

Phone: (614) 306-5353
Email:
Matt@CHWadvisors.com

Legislative Report

January 4, 2021
Prepared by: Matthew
Carle

OHIO PUBLIC TRANSIT ASSOCIATION

Week in Review

Wednesday, Dec. 23, 2020

ADDICTION/SUBSTANCE ABUSE

Harm Reduction Ohio released an analysis of overdose deaths in Ohio, saying 2020 is on track to be the deadliest year for overdoses in the state. The group cited data saying there were 481 and 442 overdoses in June and July, respectively, which it said represents a 20 percent increase in overdose deaths thru July 2020, compared to the same period in 2019, and puts Ohio on track to exceed the previous record high of 4,854 deaths in 2017.

AGING

The Ohio Department of Aging (ODA) announced Tuesday that it has been working with other state agencies to provide more than 10 million masks to Ohioans age 65 and older, with ODA spokeswoman Tessie Pollock saying the shipments have been conducted on a "rolling basis" starting around Tuesday, Dec. 15. The shipments, sent in collaboration with the Ohio Department of Health (ODH) and Ohio Department of Administrative Services (DAS), include five masks and information on staying well through the winter.

A recent analysis of new U.S. Census Bureau data from the nonprofit Center for Community Solutions (CCS) found that a new "age wave" will hit Ohio by 2031, which is the year when the first members of the baby boomer generation turn 85. CCS Research Fellow Emily Muttillio writes that this will be the next phase of an age wave that began in 2011, when the first baby boomers turned 65, and she says this could have implications for policymakers.

AGRICULTURE

The state's new water quality program made significant progress in its first year, Gov. Mike DeWine and other H2Ohio leaders said Tuesday. "Our H2Ohio water quality plan is a long-term program designed to address the causes of Ohio's water problems, not just the symptoms," DeWine said. "During the first year of the program, we've laid the groundwork that will allow us to begin reversing the serious water quality issues that have developed in Ohio over time. By investing to improve water quality in Ohio now, we can help ensure clean drinking water for the future." The Ohio Environmental Protection Agency (Ohio EPA), Ohio Department of Natural Resources (ODNR) and Ohio Department of Agriculture (ODAg) also are involved in H2Ohio efforts.

AUDITOR OF STATE

Ohio Auditor Keith Faber announced Thursday that Deloitte & Touche LLP had completed a yearly compliance and control audit of JobsOhio, including 42 agreed-upon procedures for JobsOhio and another 16 procedures for the JobsOhio Beverage System division.

CIVIL RIGHTS

Ohio's about-face in 2016 to prohibit Ohioans from changing genders on their birth certificates signals "animosity" toward the transgender community. That is the conclusion of federal Judge Michael Watson, who has permanently barred the state of Ohio from restricting "sex markers" on birth certificates.

CORONAVIRUS

Vaccines remained the primary topic of Gov. Mike DeWine's press conference Monday. Asked about a recent CDC advisory panel's recommendation regarding who should be vaccinated during the next two phases, DeWine said that was being considered by state officials but noted the groups involved represent a sizable population. The Phase 1B group includes those age 75 or older and frontline essential workers, while Phase 1C includes those aged 65 to 74, persons 16 to 64 with high-risk medical conditions and other essential workers. DeWine also said a vaccination order within both those phases would be needed as well, and the focus would be on saving lives.

Reps. John Patterson (D-Jefferson) and John Rogers (D-Mentor-on-the-Lake) have been discharged from the hospital after contracting COVID-19, according to social media posts by both legislators. Rogers and Patterson had been hospitalized due to the coronavirus and associated pneumonia on Dec. 13 and 14, respectively.

As state officials continue to consider which individuals and groups should be next in line for the COVID-19 vaccine, U.S. Surgeon General Dr. Jerome Adams said it's clear that correctional facilities are extremely susceptible to outbreaks. The surgeon general joined

Gov. Mike DeWine for a special weekend coronavirus briefing following a private meeting regarding pandemic mitigation efforts and plans for vaccine distribution.

Agents with the Ohio Investigative Unit (OIU) cited four liquor-permitted establishments for violating health orders regarding social distancing on Friday, according to a Saturday release, with three also cited for curfew violations.

The Ohio Department of Mental Health and Addiction Services (OhioMHAS) announced Tuesday that the six state-run regional psychiatric hospitals received the first round of COVID-19 vaccines this week, totaling 2,310 doses of the Moderna vaccine. The facilities are among those Gov. Mike DeWine identified as having priority status for the vaccine. The hospitals had prepared for this delivery by purchasing refrigerators to store the vials at the recommended temperature range, and OhioMHAS is coordinating with local health departments and the hospitals on reception and administration of the vaccine. A follow-up shot will be provided approximately one month after the first dose.

CRIME AND PUNISHMENT

Marijuana dwarfs other drugs interdicted by the Ohio Attorney General's Ohio Organized Crime Investigations Commission (OOCIC) in 2020 through its regional task forces, with a total seizure of eight pounds of heroin confined to Columbus and central Ohio. On Friday, Attorney General Dave Yost, chair of OOCIC, along with Gov. Mike DeWine and U.S. Homeland Security Investigations (HSI), announced a year-end figure of \$29 million in narcotics and \$6.6 million in cash recovered and 100-plus people indicted in the Columbus, Cincinnati, Toledo, Akron and East-Central areas of the state.

Gov. Mike DeWine Friday issued the following three reprieves of execution, citing the lack of drugs for the lethal injections:

- **Elwood Hubert Jones**, who was scheduled to be executed on April 21, 2021, is now due to be executed on Dec. 6, 2023.
- **Gregory Lott**, who was scheduled to be executed on May 27, 2021, is now to be executed Feb. 15, 2024.
- **Archie Dixon**, who was scheduled to be executed on June 23, 2021, is now to be executed on April 17, 2024.

EDUCATION

A coalition of school districts announced that it is working with a Cleveland-based law firm to challenge a new law that the districts say is an "unlawful and harmful expansion of vouchers in Ohio." The coalition, which is calling itself Vouchers Hurt Ohio, said it is working with Walter | Haverfield on a potential challenge.

The Ohio Department of Education (ODE) released a new report Tuesday showing a \$675 million investment made by Gov. Mike DeWine and the General Assembly nearly two years ago has resulted in the planning or implementation of more than 3,000 student support initiatives that are serving more than one million Ohio students. The 2019-2020 Student Wellness and Success Funds Report details how the funds are being used to help eligible schools and districts, as well as community partners, address the needs of "the whole child," ODE said.

EMPLOYMENT/UNEMPLOYMENT

The Ohio Department of Job and Family Services (ODJFS) said Friday that Ohio's unemployment rate for November dropped to 5.7 percent from a revised 6.1 percent in October, though that figure had initially been reported as 5.6 percent. The state added 29,400 jobs over the month. ODJFS said the state's nonagricultural wage and salary employment went from a revised 5,217,700 in October to 5,247,100 in November. The number of workers unemployed in Ohio in November was 324,000, down from 356,000 in October. The number of unemployed has increased by 87,000 in the past 12 months from 237,000. The November unemployment rate for Ohio increased from 4.1 percent in November 2019.

ENERGY

Franklin County Common Pleas Court Judge Chris Brown on Monday issued a preliminary injunction blocking HB6-related fees from going into effect on Friday, Jan. 1, 2021. The decision, which consolidates two suits from Attorney General Dave Yost with one from the cities of Cincinnati and Columbus, ruled in the AG's *State of Ohio v. Energy Harbor Corp.* to halt the collection of nuclear and solar energy subsidies from all utility customers in Ohio. "Today's ruling proves that the powerful can be held accountable and that corruption will be rooted out. Everybody who pays an electric bill, whether for their own home or a job-sustaining manufacturer, is the winner today. Your pocket will not be picked," Yost said.

FEDERAL

Justin Herdman, the U.S. attorney for the Northern District of Ohio, announced that he will resign his position on Friday, Jan. 8, 2021. Herdman was sworn into his position on Aug. 21, 2017. First Assistant U.S. Attorney Bridget Brennan will be sworn-in as acting U.S. attorney on the effective date of Herdman's resignation.

U.S. Sens. Rob Portman (R-OH) and Sherrod Brown (D-OH) recently gave details on millions of dollars in federal funding that will flow to Ohio through the FY21 National Defense Authorization Act (NDAA).

GENERAL ASSEMBLY/STATEHOUSE

Both houses appear to have wrapped up their work for the 133rd General Assembly effectively if not officially since neither has adjourned *sine die* as yet. The House adjourned its Tuesday session without addressing any of the bills on its calendar save for

concurrences. Speaker Bob Cupp (R-Lima) said they would return to override SB311 (Roegner-McColley), legislation limiting health orders issued by the director of the Ohio Department of Health, if the Senate acted first. However, the Senate did not and Senate President Larry Obhof (R-Medina) indicated late Tuesday night they would not. Instead, the upper chamber amended HB609 (West) to protect small businesses from being shut down when "big box" stores are permitted to keep open.

The House Tuesday failed to agree to Senate amendments to HB352 (Cross) which modifies Ohio law related to unemployment, and to HB365 (Manning) which saw SB55 (Gavarone) amended into it. SB55 increases penalties for drug trafficking near an addiction treatment facility. However, it also raised House members' concerns so it failed to garner the 50 votes needed to concur to the changes as the House saw approximately a dozen members absent from the floor session.

The Senate Friday approved legislation that removes the duty to retreat in self-defense situations, sending it to Gov. Mike DeWine for his signature -- although he has since refused to say if he will sign it. The provision was part of an amendment that was added to SB175 (Schaffer) by the House which incorporated SB383 (Johnson). Sen. Terry Johnson (R-McDermott), the sponsor of SB383, said the bill is "a very simple thing" which "will help average citizens if they ever come into a situation where they have to defend themselves."

Both houses did accept the conference committee report on SB310 (Dolan) which turned into the capital appropriations bill for FY21-22 as well as a "Christmas tree" bill for the session, with a number of disparate provisions included.

Rep. Jack Cera (D-Bellaire) says relationships remain the way to get things done in the General Assembly no matter what party you are in. Cera reflected on the end of his second stint in the Legislature during an interview with *Hannah News* as term limits prevented him from running again. He spoke on topics ranging from how things have changed from his first stint in the House until now, the mistrust between Democrats and Republicans in the Ohio House, to what it is like to be a Democrat in an area of the state that has gone solid red, a stark contrast to when he first was elected to the Ohio House in the 1980s.

Sen. John Eklund (R-Chardon), the longtime chairman of the Senate Judiciary Committee, has guided a library tome of legally complex legislation through a stakeholder process ranging from high-profile trade associations to grassroots advocacy groups to crime victims and their families. Yet by his own admission, the thoughtfully spoken lawmaker says it has not been the statutory drafting but the people he's heard from, the assistance he's received and the opportunity he's had to help them in return that has made his nine years in the Statehouse life-changing.

Bills Passed by the Senate

HB388 (Hillyer) Relating to commercial credit reports, the Business Linked Deposit Program, the General Loan Law, the Ohio Banking Law, the Consumer Installment Loan Act and the Residential Mortgage Loan Law.

HB75 (Merrin) To require local governments that contest property values to formally pass an authorizing resolution for each contest and to notify property owners.

HB236 (J. Smith) To add hospital police officers to the definition of peace officer.

HB388 (A. Holmes) Regarding out-of-network care.

HB421 (J. Smith) To provide a municipal corporation or county immunity from civil and criminal liability in any action that arises from a hospital police officer acting directly in the discharge of the person's duties as a police officer and that occurs on the premises of the hospital or its affiliates or subsidiaries or elsewhere in the municipal corporation or county.

HB464 (Cupp) To expand a guardian's authority to create estate plans for their wards, to clarify a surviving spouse's allowance for support upon the spouse's selection of an automobile, to make changes in the Ohio Trust Code, and to make changes in the law pertaining to the referral of actions to a retired judge.

HB609 (West) To require the tax commissioner to administer a temporary amnesty program from Aug. 1, 2020, to Dec. 31, 2020, with respect to delinquent state taxes and fees, and to repeal Section 1 of this act on Jan. 1, 2021. Also includes small business provisions regarding closings.

HB665 (Jones) To modify the laws governing agricultural societies, to recodify the law governing amusement ride safety, and to address funding and other issues related to county and independent agricultural societies and the Ohio Expositions Commission.

Bills Heading to Governor

HB1 (Plummer) To modify the requirements for intervention in lieu of conviction and for sealing records of conviction and provide for deposit of some of the sealing application fee into the Attorney General Reimbursement Fund and the use of that amount for expenses related to sealing and expungement; to modify the law regarding use of a prison term as a sanction for a community control violation; to modify the drug and alcohol abuse civil commitment mechanism; to expand duties of the State Criminal Sentencing Commission; and to prohibit restraining or confining a woman or child who is a charged, convicted, or adjudicated criminal offender or delinquent child at certain points during pregnancy or postpartum recovery.

HB32 (Stein) To create a suggested ceremonial procedure for retiring an Ohio state flag.

HB150 (Merrin) To reduce the tax liability of newly formed banks by up to one million dollars per year for their first three years and to exclude the principal balance of mortgage loans sold by a mortgage lender from the lender's commercial activity tax gross receipts.

HB210 (Carruthers) Regarding the screening of child care and preschool employees for tuberculosis, the disclosure of information about certain public assistance recipients to public health authorities, the regulation of radiation technology professionals, and the exemption of certain entities from the notice requirements that apply to mobile dental facilities.

HB263 (Koehler) To revise the initial occupational licensing restrictions applicable to individuals convicted of criminal offenses.

HB264 (Wilkin- O'Brien) To allow the Ohio Water Development Authority to provide for the refinancing of loans for certain public water and waste water infrastructure projects, to waive certain deadlines for qualifying renewable resources that applied for renewable energy credits before March 1, 2020, and to provide for payment of Ohio Air Quality Development Authority administrative costs under the law governing nuclear resource and renewable energy credits.

HB295 (Hoops) To establish requirements governing low-speed micro-mobility devices and to make other changes to the law related to special modes of transportation.

HB308 (Patton) To establish a fund to provide compensation and benefits to first responders with post-traumatic stress disorder and to study the financial and administrative requirements for that fund.

HB409 (Koehler) Regarding student attendance at Internet- or computer-based community schools that are not dropout prevention and recovery schools, to provide public and chartered nonpublic schools discretion regarding educational requirements of substitute teachers for the 2020-2021 school year, to exempt schools from retaining students under the Third Grade Reading Guarantee for the 2020-2021 school year, to permit the Superintendent of Public Instruction to adjust various deadlines, to prohibit the Department of Education from issuing state report card ratings for the 2020-2021 school year, to establish a safe harbor from penalties and sanctions based on the absence of state report card ratings and community school sponsor ratings for the 2020-2021 school year, and to declare an emergency.

HB431 (Abrams-Carfagna) To require a juvenile court in specified circumstances to hold a delinquency complaint in abeyance in certain prostitution or human trafficking cases, to provide that the trafficking in persons elements that apply to a victim under age 16 also apply to a victim who is age 16 or 17, to prohibit a person from engaging in prostitution, to modify certain soliciting offenses and penalties, and to modify Sex Offender Registration and Notification Law and Conviction Record Sealing Law provisions regarding certain "unlawful sexual conduct with a minor" convictions.

HB436 (Baldrige) With regard to screening and intervention for children with dyslexia and to modify achievement assessment requirements for students receiving state scholarships.

HB442 (Roemer-West) To revise the state's occupational regulations.

HB444 (Baldrige-Abrams) To make various changes to township law, to make changes to the laws governing ambulance staffing, and to abate certain unpaid property taxes, penalties, and interest due on property that had been owned by a state college or university, but is currently owned by a township.

HB665 (Jones) To modify the laws governing agricultural societies, to recodify the law governing amusement ride safety, and to address funding and other issues related to county and independent agricultural societies and the Ohio Expositions Commission.

HB674 (Hillyer-Becker) To revise specified provisions of the liquor control laws.

SB33 (Hoagland) To modify certain criminal offenses with respect to critical infrastructure facilities and to impose fines and civil liability for damage to a critical infrastructure facility.

SB68 (Williams) To allow a court to authorize completion of a community service program in lieu of payment of driver's license reinstatement fees when the court determines that an offender cannot reasonably pay the fees and to establish a reinstatement fee waiver plan.

SB175 (Schaffer) To grant civil immunity to nonprofit corporations for certain injuries, deaths, or losses resulting from the carrying of handguns.

SB256 (Manning-Lehner) Regarding a bar against a sentence of life without parole, and special parole dates, for offenders who committed the offense when under age 18, and to amend the version of section 2907.02 of the Revised Code that takes effect on March 22, 2020, to continue the provisions of this act on and after that date.

SB259 (Sykes) To authorize the conveyance of state-owned real property and to specify that tax increment financing minimum service payment obligation agreements are enforceable against subsequent property owners.

SB310 (Dolan) To provide for the distribution of some federal coronavirus relief funding to local subdivisions and businesses, to revise the formula used to determine Medicaid rates for nursing facility services, to exclude loan amounts forgiven under the federal CARES Act from the commercial activity tax, to apply the Prevailing Wage Law to transportation improvement district projects under certain circumstances, to allow certain state employees' salaries and pay supplements to be frozen during the pay period that includes July 1, 2020, through the pay period that includes June 30, 2021, to temporarily expand the use of certain tax increment financing payments, to exempt certain political subdivision purchases from competitive bidding requirements during the COVID-19 emergency, to suspend certain county hospital bidding requirements during the COVID-19 emergency, to allow a county, township, or municipal corporation appointing authority to establish a mandatory cost savings program in response to COVID-19, to make capital appropriations for the biennium ending June 30, 2022, to make other appropriations, and to declare an emergency.

GOVERNOR

Gov. Mike DeWine signed a number of bills in recent days including the following:

- **HB123** (A. Holmes-Manning) To enact the "Safety and Violence Education Students (SAVE Students) Act" regarding school security and youth suicide awareness education and training, to specify which public schools are eligible for school safety training grants, to establish, for fiscal year 2021, a pilot program to provide additional funding for students enrolled in grades eight through twelve in certain Internet- or computer-based community schools in which a majority of the students were enrolled in a dropout prevention and recovery program for the 2019-2020 school year, to earmark an appropriation, and to declare an emergency.
- **HB325** (J. Miller-Howse) To designate Feb. 18 as "Toni Morrison Day."
- **HB340** (Cupp) modernizes Ohio's petition drainage laws to better handle issues of excess water in residential and commercial properties, as well as roadways and agricultural areas.
- **HB412** (Clites-Ginter) To establish the Rare Disease Advisory Council, to authorize the Emergency Response Commission to exempt a local emergency planning committee from conducting certain annual exercises, and to declare an emergency.
- **SB21** (Dolan) allows for-profit corporations to be classified as benefit corporations. Benefit corporations pursue beneficial activities in any area, such as arts, education, technology, and others.
- **SB40** (Brenner-McColley) enacts the "Forming Open and Robust University Minds (FORUM) Act." The act protects individuals' First Amendment rights, as well as prohibits "free speech zones" on public university campuses.
- **SB123** (Dolan-Manning) To designate the *Dunkleosteus terrelli* as the official state fossil fish.
- **SB201** (Dolan) creates an Alternative Employer Organization (AEO) classification. AEOs are similar to Professional Employer Organizations (PEOs), but file federal taxes differently.
- **SB252** (Hackett-Craig) To prohibit "fail first" coverage of drugs used to treat stage four advanced metastatic cancer.
- **SB284** (Hottinger-Peterson) To amend the law related to insurers receiving credit for reinsurance, mental health and substance use disorder benefit parity, and the release of the telephone number of a person involved in a motor vehicle accident.
- **SB318** (Kunze-Williams) extends the Women's Suffrage Centennial Commission through the end of 2021. The commission was created to recognize the 100th anniversary of women's suffrage in 2020. SB318 allows the safe rescheduling of related events and programs amidst the COVID-19 pandemic.

Appointments made during the week include the following:

- Sarah M. Munn of Jackson (Jackson County) to the Rio Grande Community College Board of Trustees for a term beginning Jan. 1, 2021 and ending Oct. 10, 2025.
- Jacqueline Bogan of Dayton (Montgomery County) as the student member on the Central State University Board of Trustees for a term beginning Dec. 18, 2020 and ending June 30, 2022.
- Maurice McDonald of Xenia (Green County) and R. Andrew Bell of Springfield (Clark County) reappointed to the Clark State Community College Board of Trustees for terms beginning Dec. 18, 2020 and ending Nov. 30, 2026.
- Terri W. Meldrum of New Albany (Franklin County) to the Columbus State Community College Board of Trustees for a term beginning Jan. 1, 2021 and ending Aug. 31, 2021.
- Lynn M. Mizanin of Boston Heights (Summit County) to the State Board of Career Colleges and Schools for a term beginning Dec. 18, 2020 and ending Nov. 20, 2023.
- LeeAnne Cornyn of Columbus (Franklin County) and Laura E. Kohler of New Albany (Franklin County) to the Education Commission of the States for terms beginning Dec. 18, 2020 and continuing at the pleasure of the governor.
- Cynthia A. Gensamer of Massillon (Stark County) reappointed to the Board of Executives of Long-term Services and Supports for a term beginning Dec. 18, 2020 and ending May 27, 2023.
- Danielle R. Gill of Logan (Hocking County) to the Forest Advisory Council for a term beginning Jan. 1, 2021 and ending Feb. 27, 2024.
- George E. Mizer of Cadiz (Harrison County) reappointed to the Reclamation Commission for a term beginning Dec. 18, 2020 and ending June 28, 2025.
- Brenna M. Cuadrado of Columbus (Franklin County) to the State Fire Council for a term beginning Jan. 1, 2021 and ending Nov. 1, 2025.
- Thomas P. Jubeck of Mentor (Lake County) reappointed to the State Fire Council for a term beginning Dec. 18, 2020 and ending Nov. 1, 2025.
- Elizabeth C. Murphy of Akron (Summit County) to the Ohio Historic Site Preservation Advisory Board for a term beginning Jan. 15, 2021 and ending Jan. 14, 2024.
- Doreen N. Uhas-Sauer of Columbus (Franklin County) reappointed to the Ohio Historic Site Preservation Advisory Board for a term

beginning Dec. 18, 2021 and ending Jan. 14, 2023.

-Lori M. Steiner of Dublin (Franklin County) reappointed to the Ohio Housing Finance Agency for a term beginning Feb. 1, 2021 and ending Jan. 31, 2027.

- Comfort Cole-Kenneh of Gahanna (Franklin County) and Ibrahima Sow of Blacklick (Franklin County) reappointed to the New African Immigrants Commission for terms beginning Dec. 18, 2020 and ending Oct. 7, 2023.

- Susan F. Smith of Westlake (Cuyahoga County) to the Ohio Humanities Council for a term beginning Jan. 1, 2021 and ending Oct. 30, 2021.

- Daniel F. Meyer of Cincinnati (Hamilton County) to the Ohio Commission on Service and Volunteerism for a term beginning Jan. 1, 2021 and ending April 21, 2022.

- Will Lucas of Toledo (Lucas County) and McKinley E. Brown of Cincinnati (Hamilton County) reappointed to the Ohio Martin Luther King Jr. Holiday Commission for terms beginning Dec. 31, 2020 and ending Dec. 30, 2023.

- Meira F. Zucker of Sylvania (Lucas County) to the Broadcast Educational Media Commission for a term beginning Jan. 1, 2021 and ending June 30, 2024.

- Timothy D. Lanzendorfer of Columbus (Franklin County) to the Motor Vehicle Salvage Dealer's Board for a term beginning Jan. 1, 2021 and ending July 31, 2023.

- Shannon C. Trotter of Upper Arlington (Franklin County) to the Medical Quality Foundation Board for a term beginning Jan. 1, 2021 and ending July 20, 2023 and Richard N. Whitney of Dublin (Delaware County) to the board for a term beginning Jan. 1, 2021 and ending July 20, 2022.

- Angela L. Snyder of Columbus (Franklin County) reappointed to the Ohio Private Investigation and Security Commission for a term beginning Jan. 1, 2021 and ending Dec. 31, 2025.

HEALTH AND HUMAN SERVICES

A number of Ohio health care organizations including the Ohio Pharmacists Association and the Ohio Hematology Oncology Society announced Monday the formation of the new PBM Accountability Project of Ohio, which aims to "improve understanding of pharmacy benefit managers' (PBMs) process for determining the cost of medicines and identify solutions to help redirect savings to patients, employee health plans and state taxpayers." Other members of the PBM Accountability Project of Ohio include the Academy of Medicine of Cleveland and Northern Ohio, Charitable Healthcare Network of Ohio, Easterseals of Central and Southeast Ohio, Mental Health America of Ohio, National Alliance on Mental Illness of Ohio, Ohio Bleeding Disorders Council, Ohio Psychological Association, Ohio Osteopathic Association, Ohio Sickle Cell and Health Association and the Ohio State Grange.

The Ohio Department of Medicaid (ODM) received the Pacesetter Prize from aging nonprofit the SCAN Foundation in recognition of its efforts to improve the lives of older adults, people with disabilities and their family caregivers across the state. According to the department, it was specifically recognized for its leadership in transitioning people who need long-term services and supports (LTSS) out of institutions and back into the community.

HIGHER EDUCATION

African American students who attend Historically Black Colleges or Universities (HBCUs) may be at lower risk for health problems later in adulthood compared to African Americans who attend predominantly White institutions, a new study out of Ohio State University (OSU) suggests. The research shows that Black adults who had enrolled in HBCUs had a 35 percent lower probability of developing metabolic syndrome by midlife compared to Black adults who enrolled in schools with predominantly White students. Additionally, the benefit of attending an HBCU was more pronounced in African Americans who grew up in more segregated environments.

The Ohio Association of Community Colleges (OACC) named Richard Woodfield as its new chief academic officer. Woodfield replaces Michael Snider, who retired earlier this year after more than a decade of service. Woodfield most recently served as provost and chief academic officer of Zane State College, where he also served as an accreditation officer for the Higher Learning Commission.

A new report from Policy Matters Ohio and the Ohio Student Association (OSA) shows that the pandemic is driving down enrollment at Ohio colleges and universities, which is straining institutions' budgets and reshaping campus life. The analysis shows that traditional enrollment at Ohio public colleges and universities fell by 4.3 percent this fall compared to the previous year. Two-year community colleges and regional campuses -- which are more likely to be attended by Black and Brown students and those with lower incomes -- each lost about seven percent of their students.

JUDICIAL

The Ohio Supreme Court is seeking public comment on proposed language for the "Privacy Law" specialization approved by the Commission on Certification of Attorneys as Specialists and adopted by the Court on Nov. 17. The new Appendix VI of the Rules for the Government of the Bar of Ohio would define privacy law as "the field of law that governs how governments, organizations and individuals collect, use, transfer, protect and otherwise process personal information." Comments may be submitted by mail to Bradley J. Martinez, secretary to the Commission on Certification of Attorneys as Specialists, 65 S. Front St., 5th Floor, Columbus

43215-3431, or by email to bradley.martinez@sc.ohio.gov.

Gov. Mike DeWine Monday announced the appointment of Mary Lynne Birck to the Clermont County Court of Common Pleas, Domestic Relations Division. Birck, of New Richmond, who will assume office on Tuesday, Dec. 29, 2020, replaces Judge Kathleen Rodenberg.

The Board of Professional Conduct is expanding its guidance on permissible attorney trade names with similar advice for service marks, which must be used in conjunction with a trade name or not at all. The board was asked whether a solo practitioner or firm can use the words "pro" or "pros" in a service mark, whether or not an attorney specializes in a field of law. Opinion 2021-12 begins with a nearly identical comment to Opinion 2020-11's.

LOCAL GOVERNMENT

Liz Keating was chosen by a Hamilton County judge on Friday to temporarily fill the seat held by P.G. Sittenfeld, who faces federal bribery charges, on the Cincinnati City Council. According to media reports, Hamilton Probate Court Judge Ted Winkler chose Keating, a marketing director and daughter of attorney Bill Keating, out of more than a dozen applicants for the seat, and said he felt she was the best candidate for the seat.

The County Commissioners Association of Ohio (CCAO) and the County Engineers Association of Ohio (CEAO) announced the election of their 2021 presidents: Licking County Commissioner Tim Bubbs and Coshocton County Engineer Frederick Wachtel.

PEOPLE

The Ohio Hospital Association (OHA) recently announced new officers and two new members on its Board of Trustees for 2021. Rick Lofgren, president and CEO of UC Health, will chair the board. David McQuaid, CEO of the Ohio State University Health System, will serve as chair-elect and Steve Glass, CFO of the Cleveland Clinic Foundation, will serve as secretary/treasurer. Ed Roth, president and CEO of Aultman Health Foundation, will transition to immediate past chair.

PUBLIC SAFETY

Just under three-fourths of all sheriff's offices have embraced state law enforcement standards with Tuscarawas County's certification for use of force, including deadly force, and agency recruitment and hiring. The DeWine administration announced the Tuscarawas County sheriff's compliance with standards developed by the Ohio Community-Police Collaborative Advisory Board and administered by the Ohio Department of Public Safety's (DPS) Office of Criminal Justice Services (OCJS).

STATE GOVERNMENT

The Ohio Commission on Fatherhood, an agency in the Ohio Department of Job and Family Services, announced Monday that it has awarded grants in three counties "to help fathers ... become better parents, partners and providers." Each of the following organizations will receive up to \$75,000 beginning December 2020 through June 2021: Community Action Organization of Scioto County, Mahoning County Fatherhood Initiative, and Pathway Inc.-Lucas County.

TRANSPORTATION/INFRASTRUCTURE

The Ohio Turnpike and Infrastructure Commission Monday approved its 2021 annual operating budget, as well as its capital budget. The commission's resolution shows it expects \$328.3 million in total pledged and non-pledged revenues in 2021, and \$251.7 million in expenditures. The commission also approved a 2021 capital budget totaling \$205 million. The preliminary list includes capital projects totaling up to \$183.6 million, which is subject to change, and \$21.4 million in uncommitted funds, which may be used for currently unidentified capital projects that may be needed during 2021.

The Kentucky Transportation Cabinet (KYTC) announced that all lanes of the Brent Spence Bridge were reopening Tuesday after a six-week emergency repair project to fix damage from a fiery crash last month caused the busy bridge that connects Cincinnati to Northern Kentucky to shut down. The damage to the bridge occurred on Nov. 11 after a commercial truck jackknifed while driving northbound on the lower deck of the bridge and a second truck crashed into it, causing a fire on the bridge.

UNEMPLOYMENT COMPENSATION

The Ohio Department of Job and Family Services (ODJFS) is having trouble sending unemployment benefits to first-time claimants in a timely manner as the state continues to grapple with the devastating health and economic effects of the surging COVID-19 pandemic. According to a recent report from Stateline, nearly every state in the U.S. is dealing with a backlog in unemployment claims and only a few are meeting the DOL requirement that payments go out within three weeks for 87 percent of claimants.

UTILITIES

A prominent consumer advocate is among four names recommended to Gov. Mike DeWine for appointment to the unexpired term of former Chairman Sam Randazzo of the Public Utilities Commission of Ohio (PUCO). Randazzo, a one-time utility lobbyist, stepped down in November after his home was searched by federal agents, perhaps in connection with the federal probe into the General Assembly and FirstEnergy. Monday, the PUCO Nominating Council referred Executive Director Greg Poulos of Consumer Advocates of the PJM States (CAPS), outgoing Supreme Court Justice Judith French; Senior Policy Advisor Angela Amos of the Federal Energy Regulatory Commission's (FERC) Office of Energy Market Regulation; and Assistant Policy Director Anne Vogel of the Ohio Governor's Office for DeWine's consideration.

WORKERS' COMPENSATION

The Ohio Bureau of Workers' Compensation (BWC) has begun sending \$5 billion in employer rebates in time for the holidays and another round of 23 million face masks as part of its COVID-19 "Protecting Ohio's Workforce - We've Got You Covered" initiative, Interim Administrator/CEO John Logue said Friday at his Board of Directors' final meeting of 2020. Logue said more than \$4.3 billion in checks began going out to private employers and \$687 million to government jurisdictions late last week.

Rates of retail compliance with pandemic health orders are above 90 percent in several categories, according to the latest data on the state's COVID-19 dashboard. The Bureau of Workers' Compensation (BWC) formed a Retail Compliance Unit in November and the state has posted weekly updates on Thursdays, with the reporting period covering the previous Monday through Sunday.

actionTRACK - Hannah News Service, Inc.
www.CHWadvisors.com