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### **Ohio Association of Medical Equipment Services**

#### **Legislative Update**

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### **ABORTION**

The Abortion Fund of Ohio (AFO) on Friday launched a Legal Access Program for abortion seekers and reproductive health care workers. AFO is introducing the new service as Ohioans face an "onslaught of criminalization for seeking and providing essential reproductive health care," the organization said. The Legal Access Program -- which is now accepting new patient intakes -- will provide free, confidential brief legal assistance and referral to pro bono counsel. The program can provide advice regarding self-managed abortion, young people's access to abortion and judicial bypass, AFO said. Ohioans can request legal assistance from the program by visiting <https://www.abortionfundofohio.org/legalhelp> or by calling 614-799-2843. Abortion seekers in need of practical or financial support can contact AFO through the organization's website or by phone at 614-300-7811.

### **ARTS, SPORTS AND ENTERTAINMENT**

The Ohio Arts Council (OAC) has approved \$375,000 in grants for 75 Ohio artists. The funding will be awarded through OAC's Individual Excellence Awards program for FY23, the agency said. Individual Excellence Awards recognize artists' bodies of work that exemplify specific disciplines and advance the larger creative community. These awards support artists' development and recognize their influence in Ohio and beyond. Applications in crafts, design, interdisciplinary arts, media arts, photography, visual arts 2D, and visual arts 3D were accepted during this funding cycle. Each award is \$5,000.

### **ATTORNEY GENERAL**

The Ohio Attorney General's Crime Victim Services Section is seeking nominations for its annual Two Days in May Awards, which recognize outstanding service by individuals and organizations that aid and empower crime victims. Nominations are being sought for the Promising Practice Award, Robert Denton Special Achievement Award, and Special Courage Award. The Two Days in May Conference on Victim Assistance is scheduled for Monday-Tuesday, May 8-9 at the Greater Columbus Convention Center. The nomination form can be found at [www.tinyurl.com/26x57vm9](http://www.tinyurl.com/26x57vm9) and must be submitted electronically by Friday, Feb. 24 to [Holly.Zachariah@OhioAGO.gov](mailto:Holly.Zachariah@OhioAGO.gov).



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Dollar General has averted a temporary restraining order filed by the Ohio Attorney General's Office after the retail giant signed a stipulated order in the Butler County Court of Common Pleas requiring it to charge customers the price marked on its shelves. Attorney General Dave Yost sued Dollar General Corp. and Midwest DolGen LLC last fall, alleging violations of Ohio's Consumer Sales Practices Act (CSPA), and requested a temporary restraining order last month after county inspections showed the company continued to post one price on its product shelves and a different price at the cash register. Tuesday's stipulated order or "compromise" requires Dollar General stores to correct that pattern.

### **FY22-23 BUDGET**

State tax collections yielded nearly \$140 million more than expected in January, led by a \$95.5 million overage in personal income taxes, according to preliminary data from the Office of Budget and Management (OBM) released Wednesday. The income tax generated \$1.22 billion in January, compared to expectations of \$1.13 billion, an 8.5 percent difference. Sales taxes were up by a more modest 1.9 percent, bringing in \$23.3 million more than expected and reaching \$1.24 billion for the month. That was roughly split between a \$10 million, 0.9 percent overperformance in the non-auto sales tax, and a \$13.3 million, 9.6 percent bump in the auto sales tax.

### **FY24-25 BUDGET**

House Finance Committee Chair Jay Edwards (R-Nelsonville) described Gov. Mike DeWine's budget Tuesday as "very aggressive, very bold" and said his caucus is looking at adding tax cuts and potentially a faster-than-planned phase-in of the new school funding formula. Edwards also shared the committee's plans for revising and passing both the operating and transportation budget bills – both of which have yet to be introduced although unofficial versions of both are available. For the transportation budget, which usually passes before the end of March, the House Finance Committee looks to adopt a substitute bill on Monday, Feb. 20 and an omnibus amendment sometime later that week, then pass the bill Monday, Feb. 27. The March deadline is driven by the need to allow for the 90-day lag time for the bill to become law which must happen by July 1 to prevent highway projects from being interrupted. For the operating budget, Edwards forecast a first round of changes Friday, April 21, an omnibus amendment on Monday, April 24 or Tuesday, April 25, and full committee passage before the end of April.

Edwards announced the availability of draft budget language, which at more than 4,300 pages dwarfs the typical, 2,000-some pages of an as-introduced spending plan. Edwards said the proposed creation of the Department of Children and Youth is the main reason for having so many additional pages.



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Office of Budget and Management (OBM) Director Kim Murnieks stood for about three hours of testimony and questioning Tuesday at the kickoff of House Finance Committee hearings on the FY24-25 executive proposal. She was followed by Legislative Service Commission Director Wendy Zhan, who provided independent but similar forecasts for tax revenue growth and Medicaid spending. Murnieks said OBM "cautiously" opted to adopt an economic forecast calling for a mild recession, given that most professional forecasters are predicting that will happen. OBM projects total tax revenue of \$28.7 billion in FY24 and \$30.1 billion in FY25, a forecast that takes into account tax policy changes included into the executive proposal, like an income tax deduction for children. LSC's forecasts, which are based on current law and do not reflect those proposed policies, project about \$29.1 billion in FY24 and \$30.3 billion in FY25.

Murnieks also noted the expected \$6 billion cash balance in the General Revenue Fund for the end of FY23. Part of that money is already spoken for, via lawmakers' authorization to use cash instead of borrowing for some projects in the most recent capital budget. That balance is also the funding source for the proposed All Ohio Future Fund for economic development and a proposed \$1 billion to be added to the Medicaid reserve fund in anticipation of the phase-out of extra matching funds the federal government has been providing during the pandemic.

The FY24-25 transportation budget will see a 25 percent increase over the previous biennium thanks to billions in funding from the federal government through the Bipartisan Infrastructure Law, Ohio Department of Transportation (ODOT) Director Jack Marchbanks told the House Finance Committee Tuesday. Despite that increase, Marchbanks said the reality is that much of the increased revenue will be used to fill a previously projected revenue shortfall and offset price increases due to double-digit inflation which tracked closer to 11.4 percent last year. The transportation budget will be \$3.707 billion in FY24 and \$3.704 billion in FY25. Of that budget, \$1.881 billion comes from federal revenue in FY24, with nearly \$1.7 billion from state revenue; in FY25, \$1.914 billion comes from federal revenue and \$1.719 billion comes from state revenue. Over the biennium, about \$2.2 billion will go towards pavement, \$717 million for bridges, \$360 million for safety upgrades, and \$579 million for large, capacity-adding projects like those that are reconfiguring the state's urban interstates.

ODOT Director Marchbanks appeared before House lawmakers for the second day in a row on Wednesday to discuss the proposed transportation budget with the House Finance Transportation Subcommittee, fielding questions on topics ranging from electric vehicles to pavement studies. Marchbanks mostly reiterated his testimony from the full House Finance Committee on Tuesday, taking a few minutes to also discuss the announcement by Gov. Mike DeWine that the state will seek federal funding to study the expansion of passenger rail in Ohio.



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House Finance Health and Human Services (HHS) Subcommittee Chair Rep. Sara Carruthers (R-Hamilton) on Thursday released a tentative hearing schedule for the subcommittee through Thursday, March 23.

### **BUSINESS/CORPORATE**

The Ohio Business Roundtable (OBRT) announced Thursday the formation of the Ohio Grants Alliance (OGA) in partnership with regional business associations across the state. The OGA will "research, identify and promote competitive grant opportunities to Ohio's business, educational, charitable and economic development communities in order to make Ohio more competitive," according to OBRT. Led by Executive Director Michael McLean, formerly OBRT vice president of policy, it will also support applications and help win more grants that transform all communities in the state. Founding partners include OBRT, the Cincinnati Business Committee, Greater Cleveland Partnership, Columbus Partnership, Appalachian Partnership, Dayton Development Coalition and the Regional Growth Partnership in Northwest Ohio. Part of OGA's work will be to facilitate cross-regional coalitions.

### **ECONOMY**

The U.S. Bureau of Labor Statistics (BLS) announced Friday that the nation added 517,000 nonfarm payroll jobs in January, while the federal unemployment rate dropped to 3.4 percent, the lowest it has been since 1969. The unemployment rate was 3.5 percent in December. Among the major worker groups, the unemployment rates for adult men (3.2 percent), adult women (3.1 percent), teenagers (10.3 percent), Whites (3.1 percent), Blacks (5.4 percent), Asians (2.8 percent), and Hispanics (4.5 percent) showed little change in January. The number of persons jobless less than five weeks decreased to 1.9 million in January. The number of long-term unemployed (those jobless for 27 weeks or more) was essentially unchanged at 1.1 million. The long-term unemployed accounted for 19.4 percent of the total unemployed in January.

### **EDUCATION**

Retired high school history teacher and wrestling coach Paul LaRue takes the helm of the State Board of Education (SBOE) in a time of transition, as the search for a new state superintendent lingers and the Senate considers whether to strip most powers from that post and the board. In an interview with *Hannah News* about his plans and goals for the board, he described himself as an optimist and said he's gratified to see the board, governor and lawmakers seemingly on the same page when it comes to priorities like literacy. "I'm basically a half-full kind of guy, I'm a positive guy, I come at things from a positive standpoint," he said. "I think I bring a certain positive factor that I think can be helpful."



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A record \$140.5 million was transferred to the Lottery Profits Education Fund (LPEF) in January 2023, according to Ohio Lottery Executive Director Pat McDonald who attributed it to the Mega Millions jackpot as well as the Powerball. Ohio Lottery Finance Director Greg Bowers also noted during this week's Ohio Lottery Commission (OLC) meeting that through January, transfers to the LPEF are up over last year by \$57.1 million.

Gov. Mike DeWine Monday released Ohio's "Comprehensive School Safety Framework" that outlines recommended strategies schools can use toward creating physically and emotionally safe environments for students. The Ohio School Safety Center (OSSC), housed within the Ohio Department of Public Safety, developed the framework collaboratively with the Ohio Department of Education (ODE) and the Ohio Department of Mental Health and Addiction Services (OhioMHAS).

House Finance Committee members focused on potential acceleration of the Cupp-Patterson formula, justifications for greater charter school funding, busing woes, and a proposed state merit-based scholarship for college during questioning of K-12 and higher education leaders at Thursday's budget hearing. Interim Superintendent Stephane Siddens and her staff led off Thursday with an overview of Gov. Mike DeWine's proposals for ODE. She provided more detail on the governor's stated intention of ensuring schools make better use of their Student Wellness and Success Funds to address mental and physical health challenges. Under the budget language, schools will be mandated to spend existing wellness funding by the end of FY25 and will only be allowed to carry over new funding for one year.

The governor's recommendation for the FY24-25 state operating budget increased funding for the operations of the Broadcast Educational Media Commission (BEMC) but did not meet additional requests for increased funding for the Statehouse News Bureau, the Ohio Channel, and the Ohio Public Radio and TV and Radio Reading Service (RRS). During the Thursday meeting, BEMC Executive Director Geoffrey Phillips noted the agency will have more opportunities to make their case for the additional funding as budget negotiations play out in the General Assembly. Specifically for FY24-25, the governor recommended funding BEMC's operations at \$4.1 million which is what the agency sought in their budget request. Phillips said the additional funding will cover "electric and gas utility uncertainties," as well as other improvements to an aging facility.

The Ohio Educational Service Center Association (OESCA) announced the creation of the new Ohio Professional Learning Directory, meant to provide educators and school staff with an easy way to find the professional learning they need. The directory, which can be found at <https://www.ohiopl.org/>, provides Ohio school officials with a searchable statewide directory of professional learning courses, recordings, documents



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and events provided by education partners like the Ohio Department of Education (ODE), educational service centers, and public television stations.

In their second meeting of the year, members of the Senate Education Committee Tuesday heard testimony on proposals to overhaul ODE and dramatically expand the state's current EdChoice Scholarship program -- both reintroductions from last session. Members heard proponent testimony from many of the same groups who supported the bill's predecessor, 134-SB178 (Reineke). Most witnesses testified in support of SB1 (Reineke), the restructuring of ODE as the Department of Education and Workforce (DEW) and the creating of the Division of Career-Technical Education (CTE), in addition to the Division of Primary and Secondary Education in that department. Those included former state Rep. Rick Carfagna, now the senior vice president of government affairs for the Ohio Chamber of Commerce; Greg Edinger with Vanguard Sentinel Career Center; Corey Adams of Universal Robots; Rose Babington of ACT; Michael Linton of Accurate Mechanical, Inc; and Jamie Nash of the Buckeye Hills Career Center.

### **ELECTIONS 2023**

Secretary of State Frank LaRose Tuesday issued Directive 2023-03, instructing Ohio's 88 county boards of elections to immediately begin implementing the reforms required under 134-HB458 (Hall) for the May 2023 primary election, although the bill does not become effective until Friday, April 7 -- three days after the April 4 start of early voting. LaRose explained why he is taking this action, noting, "While HB458 does not become effective until April 7, three days after the start of early voting in the May primary, implementing the changes contained within the new law at that time would potentially violate equal protection provisions by conducting the election under two separate processes to cast a ballot, one before the effective date and one after. Another alternative would be to issue a directive making the changes within HB458 effective upon the completion of the May primary; however, this would result in a clear violation of Ohio law." This directive guarantees "the changes made by HB458 are uniformly implemented across all county boards of elections throughout the entirety of the early voting period and on Election Day."

The ACLU of Ohio Thursday asked LaRose to clarify provisions in omnibus election bill 134-HB458 (Hall) that it says adversely affect voters with disabilities. According to the group, "While the secretary's recent guidance to local boards of elections address certain issues regarding the implementation of HB458, it does not address concerns related to curbside voting and the photo ID requirement." The ACLU of Ohio goes on to maintain in its letter "that until answers are provided or modifications are made, the new law conflicts with Title II of the Americans with Disabilities Act."



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### **ENERGY/UTILITIES**

John Williams, a longtime staffer who now leads the Public Utilities Commission of Ohio's (PUCO) transportation department, is Gov. Mike DeWine's choice for the seat of Commissioner Beth Trombold, who announced she was resigning early, effective Friday, Feb. 10, ahead of the April end of her second board term. Williams' nomination is subject to Senate confirmation.

Ohio natural gas consumers that saw flat wholesale prices in 2021 and a smaller increase in 2022 will more than double their commodity costs beginning April 1. The Dominion Energy Ohio auction result approved by the Public Utilities Commission of Ohio (PUCO) Wednesday is \$.39 per thousand cubic feet (Mcf) compared to a retail price adjustment of \$.18 Mcf this time last year. Ohio retail price adjustment for natural gas has risen an average of 300 percent since the previous administration's final year in office.

### **ENVIRONMENT**

The Ohio Facilities Construction Commission (OFCC) recently recognized the state's 400th Leadership in Energy and Environmental Design (LEED) Green Building Certified School. OFCC Executive Director Cheryl J. Lyman was joined by the U.S. Green Building Council's (USGBC) Rhiannon Jacobsen and MaryEllen Etienne for a visit to Waynesville Elementary School in Warren County to celebrate the building's gold rating. The USGBC LEED for Schools system is used by OFCC as a tool to design, construct, and operate buildings to "maximize occupant health and productivity, use fewer resources, reduce waste and negative environmental impacts, and decrease life cycle costs."

The Ohio Air Quality Development Authority (OAQDA) issued \$215 million in revenue bonds to the Powell Creek solar project in Putnam County. The recently closed bond financing is provided through OAQDA's Clean Air Improvement Program (CAIP), which validated the environmental, economic and public health benefits to the local community, according to OAQDA. AVANGRID, a sustainable energy company and part of the Iberdrola Group, is leading the project.

The Ohio Environmental Protection Agency (Ohio EPA) finalized the Water Pollution Control Loan Fund (WPCLF) 2023 Program Management Plan. The fund provides financial and technical assistance for wastewater infrastructure and restoration projects that improve the quality of Ohio's rivers, streams, lakes and other water bodies. Ohio EPA received project nominations from 85 counties that totaled more than \$2.8 billion for FY23, according to the agency.



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### **GAMING/GAMBLING**

For the first time since they opened in 2012, Ohio's four casinos took in more than \$1 billion in revenue during a calendar year. According to revenue reports released by the Ohio Casino Control Commission (OCCC), the casinos made just over \$1 billion in 2022. In calendar year 2021, the casinos made \$983.7 million. Hollywood Columbus Casino led the way among the four casinos in 2022, pulling in \$263.6 million. That's higher than 2021, when the facility made \$260 million.

Total traditional lottery ticket sales for January 2023 were \$418 million, up from \$359.4 million in January 2022. Draw-based game sales for January 2023 were \$202.6 million, up from \$175.3 million in January 2022. Net scratch-off ticket sales for January 2023 were \$215.4 million, up from \$184.1 million in January 2022. Video lottery terminals (VLTs) at Ohio's seven racinos raked in \$110.8 million in January 2023, up from \$95.6 million in January 2022.

### **GENERAL ASSEMBLY/STATEHOUSE**

The Senate unanimously passed tax conformity legislation SB10 (Blessing) as an emergency measure on Wednesday. "Most people are probably not aware that changes to federal tax law do not become part of Ohio law unless we pass legislation incorporating those changes," chief sponsor Sen. Lou Blessing (R-Cincinnati) said. "In this case, the legislation will prevent some Ohio taxpayers from having to file one amount of taxable income on federal returns and a different amount for state returns." Blessing said the bill incorporates the changes made by the federal Inflation Reduction Act of 2022 and the federal Consolidated Appropriations Act.

In addition to the tax conformity changes, the Senate Ways and Means Committee amended SB10 to address an emergency rental assistance issue caused by lame duck spending bill 134-HB45 (West-Roemer). The spending bill required rent and utility arrearages to have been incurred by Dec. 31, 2021 for the household to qualify for assistance under the program. The amendment to SB10 changes the date to Dec. 31, 2023. Senate President Matt Huffman (R-Lima) told reporters that the date in 134-HB45 was a mistake.

In other action on Wednesday, the Senate unanimously adopted SR24 (Schuring), the Senate rules for the 135th General Assembly. Additionally, senators said goodbye to Senate Chief Legal Counsel Frank Strigari, who is leaving the chamber after more than 10 years of service.

The new Senate Medicaid Committee can serve as a venue for program oversight and to broaden lawmakers' general understanding of it, Chair Mark Romanchuk (R-Ontario) told





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*Hannah News* in an interview. Romanchuk is a veteran of many policy debates on Medicaid, having chaired the Joint Medicaid Oversight Committee (JMOC) and the House's budget subcommittee overseeing the program when he served in that chamber. The new committee will kick off in mid-February with an update from the Ohio Department of Medicaid on the rebidding and restructuring of the managed care program under the DeWine administration. This month marked the launch of managed care plans under the new structure.

Freshman Rep. Dani Isaacsohn (D-Cincinnati) brings years of community organizing and political grassroots efforts across multiple states to his new position representing the 24<sup>th</sup> House District. He noted that over the years he has found a disconnect between people in positions of leadership and the communities they were serving. It is that disconnect that led to his running for the Ohio House, observing that there are ways to make meaningful differences in people's lives that are not obviously partisan.

Freshman Rep. Josh Williams (R-Oregon) recounted the struggles he has grappled with including severe injuries from a fall and obesity as well as barriers to receiving assistance from governmental agencies in an interview with *Hannah News*. Now a criminal defense attorney and undergraduate law professor at 38, Williams said he's excited to represent the 41st House District, which includes parts of Lucas County.

Freshman Rep. Anita Somani (D-Dublin), one of a growing number of physicians in the General Assembly and a first-generation immigrant from India, told *Hannah News* that despite her work supporting other candidates' campaigns, and being asked several times to run, she never thought elected office would be a good fit for her. However, a messy redistricting process that essentially created an open seat for her district, and the news of a leaked draft opinion showing the U.S. Supreme Court's intention to overturn *Roe v. Wade* changed that.

Freshman Rep. Adam Mathews (R-Lebanon) told *Hannah News* that his path to elected office began after he testified to the Lebanon city council about zoning issues on behalf of small businesses he represented as a lawyer. When he felt their concerns weren't being addressed quickly enough, Mathews ran for council himself and won. He went on to become Lebanon's vice mayor and decided to run for the Statehouse "to really represent what works in Warren County up here in Columbus." Mathews said the COVID-19 pandemic in particular showed him how state government policies affect the everyday lives of Ohioans.

Freshman Rep. Melanie Miller (R-Ashland) told *Hannah News* she brings her experience as the executive director of the Ashland Pregnancy Care Center to her work at the Statehouse. She said she is interested in working on issues related to families and aging, health, economic and workforce development and agriculture, given its prevalence in her



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district. While this is her first time in elected office, her husband Matt Miller is mayor of Ashland and previously served as a county commissioner. While that made her familiar with public service, she said encouragement from advisors, along with prayer, led her to run for the open 67th District seat.

### GOVERNOR

Ohio Gov. Mike DeWine, Pennsylvania Gov. Josh Shapiro, East Palestine Fire Chief and Incident Commander Keith Drabick, and local, state, and federal officials representing both states announced late Wednesday that evacuated residents in and around East Palestine can now safely return home. Hundreds of residents evacuated their homes after a Norfolk Southern Railroad train carrying vinyl chloride derailed in Columbiana County on Friday night, Feb. 3. To avert a possible explosion, the railroad conducted a controlled release of the chemicals, which discharged toxic and potentially deadly fumes into the air on Monday afternoon.

### HEALTH AND HUMAN SERVICES

Ohio Department of Health (ODH) Director Dr. Bruce Vanderhoff said that despite signs of trouble in late fall, Ohio has "thankfully" not seen a winter "triple-demic" of influenza, Respiratory Syncytial Virus (RSV), and COVID-19. Health officials had warned of rising hospitalizations in late November and December due to RSV and the flu. Vanderhoff said there was also a fear of a new winter surge of COVID-19 after such surges occurred in the winter months of 2020, 2021 and 2022. Despite that rapid rise of flu and RSV, Vanderhoff said cases of both have declined sharply, and there has not been a COVID spike as feared.

### JUDICIAL

The Ohio Supreme Court cancelled its hearing on a dispute between the Public Utilities Commission of Ohio (PUCO) and the Office of Ohio Consumers' Counsel (OCC) that could set a new standard for utilities' "excessive" profits and clarify the reconfigured Court's position on executive versus judicial branch interpretations of the Revised Code. The Court said it would be rescheduled. At stake is a third of a billion dollars in charges awarded to AES Ohio. The consumers' counsel says PUCO is distorting the General Assembly's intent for the significantly excessive earnings test (SEET) dating to 15-year-old energy omnibus 127-SB221 and virtually guaranteeing utilities will never have to refund windfall profits to consumers. The commission counters that SEET review in R.C. 4928.143(F) grants the agency "broad discretion" to weigh a utility's promised future investments against its past earnings. OCC is the lone complainant in *In the Matter of the Application of the Dayton Power & Light Co. for Administration of the SEET under*



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*R.C.4928.143(F) and Ohio Adm. Code 4901:1-35-10*, which follows a unanimous PUCO decision signed by agency staff and 18 other parties.

Ohio ethics law allows judges and staff to solicit donated items as gratuities to specialty docket participants, even if Ohio Supreme Court rules do not, the Ohio Board of Professional Conduct states in its first advisory opinion of 2023. The board was asked by an unidentified municipal court whether a judge or staff may contact local businesses for items of "de minimis" value, including hats, gloves, umbrellas and gift certificates, as rewards and incentives for mental health court participants. "The judge proposes to distribute a signed letter soliciting donations from local businesses and to also direct court employees to directly solicit businesses for the items," notes last Friday's opinion. It says such activities by judges or their staff, however, are clearly proscribed by Rule 3.7(A)(2) of the Ohio Code of Judicial Conduct and by American Bar Association (ABA) Opinion 08-45.

### **LOBBYISTS**

Patrick Schwartz has joined High Bridge Consulting as vice president of government affairs, the firm announced Monday. Founded in 2016, High Bridge Consulting provides a variety of services for clients including government affairs, public relations, lobbying, strategic communication and campaign management/consulting.

### **MARIJUANA/HEMP**

The Ohio Medical Marijuana Control Program (MMCP) may not survive much longer without passage of remediation legislation SB9 (S. Huffman-Schuring), according to cannabis attorney/consultant Ted Bibart. "This program is dying. The numbers tell us this," Bibart told the Senate General Government Committee during proponent testimony on Tuesday. "From last month's numbers to this month's numbers, we've lost 3 percent of the patient population. Over 4,000 patients are no longer participating in this program who did a month prior." He said many patients have left the program because they are able to buy better cannabis at a lower price in Michigan, so SB9's provision removing the "arbitrary" 70 percent THC limit could persuade many Ohio patients to return to the Buckeye State's dispensaries.

Chairman Sen. Nathan Manning (R-North Ridgeville) of the Senate Judiciary Committee moved to correct media reports Wednesday that legislation he's sponsoring would "relax" marijuana OVI (operating a vehicle under the influence) enforcement and make it harder for prosecutors to prove impairment. He said SB26, in fact, mandates testing for active versus inactive THC and is being considered for an amendment making illegal levels of those metabolites an automatic violation. Manning said SB26 reflects the latest "scientific



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consensus" on THC testing and would correct existing statutes that he said amount to an across-the-board driving ban on Ohioans cleared for medical marijuana.

The Ohio Board of Pharmacy (OBP) issued two more medical marijuana dispensary certificates of operation on Tuesday. There are now 64 dispensaries legally operating under the Ohio Medical Marijuana Control Program (MMCP). The 63rd certificate of operation was awarded to Consume Oxford, located at 3620 Southpoint Pkwy. in Oxford. The 64th certificate of operation was awarded to Amplify, located at 5304 N. Hamilton Rd. in Columbus.

### **MEDICAID/MEDICAID REFORM**

Only about a quarter of the 800,000-person gain in Medicaid enrollment during pandemic-era coverage policies will subside over the next biennium, the Ohio Department of Medicaid predicts in the FY24-25 budget proposal. Economic and workforce trends are the main drivers of that reality, Ohio Department of Medicaid (ODM) Director Maureen Corcoran said in testimony to the House Finance Committee and in comments to reporters after Wednesday's hearing, which lasted about four hours. The caseload projection also takes into account policy changes included in Gov. Mike DeWine's proposed budget, including the higher income threshold of 300 percent of poverty for pregnant women and children, as well the budget's underlying economic forecast, which includes a mild recession. ODM predicts a caseload peak of 3.6 million will arrive in May 2023, as compared to enrollment of about 2.8 million in February of 2020. That latter figure, Corcoran said, was the lowest caseload seen in the era of the federal Affordable Care Act, which ushered in the Group VIII expansion population.

Gov. Mike DeWine's FY24-25 budget proposal aims to boost pay for direct care workers serving people in their homes, in community mental health services, in nursing homes and in centers for people with developmental disabilities. Cabinet directors of health and human services agencies told the House Finance Committee in budget testimony Wednesday the proposal is meant to address workforce shortages that in turn fuel care shortages, and to avoid workers' switching among service sectors in search of higher pay. Kim Hauck, director of the Ohio Department of Developmental Disabilities (DODD), said the budget proposal would take average wages for direct service providers (DSPs) from \$13.72 to \$16 per hour. Some of the work involves rate simplification. For example, Ohio Department of Aging (ODA) Director Ursel McElroy said a three-tier rate structure for the Assisted Living Waiver would be consolidated into one, with an add-on for dementia. This is reflective of the fact that almost all of the current waiver services - 98 percent - are now paid under the highest tier, she said. Also on tap are rate increase proposals for pharmacies, dental care providers and transportation services. "Our goal is to establish some comparability across similar services or face the continuing challenge that waiver providers will move from one waiver to the other for higher pay, doing



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nothing to retain or cultivate the needed workforce. We experienced this during the pandemic," Corcoran explained.

### **MENTAL HEALTH**

Gov. Mike DeWine joined Columbus Mayor Andrew Ginther and other city and county dignitaries Tuesday to break ground on a new facility aimed at helping people struggling with mental illness and addiction. The Franklin County Crisis Care Center, located on Harmon Avenue in the West Edge area of Columbus, is scheduled to open in 2025. According to the Alcohol, Drug and Mental Health (ADAMH) Board of Franklin County, the 72,000 square-foot center will integrate recovery, critical and medical services together to provide comprehensive patient-centered care. The nearly \$60 million project includes \$4.5 million from the state of Ohio, while \$11 million comes from a tax increase approved by local voters in 2020.

### **NATURAL RESOURCES**

Ohio Department of Natural Resources (ODNR) Director Mary Mertz announced Wednesday the selection of Theresa White as chief operating officer (COO) and Stephanie O'Grady as chief of communications.

### **NONPROFIT ORGANIZATIONS**

Members of the OneOhio Recovery Foundation, a private, nonprofit corporation charged with distributing funds for local opioid-abuse relief, recovery and prevention efforts, heard from Interim Executive Director Kathryn Whittington at its Wednesday meeting that the foundation recently filed its 501(c)3 application with the federal Internal Revenue Service.

### **PEOPLE**

Ronald C. Todd II, who previously served as Gov. Mike DeWine's minority affairs liaison, has moved to the Ohio Department of Development (DOD), where he will serve as the chief of social impact and opportunity. According to DOD, Todd will lead minority community engagement efforts and advise on operational and policy issues to support the department's mission of empowering communities to succeed.

### **PUBLIC SAFETY**

The Ohio Traffic Safety Office (OTSO) has awarded RADD Ohio a grant to promote awareness of the dangers of drug and alcohol impaired driving among young adults ages 18-25. The grant will fund the RADD Project's outreach through social media, college



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campus events and activities at concert venues and music festivals in Columbus, Cincinnati, and Cleveland. Led by the Higher Education Center for Alcohol and Other Drug Misuse Prevention (HECAOD) and Recording Artists Against Drunk Driving (RADD), the project works to reach its target audience where they live, work and play. RADD Ohio also engages young musicians to speak directly to their fans to remind them to always plan ahead for a safe ride home before going out and never get behind the wheel after consuming alcohol or using marijuana.

### STATE GOVERNMENT

The Controlling Board Monday approved nearly \$4 million in payments to Roger Dean Gillispie, Ralph B. Smith, and Kurt Foster who were wrongfully convicted of crimes by the state. The board also discussed working from home by state employees and the use of office space on an item held by Rep. Jay Edwards (R-Nelsonville) that would lease office space in Cincinnati for the attorney general. Ohio Department of Administrative Services (DAS) Assistant Director Ryan Garber told Edwards that DAS recently reissued its statewide teleworking policy that focuses on requiring agencies have adequate coverage by the workforce. He said when it comes to office space, there has been an opportunity for agencies to reevaluate their property needs and DAS is working with those agencies to identify what is the best space for them.

### TECHNOLOGY/AEROSPACE

Language in the governor's budget proposal -- the "Social Media Parental Notification Act" -- would require social media companies to obtain parental consent before children under the age of 16 can use their platforms, with written confirmation mailed to parents to ensure children cannot circumvent the requirement. Lt. Gov. Jon Husted discussed the provisions with *Hannah News* Thursday, saying they would give parents "a bigger voice in what's happening to their children online."

National group Heartland Forward hosted a discussion on expanding broadband in Ohio at the Statehouse Atrium Wednesday, with a number of legislators in attendance. Ohio Chamber of Commerce Senior Vice President Rick Carfagna, a former representative, discussed the results of 134-HB2 (Carfagna-Stewart). The first round of funds provided through the bill totaled \$232 million and went out in March 2022, he said, supporting 104 projects in 62 counties. This will bring high-speed Internet to nearly 100,000 households, though the process of providing service can take around two years. Carfagna also discussed technical issues such as pole replacement and how homes can be located away from the nearest road.



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### **TRANSPORTATION/INFRASTRUCTURE**

Gov. Mike DeWine said Wednesday that he is directing the Ohio Rail Development Commission (ORDC) to apply for the first phase of federal funding to study expanding passenger rail service in Ohio. The funding will come from the Federal Railroad Administration's Corridor Identification and Development program which assists states in assessing potential intercity passenger rail corridors. Ohio has until Monday, March 27, to submit its application. ORDC said Ohio is considering two corridors: Cleveland-Columbus-Dayton-Cincinnati and Cleveland-Toledo-Detroit. If the application is successful, the Federal Railroad Administration would provide \$500,000 per corridor. The funds would allow Ohio to bring in a consultant to prepare a scope of work for a service development plan, a comprehensive plan that includes information about the track improvements, equipment, stations and other facilities, operating costs, ridership, and required state subsidy needed to start service, ORDC said.

### **WORKFORCE**

The Senate Workforce and Higher Education Committee Wednesday heard sponsor testimony on Sen. Tim Schaffer's (R-Lancaster) bill to allow 14- and 15-year-olds to work after 7 p.m. during the school year, as well as his concurrent resolution urging Congress to make similar changes in federal law. Schaffer testified on SCR2 first, saying it urges Congress to expand the hours until 9 p.m. year-round with parental consent required. That will help employers with staffing problems and "encourage kids to further develop their good working skills," he said. SB30 would make similar changes in state law.

Lt. Gov. Jon Husted praised career tech programs as "the best bargain in education" during remarks at the Ohio Association for Career Technical Education (Ohio ACTE) and the Ohio Association for Career Technical Superintendents' (Ohio ACTS) legislative seminar Thursday, where he discussed how the budget proposal includes \$200 million for career tech facilities and \$100 million for new equipment.

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