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**Ohio Dental Hygienists' Association
Legislative Activities Report
September 2009**

The General Assembly will reconvene next week and for the remainder of September, October and brief periods of November and December after its two month recess. The scheduled committee hearing and session schedule for this fall will be more than adequate time to allow the Senate Health, Human Services and Aging Committee time to consider and pass House Bill 190, which seeks to create a Public Oral Health Supervision Permit for hygienists and dentists to allow services to be provided in public health "facilities" outside of the dental office. Additionally, the bill contains the CE requirement increase from 12 to 24 hours over the biennium of a licensee's registration period to begin during the 2010-2011 registration cycle that ODHA has been seeking for two years. One of the items of consideration for the Senate process on House Bill 190 are changes to local anesthesia (LA) reciprocity language to allow hygienists with local anesthesia training and administration abilities who move to Ohio to maintain their ability to serve in that capacity without having to completely start fresh in LA classes. ODHA was successful in gaining the support of the Ohio State Dental Board on this amendment and has received comment from the ODA Executive Committee on this issue. ODA will be supportive of the amendment and has agreed to the language that has been submitted to them. Additionally, it remains unclear as to whether or not there will be an effort by Public Health Dentistry to impact the bill following the opposition testimony provided during the House consideration.

Also of interest to the ODHA is a bill that has been brought forward and was reviewed by the Board of Trustees, the Executive Committee and the Government Relations Committee. House Bill 215 seeks to modify the law governing investigations and hearings conducted by the State Dental Board. The bill deals with both dentists and hygienists and has drawn the opposition of the Ohio State Dental Board. While hygienists typically do not have problems with hearings and investigations, they are included in actions sought as possible "protections" against perceived investigation abuse by the Board. The bill was brought by an independent entity and was not initiated by either dental professional organization. Both organizations continue to have concerns with the bill and will be seeking to modify the bill. Of concern to ODHA is the provision

that has been referred to as a licensure “safe harbor” provision. The safe harbor provision essentially states that if a licensee (dentist/hygienist) does not renew his or her license in a timely manner, a professional has until June 1st of the next licensing period to renew the license without disciplinary action; however, it comes with a steep fine assessment. ODHA has taken a position to oppose this provision as it is believed that the “safe harbor” is anti-consumer protective and lends itself to significant liability issues. In sharing ODHA’s concerns with one of the joint sponsors, the Association was asked to seek comment from its insurance carrier to determine its level of concern with the liability issue. An answer from Marsh, a common insurance carrier for ODHA members, is being sought and a response is still pending. The bill is pending in the House Health Committee and will likely be taken up after the legislative recess. A meeting with Chairwoman Barbara Boyd is scheduled for the coming week. In the meantime, the OSDB is convening a public meeting on Friday, September 18th to discuss the bill in further detail. A meeting with the Executive Director is scheduled prior to the meeting to share ODHA’s concern with the safe harbor provision.

HB1 **BIENNIAL BUDGET (SYKES, V)** To make appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011 for the operation of state programs.

Current Status: 7/17/2009 - **SIGNED BY GOVERNOR**
eff. 7/17/09 appropriations
other sections subject to referendum 10/16/09

HB60 **SCHOOL NUTRITIONAL STANDARDS (PILLICH, C)** To establish nutritional standards for food and beverages sold in vending machines in public schools,

Current Status: 6/24/2009
SUBSTITUTE BILL ACCEPTED
House Health Committee
(Second Hearing)

HB68 **HEALTHY FARMS/HEALTHY SCHOOLS (DODD, D)** To establish the healthy farms and healthy schools grant program for the purpose of providing grants to schools to establish nutrition and agricultural education programs for kindergarteners.

Current Status: 6/3/2009
Referred to Senate Education Committee

HB84 **INMATE HEALTH SCREENINGS (BOYD, B)** To require health-trained personnel to perform a medical, dental, and mental health screening on each inmate upon arrival at a jail, to establish procedures that health-trained personnel must follow if an inmate is taking xanax, ativan, valium, or any other benzodiazepine, and to provide that the sheriff ensure that health-trained personnel responsible for medical, dental, and mental health screening

be trained as to symptoms and consequences of withdrawal from addictive drugs.

Current Status: 7/1/2009
House Criminal Justice Committee
(Second Hearing)

HB127 **PROFESSIONAL LICENSES** (WILLIAMS, S) To revise the laws governing issuance of certain professional licenses.

Current Status: 5/6/2009
House State Government Committee
(First Hearing)

HB190 **DENTAL PROCEDURES** (FENDE, L) To modify certain licensing procedures for dentists and dental hygienists and to establish the Public Oral Health Supervision Program for the provision of dental hygiene services.

Current Status: 6/29/2009
Referred to Senate Health, Human Services and Aging Committee

HB215 **STATE DENTAL BOARD** (LETSON, T) To modify the law governing investigations and hearings conducted by the State Dental Board.

Current Status: 6/24/2009
House Health Committee
(Second Hearing)

HB240 **MEDICAID PROGRAM** (SEARS, B) To modify the Medicaid program.

Current Status: 6/24/2009
Referred to House Health Committee

SB1 **BUILDING OHIO JOBS PART II** (HUGHES, J) To implement the additional debt authority for conservation and revitalization programs provided by Section 2q of Article VIII of the Ohio Constitution, to authorize the issuance of that debt, to make new appropriations for the purpose of continuing programs established by Am. Sub. H.B. 554 of the 127th General Assembly, the Bipartisan Job Stimulus Act, and to declare an emergency.

Current Status: 3/5/2009
Referred to House Finance and Appropriations Committee

SB2 **FEDERAL INFRASTRUCTURE FUNDING** (CAREY, JR., J) To provide for the distribution of moneys received by the state from the federal American Recovery and Reinvestment Act of 2009 by making appropriations and to declare an emergency.

Current Status: 3/18/2009

Referred to House Finance and Appropriations
Committee

- SB34** **HEALTH INSURANCE PROGRAMS** (MILLER, D) To create a health insurance program that allows municipal corporations, small employers, and nonprofit corporations or associations to purchase for their employees the same policies provided to state employees.
Current Status: 3/31/2009
Senate Insurance, Commerce and Labor Committee
(First Hearing)
- SB52** **EXECUTIVE BRANCH-STATE GOVERNMENT** (GRENDALL, T) To reorganize the executive branch of state government.
Current Status: 5/26/2009
Senate State and Local Government and Veterans
Affairs Committee
(Third Hearing)
- SB59** **HEALTHY STUDENTS ACT** (FEDOR, T) To enact the "Healthy Students Act" to establish standards for K-12 health education in public schools and to create the Office of Healthy Schools within the Department of Education.
Current Status: 3/24/2009
Senate Education Committee
(First Hearing)
- SB136** **INSURANCE AND MEDICAID COVERAGE** (MILLER, R) Regarding insurance and Medicaid coverage of telemedicine services.
Current Status: 6/17/2009
Referred to Senate Insurance, Commerce and Labor
Committee
- SB158** **HEALTH CARE PROFESSIONALS** (MILLER, R) To require certain health care professionals to complete instruction in cultural competency.
Current Status: 8/6/2009
Introduced