



January 4, 2024
Legislative Update
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State legislators began their holiday break in mid-December and will return to Columbus in mid-January. Originally the return was scheduled for the week of January 22nd, but the house pushed that date up in response to Governor Mike DeWine's veto of HB 68, the controversial bill dealing with health care restrictions for transgender youth.

The house bill was passed by the senate and sent to the governor in mid-December. His veto was announced on December 28th. Almost immediately talk of a veto override began, and house Speaker Jason Stephens announced he was convening the house earlier than originally anticipated, January 10th to initiate the override process. The general assembly can override the governor's action, but doing so requires a super-majority vote in both chambers. The republicans have the numbers needed to meet that standard without relying on democrat support assuming all republican members are present for the vote and support the action. House republicans are counting votes to make sure the required override majority is secure before the vote is actually taken.

Obviously, the pace, when lawmakers return, will likely be full speed ahead in anticipation of their next break prior to the March 19th primary election. The actual time frame for that break remains to be determined but will likely depend on how much gets accomplished in January. The senate has scheduled sessions on January 24th and February 28th with no sessions slated for March. The house recently cancelled its January 24th session, but the session scheduled for February 7th remains on the calendar. Even when lawmakers are not in Columbus, their absence does not mean work stops completely. Bills still get introduced and strategies get devised. Several new bills of interest to nurses are described below along with an update on SB 81. Additional information about the legislation ANA-Ohio is following is provided in the January bill tracker located on the organization's web site (ana-ohio.org).

HB 356 Healthy Cardiac Monitoring Act—Sponsored by Rep. Sara Carruthers (R-Hamilton) was introduced December 6th and referred to the House Public Health Policy Committee December 12th. The bill attempts to address the issue of cardiac incidents that are occurring with what appears to be more frequency when young athletes are participating in athletic events. Under the bill, a student cannot participate in an athletic activity unless the student has a physical examination by an APRN, physician, or PA, and the provider completes a participation evaluation form that includes specific questions related to cardiac health. The exam must take place within six weeks of the first day of official practice in an athletic season. The provisions apply to young people participating in school-sponsored athletic events and organized youth sports programs.

Several provisions address compliance issues. Providers (including APRNs) who perform the exams and complete the evaluation forms must also provide information to the Ohio Board of Nursing (OBN) in conjunction with their APRN license renewal application. At least once every four years, APRNs who perform these exams must complete the childhood cardiac screening professional development module to be developed by the Ohio Department of Health (ODH) and the Department of Education and

maintain a certificate of completion of the module. Providers also must report annually to ODH the number of evaluations completed and the number of cardiology referrals made. The Board of Nursing (OBN) may fine APRNs up to \$5000 for failure to provide a copy of the professional development module certification upon OBN's request and impose an additional \$1000 fine for each individual the nurse examines without completing the module. Violations are a first-degree misdemeanor.

HB 362—Sponsored by Reps. Rachel Baker (D-Cincinnati) and Monica Robb-Blasdell (R- Columbiana County) was introduced December 12th and has 18 bipartisan co-sponsors. The physician members of the Ohio House, Reps. Beth Liston (D-Dublin) and Anita Somani (D-Dublin) are not among the co-sponsors. The bill deals with CRNAs and their practice relationship with physicians, dentists, and podiatrists. Section 4723.01 of the Revised Code adds a definition of “consultation” with respect to CRNAs. It means “a provider, in accordance with policies established by the setting where the provider and nurse practice, has requested either verbally or in writing (the CRNA) to perform for a patient any of the nursing care activities authorized for CRNAs. The current language requiring supervision of CRNAs is deleted and replaced with “consultation with a provider actively engaged in practice in Ohio” when the CRNA does any of the following:

- Obtains informed consent.
- Administers anesthesia induction, maintenance, and emergence.
- Performs epidural or spinal anesthetic procedures.
- Engages in post anesthetic preparation, evaluation, and post anesthesia care.
- When needed for patient management and care, selects, orders, administers treatment, drugs, and intravenous (IV) fluids for conditions related to the administration of anesthesia.
- Provides clinical support functions including selecting, ordering, and administering treatment, drugs, and IV fluids.
- Directs an RN, LPN, or respiratory therapist to provide supportive care; administer treatment, drugs, IV fluids; or perform clinical support functions.

The bill expressly states it does not authorize CRNAs to prescribe drugs outside of a setting where the CRNA practices.

SB 81 sponsored by Sen. Mark Romanchuk (R- Mansfield) was referred to the House Health Provider Services Committee after passing the senate unanimously in November. As first introduced in March 2023, the bill, in part, authorized APRNs to admit and discharge patients and sign patient treatment documents; however, a substitute bill was accepted by the Senate Health Committee and ultimately approved unanimously by the full senate in mid-November. The new version of the bill limits the APRN's authority, as it was set forth in the original bill, to behavioral health facilities only. In addition, physician assistants were added, but it appears the new practice setting limitations were not extended to their authority. The bill had one house committee hearing for sponsor testimony in December. The nurse members of the committee [Reps. Jennifer Gross (R-West Chester) and Rachel Baker (D-Cincinnati)] questioned the sponsor regarding why PAs should be granted broader authority than APRNs with respect to the practice activities addressed in the bill. He was relatively non-committal as to whether he would be willing to maintain parity between PAs and APRNs, which has been the state's understood policy approach for many years. The Ohio Association of Advance Practice Nurses (OAAPN) and ANA-Ohio is following this bill closely.

Licensure Compact News

Rhode Island is the latest state to become part of the nurse licensure compact.

Compact Administrators adopted a new rule effective January 2, 2024, that establishes a time frame for obtaining a new compact license when changing one's state of residence from one compact state to another. A nurse can hold only one compact license at a time; therefore, the compact and its rules have always required the nurse to obtain a license in their new state of residence. But the compact did not specify how long the nurse could practice before applying for a new license. The new rule clarifies that when a nurse who holds a compact license moves to a new compact state the nurse must apply for a compact license in the new state of residence within sixty (60) days of changing their primary state of residence.

Efforts to establish a Physician Assistant Licensure Compact are moving forward. Wisconsin became the third state in early December to enact the required legislation joining Utah and Delaware. A total of seven states must adopt the model language before it can become operational. Currently, three states have pending legislation; Michigan, New York, and Ohio. Ohio's **SB 28**, sponsored by Sen. Kristine Roegner (R-Hudson) unanimously passed the senate in June 2023, and is now before the House Health Provider Services Committee where it has had no hearings yet. The compact is supported by the Federation of State Medical Boards so PAs (like physicians) can more readily practice in multiple states.

Legislator changes

State Senator **Frank Hoagland** (R- Mingo Junction) resigned his senate seat effective December 1st. The



Senate Republican Caucus chose **Brian Chavez** (R-Marietta) owner of Reno Oil & Gas as his replacement. The district encompasses numerous SE Ohio counties.

Chavez, born and raised in New Mexico, was chosen over six other candidates. He is a graduate of the University of New Mexico with a degree in chemical engineering. Following graduation, he joined Intel Corporation. After moving to Ohio, he became part of a 50-year-old family business, Reno Oil & Gas. The company manages drilling and field maintenance for 450 conventional oil and gas wells. He and his wife, an industrial engineer who also work at Intel, received the Marietta Chamber of Commerce Business Leaders of the Year Award in 2017. He plans to run for election to the seat in the upcoming 2024 election.

Senator **Niraj Antani** (R-Miamisburg) is seeking election to the U.S. House of Representatives 2nd Congressional District. Brad Wenstrup (R-Hillsboro) who currently holds the seat will not seek re-election.

Rep. Mike Skindell (D-Cleveland) has announced he will not seek re-election to his Ohio house seat.

Registered nurse **Rep. Rachel Baker** (D-Cincinnati) has filed the paperwork needed to run for re-election in 2024.

Rep. Sara Carruthers (R-Hamilton) who was censured by the republican party for supporting Rep. Jason Stephens for Speaker of the Ohio House early in 2023 now has an opponent in the primary election in the 47th House District. Her opposition Diane Mullins has been endorsed by the Butler County Republican Party. Mullins previously ran for the GOP nomination for the seat in the 46th House District currently held by Rep. Thomas Hall (R-Middletown). She placed 2nd in a 3-way race for that seat.

Rep. Mary Lightbody (D-Westerville) is resigning her house seat to spend more time with her family. She indicated in her resignation announcement that she is leaving Ohio. The vacancy will be filled by the house democratic caucus.

VOTING DATES TO NOTE—Yes, we are going to be voting again!!

As you no doubt know, 2024 is a presidential election year; but it is also an important election at the state level. All members of the Ohio House will be up for re-election and half of the Ohio Senate. The primary election to determine who will be on the November ballot will be Tuesday, March 19, 2024. Many voters tend to sit out primary elections, but those elections are often where the true competition is found. This is particularly true in states like Ohio where the districts are drawn in a way that typically ensures a victory in a primary means a victory in November for whatever candidate is selected to represent the majority party in a gerrymandered district.

As always there are important dates and deadlines to be aware of. Below is a list of such dates for Ohio in 2024.

VOTING in 2024

Activity	Primary Election	General Election
Deadline to register to vote*	February 20, 2024	October 7, 2024
Early voting starts	February 21, 2024	October 8, 2024
Deadline to REQUEST an absentee ballot	March 12, 2024	October 29, 2024
Postmark deadline for absentee ballots sent via U.S. mail	March 18, 2024	November 4, 2024
ELECTION DAY	March 19, 2024	November 5, 2024
Absentee ballots postmarked by March 18 must ARRIVE at county board of elections	March 23, 2024	November 9, 2024

*Register to vote online at olvr.ohiosos.gov or register in person at your county board of elections, the Bureau of Motor Vehicles, public libraries, or some other sites. For information go to voteohio.gov.