



Laurel Mannion

*Final Analysis*  
Legislative Service Commission

**Sub. S.B. 250**  
125th General Assembly  
(As Passed by the General Assembly)

**Sens. Coughlin, Harris, Mumper, Fedor, Fingerhut, Goodman, Schuler, Randy Gardner, Carey, Miller, Mallory, Amstutz, Dann, Hottinger, Roberts, Robert Gardner, Hagan, Jordan, Schuring, Wachtmann, Armbruster, Spada, Austria, White**

**Reps. White, Fessler, Blasdel, Combs, Hollister, Hoops, Kearns, Martin, Olman, Reidelbach, Schneider, Slaby, G. Smith, S. Smith, Barrett, Beatty, Cirelli, DeBose, Harwood, Price, Yates, Allen, Aslanides, Boccieri, Book, Brown, Buehrer, Calvert, Carano, Carmichael, Chandler, Clancy, Daniels, DeGeeter, Domenick, Driehaus, C. Evans, D. Evans, Flowers, Gibbs, Gilb, Grendell, Hagan, Hartnett, Hughes, Key, Latta, Mason, Miller, Niehaus, Otterman, T. Patton, Perry, Raga, Reinhard, Schaffer, Schlichter, Schmidt, Setzer, Skindell, D. Stewart, J. Stewart, Taylor, Wagner, Walcher, Webster, Widener, Widowfield, Willamowski, Woodard**

Effective date: \*

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**ACT SUMMARY**

- Designates the month of May as "Ohio Cystic Fibrosis Awareness Month."
- Creates the Cystic Fibrosis Legislative Task Force to study and make recommendations on issues pertaining to the care and treatment of individuals with cystic fibrosis.

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\* *The Legislative Service Commission had not received formal notification of the effective date at the time this analysis was prepared. Additionally, the analysis may not reflect action taken by the Governor.*

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## CONTENT AND OPERATION

### *Ohio Cystic Fibrosis Awareness Month*

The act designates the month of May of each year as "Ohio Cystic Fibrosis Awareness Month." The act provides that this designation is intended to increase public awareness of the disease, including its causes and health effects, and to encourage and support research to develop effective medical therapies.

### *Cystic Fibrosis Legislative Task Force*

(R.C. 101.38)

The act creates the Cystic Fibrosis Legislative Task Force. The Task Force is to study and make recommendations on issues pertaining to the care and treatment of individuals with cystic fibrosis. The act requires the Task Force to study and make recommendations on the following issues:

(1) Use of prescription drug and innovative therapies under the programs administered by the Department of Health for children with medical handicaps and adults with cystic fibrosis;<sup>1</sup>

(2) Screening of newborn children for the presence of genetic disorders, as required by existing law;

(3) Any other issues the Task Force considers appropriate.

### *Members*

The act provides for the Council to have 12 members, including six members of the General Assembly. Of the legislative members, the President of the Senate is to appoint two members from the majority party and the Minority Leader is to appoint one member. Similarly, the Speaker of the House of Representatives is to appoint two members from the majority party and the Minority Leader is to appoint one member.

The President of the Senate and Speaker of the House of Representatives are each to appoint three additional members. At least two of the additional members appointed by the Senate President and at least two of the additional

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<sup>1</sup> *The Program for Medically Handicapped Children, as well as a related program for adults with cystic fibrosis, are administered by the Department of Health pursuant to Revised Code § 3701.023 (not in the act).*

members appointed by the Speaker must have been diagnosed with cystic fibrosis or be relatives<sup>2</sup> of such individuals.

Each member has the authority to vote on matters before the Task Force.

### **Terms and procedures**

The initial Task Force members must be appointed within 60 days after the act's effective date. Each member is to serve a one-year term that ends on the same day of the same month as did the term it succeeds. Members may continue on the Task Force until a successor takes office or until a period of 60 days has elapsed, whichever occurs first. Vacancies are to be filled in the same manner as original appointments. A member appointed to fill a vacancy prior to the expiration date of the term for which the member's predecessor was appointed may hold office for the remainder of that term. Members may be reappointed to the Task Force.

The Task Force is required to elect a chair to serve for one year. A vacancy of the chair position must be filled by election. A majority of members of the Task Force constitutes a quorum for the purpose of conducting meetings.

Members of the Task Force are not to be compensated, except to the extent that serving is part of their regular duties of employment. The Task Force may, however, solicit grants from public or private sources to reimburse members for expenses incurred in performing their duties and to pursue initiatives related to the care and treatment of individuals with cystic fibrosis.

### **Sunset review**

(R.C. 101.82 to 101.87, not in the act)

It appears that the Cystic Fibrosis Legislative Task Force qualifies as an agency that is subject to review under the laws governing the Sunset Review Committee. Under those laws, an agency created after January 1, 2001, will expire after four years unless the General Assembly renews the agency. An "agency" is defined as any board, commission, committee, or council, or any other similar state public body required to be established pursuant to state statutes for the exercise of any function of state government and to which members are appointed or elected.

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<sup>2</sup> The act defines "relative" as a spouse, parent, parent-in-law, sibling, sibling-in-law, child, child-in-law, grandparent, aunt, or uncle.

The laws governing the Sunset Review Committee require any act creating or renewing an agency to contain a distinct section providing for a specific expiration date for the agency, based on the December 31 expiration cycles specified in those laws. The act does not contain a specific expiration date for the Cystic Fibrosis Legislative Task Force or exempt the Task Force from sunset review.

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-27-04	p. 2082
Reported, S. Health, Human Services & Aging	11-18-04	p. 2300
Passed Senate (29-0)	11-30-04	pp. 2333-2334
Reported, H. Health	12-08-04	p. 2394
Passed House (96-0)	12-08-04	pp. 2501-2503
Senate concurred in House amendments (30-0)	12-08-04	pp. 2755-2756

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