Rep. Andrea White (R-Kettering) and Democrat Addison Caruso are battling for a different legislative district than the one the first-term legislator won by double-digit margins in 2020. House District 36 includes new areas of Dayton and a more diverse constituency that could yield a tighter vote on Nov. 8. White admits her electorate is not the one her husband, former Rep. John White, represented two decades ago. New or old district, White remains committed to thriving neighborhoods, accessible employment, safe schools, and prevention in mental health and addiction. Caruso is equally passionate about the legislative district he hopes to represent and the policy priorities he says have been abandoned by the Statehouse majority. They include gun safety, abortion access,



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education funding, affordable housing, and clean energy. An attorney at Advocates for Basic Legal Equality (ABLE), he says even professionals his own age have difficulty finding accommodations they can afford.

## SECRETARY OF STATE

Secretary of State Frank LaRose Wednesday announced the creation of a Public Integrity Division in his office that will consolidate many of his office's current investigative functions. The new division will include campaign finance reporting, voting system certification, voter registration integrity, the investigation of election law violations, data retention and transparency, and cybersecurity protocols among its functions. It will house three investigative sections that encompass the statutory duties of the secretary of state: Election Administration, Campaign Finance, and Business Services.

## WORKERS' COMPENSATION

The Ohio Bureau of Workers' Compensation (BWC) Special Investigations Department (SID) saved the state insurance fund \$90 million in FY22, according to a new report. "We saw impressive results in 2022: 1,431 closed cases, 69 convictions and \$90 million in identified savings to our system -- our second highest annual savings since FY07," BWC SID Director Jim Wernecke wrote in his department's FY22 annual report. The fraud report was one of several items discussed during Friday's BWC Board of Directors meeting in downtown Columbus. BWC SID received 2,661 allegations and closed 1,431 cases in an average of 230.6 investigative days, according to the report.