



**Am. Sub. S.B. 147**

127th General Assembly  
(As Passed by the General Assembly)

**Sens.** Faber, Schuring, Grendell, Wagoner, Morano, Seitz, Mumper, Buehrer, Coughlin, Harris, D. Miller, Padgett, Schaffer, Spada, Stivers, Cafaro, Amstutz, Sawyer, Jacobson, Fedor, Smith, Mason, Cates, Wilson

**Reps.** R. Hagan, DeBose, Strahorn, Letson, B. Williams, Boyd, Slesnick, Batchelder, Bolon, Chandler, Combs, Domenick, Dyer, Fende, Flowers, Gardner, Gibbs, Grady, Huffman, Hughes, Luckie, J. McGregor, Mecklenborg, Newcomb, Oelslager, Sayre, Yates, Yuko, Zehringer

**Effective date:** April 7, 2009

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**ACT SUMMARY**

**LOAN REPAYMENT PROGRAM**

- Expands the authority of the Department of Rehabilitation and Correction to establish an educational loan repayment program for the recruitment of physicians by extending the program to nurses, dentists, optometrists, and psychologists.

**CORRECTIONAL INSTITUTION INSPECTION COMMITTEE**

- Modifies the procedures used by the Correctional Institution Inspection Committee (CIIC) in inspecting correctional institutions and facilities by (1) requiring inspections to be conducted by CIIC staff, (2) authorizing, rather than requiring, the attendance of CIIC members, and (3) removing procedures for conducting inspections through CIIC subcommittees.

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## CONTENT AND OPERATION

### LOAN REPAYMENT PROGRAM

#### Authority to establish health professional recruitment program

(R.C. 5120.55)

##### Physicians

Continuing law authorizes the Department of Rehabilitation and Correction to establish a physician recruitment program under which the Department, by means of a contract, agrees to repay all or part of the principal and interest of a government or other educational loan of a physician<sup>1</sup> in exchange for an agreement to provide services to inmates of correctional institutions administered by the Department.

##### Nurses, dentists, optometrists, and psychologists

The act expands the Department's authority to establish a loan repayment program to include any or all of the following, which, in addition to physicians, the act defines as "licensed health professionals":

(1) A dentist who holds a current, valid license to practice dentistry issued by the State Dental Board.

(2) A registered nurse who holds a current, valid license, issued by the Ohio Board of Nursing, that authorizes the practice of nursing as a registered nurse, regardless of whether the nurse is authorized to practice as an advanced practice nurse.<sup>2</sup>

(3) A licensed practical nurse who holds a current, valid license, issued by the Ohio Board of Nursing, that authorizes the practice of nursing as a licensed practical nurse.

(4) An optometrist who holds a current, valid certificate of licensure, issued by the State Board of Optometry, that authorizes the holder to engage in the practice of optometry.

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<sup>1</sup> "Physician" means an individual who is authorized to practice medicine and surgery, osteopathic medicine and surgery, or podiatry in Ohio (R.C. 5120.55(A)).

<sup>2</sup> An advanced practice nurse is a certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner (R.C. 4723.01(O)).

(5) A psychologist who holds a current, valid license, issued by the State Board of Psychology, that authorizes the practice of psychology as a licensed psychologist.

**Eligibility**

**Nurses.** For a nurse to be eligible to participate in the recruitment program, the nurse must have attended either of the following:

- A nursing school in this country that was, during the time of attendance, accredited by the Commission on Collegiate Nursing Education or the National League for Nursing Accrediting Commission.
- A foreign nursing school that was, during the time of attendance, acknowledged by the World Health Organization (WHO) and verified by a WHO member state as operating within that state's jurisdiction.

**Dentists.** For a dentist to be eligible to participate in the program, the dentist must have attended a school that was, during the time of attendance, a dental college that enabled the dentist to meet the requirements under existing law to be granted a license to practice dentistry in Ohio.

**Optometrists.** For an optometrist to be eligible to participate in the program, the optometrist must have attended a school of optometry that was, during the time of attendance, approved by the State Board of Optometry.

**Psychologists.** For a psychologist to be eligible to participate in the program, the psychologist must have attended an educational institution that, during the time of attendance, maintained a specific degree program recognized by the State Board of Psychology as acceptable for fulfilling the requirement in current law (R.C. 4732.10(B)(4)) of having received an earned doctoral degree in psychology, school psychology, or a doctoral degree that is deemed equivalent by the Board and received from an educational institution accredited or recognized by national or regional accrediting agencies as maintaining satisfactory standards.

**Contracts**

The Department must enter into a contract with each licensed health professional it recruits under the program. Each contract must include the scope of services to be provided, the number of hours per week and the number of years of service to be provided, the expenses that were covered by a loan that may be repaid by the Department, and the amount the licensed health professional must pay to the Department as damages should the professional fail to complete the service obligation or comply with other terms of the contract. The licensed health

professional's lending institution, or the Ohio Board of Regents may be a party to the contract and the contract may include an assignment to the Department of the professional's duty to repay the principal and interest of the loan.

### **Rulemaking**

Under law retained by the act, if the Department elects to implement the recruitment program, it must adopt rules in accordance with the Administrative Procedure Act (R.C. Chapter 119.) to establish all of the following:

- Criteria for designating institutions for which licensed health professionals will be recruited.
- Criteria for selecting licensed health professionals for participation in the program.
- Criteria for determining the portion of a loan that the Department will agree to repay.
- Criteria for determining reasonable amounts of the expenses covered by a loan to be repaid.
- Procedures for monitoring compliance by licensed health professionals with the terms of their contracts.
- Any other criteria or procedures necessary to implement the program.

## **CORRECTIONAL INSTITUTION INSPECTION COMMITTEE**

### **Inspections by the Correctional Institution Inspection Committee**

#### **Background**

(R.C. 103.73 and 103.74)

The Correctional Institution Inspection Committee (CIIC) consists of eight members of the General Assembly, four from the Senate and four from the House of Representatives. CIIC is required to maintain an inspection program for correctional institutions and facilities. Each state correctional institution and private correctional facility must be inspected every two years. Local correctional institutions and youth services facilities may be inspected. CIIC is not required to make prior arrangements for or to give notice of its inspections.

**Inspection procedures**

(R.C. 103.73 and 103.74)

The chairperson of CIIC must grant prior approval for the inspection of a correctional institution or facility. Under prior law, the chairperson was to specify whether the inspection was to be conducted by (1) a subcommittee consisting of at least two CIIC members or (2) a means other than a subcommittee. When a subcommittee was used, at least two CIIC members were to be present at the inspection and no staff member was to be present unless specifically authorized by the chairperson. When a means other than a subcommittee was used, at least one CIIC member and one staff member were to be present at the inspection.

The act requires each CIIC inspection to be conducted by at least one CIIC staff member. It authorizes one or more CIIC members to be included in the inspection. To correspond with these inspection procedures, the act eliminates provisions of former law that required the presence of CIIC members at inspections and permitted the appointment of subcommittees to conduct inspections.

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**HISTORY**

ACTION	DATE
Introduced	04-19-07
Reported, S. Health, Human Services & Aging	04-03-08
Passed Senate (33-0)	04-09-08
Reported, H. Health	12-16-08
Passed House (94-0)	12-17-08
Senate concurred in House amendments (33-0)	12-18-08

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