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Bill Analysis
Legislative Service Commission

Sub. S.B. 250*
125th General Assembly
(As Reported by H. Health)

**Sens. Coughlin, Harris, Mumper, Fedor, Fingerhut, Goodman, Schuler,
Randy Gardner, Carey, Miller, Mallory**

BILL 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.

CONTENT AND OPERATION

Ohio Cystic Fibrosis Awareness Month

The bill designates the month of May of each year as "Ohio Cystic Fibrosis Awareness Month." The bill 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 bill 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 bill requires the Task Force to study and make recommendations on the following issues:

* This analysis was prepared before the report of the House Health Committee appeared in the House Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

(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;¹

(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 bill 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 members appointed by the Speaker must have been diagnosed with cystic fibrosis or be relatives² 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 bill'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.

¹ *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 bill).*

² *The bill defines "relative" as a spouse, parent, parent-in-law, sibling, sibling-in-law, child, child-in-law, grandparent, aunt, or uncle.*

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

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 bill)

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.

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 bill does not contain a specific expiration date for the Cystic Fibrosis Legislative Task Force or exempt the Task Force from sunset review.

COMMENT

Cystic fibrosis is a genetic disease that causes the body to produce abnormal mucus that can block pathways to the lungs and lead to severe lung infections. Symptoms of cystic fibrosis include salty skin, persistent coughing, wheezing, shortness of breath, abnormal appetites, and gastrointestinal problems. Adults living with cystic fibrosis are likely to be sterile or unable to carry a baby to term due to the effects of cystic fibrosis. Adults with cystic fibrosis may also suffer from diabetes or osteoporosis related to cystic fibrosis.

Cystic fibrosis is caused by a genetic defect--when both parents carry the defective gene, there is a 25% chance that their child will develop cystic fibrosis. It is estimated that 10 million Americans carry the gene that causes cystic fibrosis,

but do not suffer from cystic fibrosis themselves. Approximately 1,000 new cases of cystic fibrosis are diagnosed in the United States each year.

There are several forms of treatment for cystic fibrosis. The primary goal is to keep the lungs clear of the abnormal mucus that leads to infection. This may be done through simple means, such as clapping the back to clear the lungs, or through more complicated techniques, including the use of antibiotics and other drugs to keep the lungs clear. The expected lifespan for individuals with cystic fibrosis varies, but the median age of survival is 33. With newer treatments, the lifespan has increased dramatically; now 40% of individuals living with cystic fibrosis are adults.³

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced Reported, S. Health, Human Services & Aging	05-27-04	p. 2082
Passed Senate (29-0) Reported, H. Health	11-18-04 11-30-04 ---	p. 2300 pp. 2333-2334 ---

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³ *The Cystic Fibrosis Foundation, www.cff.org (last visited 10/20/04).*