
Executive**DOHCD24 Second Chance Trust Fund Advisory Committee****R.C. 2108.35**

Removes the term limits for members of the Second Chance Trust Fund Advisory Committee (members are currently limited to two consecutive terms, whether full or partial).

Removes the requirement that the Committee's election of a chairperson from among its members be annual, instead leaving the details of a chairperson's term to the rules of the Committee.

Fiscal effect: None.

DOHCD30 Registration of vapor products retailers**R.C. 2927.02, 2927.025-2927.027, 3701.841, 5703.21**

Requires persons engaged in selling vapor products from a place of business in Ohio to annually register with ODH.

Exempts from the registration requirement persons licensed under continuing law (1) in the business of trafficking cigarettes or (2) solely for vapor product distribution (for the sale of vapor products to retailers as opposed to consumers).

Specifies the form of the application, requires initial applicants to remit \$200 in total fees for each place of business, and allows for renewal of existing certificates of registration following payment of a \$100 annual registration fee.

Requires the ODH Director to deny, refuse to renew, suspend, or revoke a certificate of registration under certain circumstances.

Allows the ODH Director to impose a penalty of up to \$1,000 on a person who knowingly sells vapor products at retail without the required registration or who fails to display the registration.

Limits the penalty to \$100 for recently lapsed registrations and allows the ODH Director to waive all or part of a penalty for reasonable cause.

Requires all fees and fines collected in connection with the vapor product retailer registration to be deposited to the Tobacco Use Prevention Fund (Fund 5BX0) to be used for the administration of the program or for tobacco and nicotine prevention or cessation interventions.

Fiscal effect: ODH will experience an increase in costs to administer the registration program and for enforcement activities. However, established fees deposited in Fund 5BX0 will help to offset these costs.

DOHCD32 Prohibit sale of flavored tobacco products**R.C. 2927.02**

Prohibits any person from giving away, selling, or otherwise distributing a flavored tobacco product - a tobacco product, vapor product, or alternative nicotine product that conveys a taste or smell, other than the taste or smell of tobacco, that is recognizable to the consumer before or during consumption of the product.

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Stipulates that a statement or claim by a manufacturer (or other authorized person) that a product has a taste or smell other than tobacco creates a presumption that the product is a flavored tobacco product.

Requires the ODH Director to impose a fine not less than \$500 for a first violation, \$750 for a second violation within 60 months, and \$1,000 for subsequent violations within 60 months.

Establishes the Flavored Tobacco Product Enforcement Fund and requires fines to be deposited to the Fund and used to reimburse ODH for the costs of enforcing the prohibition on selling flavored tobacco products.

Allows the ODH Director to refer repeat violators (three or more times within 60 months) to the Attorney General for prosecution, including injunctive relief.

Stipulates that selling flavored tobacco products may be grounds for denying, refusing to renew, or revoking state or local food, liquor, tobacco, or other business licenses.

Provides that, if an employee of a tobacco retailer sells flavored tobacco products at the retailer's place of business, the employee's violation is considered a violation by the tobacco retailer.

Fiscal effect: ODH will realize enforcement costs; however, the established fines may offset some costs.

DOHCD33 Miscellaneous tobacco law changes

R.C. 2927.02

Clarifies that substances intended to be aerosolized or vaporized during the use of an electronic smoking device need not contain nicotine to be considered part of that device under the law governing the sale and distribution of tobacco products.

Clarifies that a component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, or pipes, need not contain nicotine to be considered a tobacco product under the law governing the sale and distribution of such products.

Removes the definition of "proof of age," as the term is not used in the tobacco law.

Fiscal effect: None.

DOHCD29 Program for Children with Medical Handicaps name change

R.C. 3701.023, 101.38, 103.60, 3701.021, 3701.022, 3701.024-3701.028, 3701.0210, 3701.507- 3701.509, 5153.16, 5160.35, 5164.72, 5166.32, 5168.02, 5168.14, and 5168.26

Changes the name of ODH's Program for Children with Medical Handicaps to the Program for Children and Youth with Special Health Care Needs.

Fiscal effect: ODH may experience some costs to update online and written materials regarding the Program and to inform program participants about the name change.

Executive

DOHCD26 Infant vitality scorecard**R.C. 3701.953**

Requires ODH to build and automate the infant mortality scorecard to refresh data in real time on a publicly-available data dashboard instead of updating the scorecard quarterly and posting it on the ODH website.

Fiscal effect: None. These provisions codify current practice.

DOHCD25 Household sewage treatment system components**R.C. 3718.01, 3718.011**

Specifies that a household sewage treatment system component is an independent portion of the system that provides effluent treatment and includes septic tanks; approved pretreatment products; tertiary treatment products; and soil absorption products.

Specifies that a component does not include dry wells, leaching wells, abandoned wells, drainage wells, cesspools, sinkholes, and other direct connections to groundwater that do not provide effluent treatment.

Specifies that a household sewage treatment system is causing a nuisance if it is discharging to a dry well, cesspool, sinkhole, or other connection to groundwater.

Fiscal effect: Local health departments could realize an increase in public health complaints or questions.

DOHCD27 Lead Renovation, Repair, and Paint Program**R.C. 3742.11**

Authorizes the ODH Director to enter into agreements with the U.S. EPA for the administration and enforcement of the federal Renovation, Repair, and Painting Rule, which establishes requirements regarding lead-based paint hazards associated with renovation, repair, and painting activities, including certification of firms performing renovations in pre-1978 buildings.

Allows the ODH Director to accept available assistance in support of the agreements.

Allows the ODH Director to adopt rules to administer and enforce the federal Rule, including specifying provisions governing the certification process, fees for certification, and the imposition of civil penalties for violations of adopted procedures.

Fiscal effect: ODH will experience an increase in costs associated with administration and enforcement; however, if fees are assessed, costs could be offset.

DOHCD28 Environmental Health Specialists**R.C. 4736.01, 4736.02, 4736.03, 4736.07-4736.09, 4736.11-4736.15, 4736.17, 4736.18 (all renumbered as 3776.01-3776.13), conforming changes in numerous R.C. sections, Repealed: 4736.05, 4736.06, and 4736.10, Sections 130.40-130.49**

Recodifies the law governing Environmental Health Specialists (EHSs) and Environmental Health Specialists in training (EHSs in training), into a new Revised Code chapter (Chapter 3776).

Executive

Removes all statutorily imposed fee amounts associated with EHS and EHS in training registration and renewal, and instead requires the ODH Director to establish those fees through rule-making.

Allows the ODH Director to prescribe the requirements governing and form of examination for initial EHS registration, rather than requiring applicants to take an examination created by the National Environmental Health Association as in current law.

Allows the ODH Director, in preparing the examination, to utilize materials prepared by specified experts in environmental health.

Specifies that an EHS applicant who fails their initial exam may retake the examination at a time and place specified by the ODH Director.

Requires an EHS applicant who is retaking an examination to resubmit an application and pay the application fee.

Requires EHSs in training to comply with the same continuing education requirements as are required for EHSs, such as biennially completing a 24-hour continuing education program in specified subjects.

Adds that EHSs and EHSs in training may administer and enforce the law governing tattoos and body piercing.

Clarifies that EHSs and EHSs in training may administer and enforce the law governing hazardous waste.

Clarifies that the ODH Director may renew an EHS or EHS in training registration 60 days prior to expiration, provided the applicant pays the renewal fee and submits proof of compliance with continuing education requirements.

Repeals the requirement that the ODH Director:

- (1) Prepare annually a list of the names and addresses of every registered EHS and EHS in training and a list of every EHS and EHS in training whose registration has been suspended or revoked within the previous year;
- (2) Assign a serial number to each certificate of registration and include it in EHS and EHS in training registration records;
- (3) Provide, at least once annually, to each EHS a list of approved courses that satisfy the continuing education program; and
- (4) Supply a list of continuing education courses to an EHS upon request.

Specifies that an EHS in training has up to four years (with a two-year possible extension) to apply as an EHS instead of three years (with a two-year possible extension) as under current law.

Clarifies that all fees collected under the EHS law are deposited into ODH's General Operations Fund (Fund 4700), and eliminates a conflict in current law that requires the fees to be deposited in both Fund 4700 and the Occupational Licensing and Regulatory Fund (Fund 4K90).

Prohibits a person who is not a registered EHS in training from (1) using the title "registered environmental health specialist in training," (2) using the abbreviation "E.H.S.I.T.," or (3) representing themselves as a registered EHS in training.

Removes the requirement that the ODH Director obtain the advice and consent of the Senate when appointing members of the Environmental Health Specialist Advisory Board.

Executive

Fiscal effect: Impacts will depend on the fees and application procedures established in rule. ODH may experience an increase in costs to prepare and conduct examinations; however, ODH could realize some savings with the removal of several requirements regarding registrations.

DOHCD31 Admission and medical supervision of hospital patients

Section: 130.56, 130.50-130.53; Sections 130.54 and 130.55 (amending Sections 130.11 and 130.12 of H.B. 110 of the 134th G.A.)

Cancels the repeal scheduled for September 30, 2024, of statutory law governing the admission and medical supervision of hospital patients, including admissions initiated by advanced practice registered nurses and physician assistants, and makes corresponding changes.

Fiscal effect: None.

DOHCD1 Mothers and Children Safety Net Services

Section: 291.20

Earmarks up to \$200,000 in each fiscal year in GRF ALI 440416, Mothers and Children Safety Net Services, to be used to assist families with hearing impaired children under 26 years of age in purchasing hearing aids and hearing assistive technology.

Requires the ODH Director to adopt rules governing the distribution of these funds including rules to: (1) establish eligibility criteria to include families with incomes at or below 400% of the federal poverty guidelines; and (2) develop a sliding scale of disbursement based on family income.

DOHCD2 Free Clinic Safety Net Services

Section: 291.20

Requires GRF ALI 440431, Free Clinic Safety Net Services, to be provided to the Charitable Healthcare Network.

Allows funds to be used to reimburse free clinics for health care services provided, as well as for administrative services, information technology costs, infrastructure repair, or other clinic necessities.

Allows the ODH Director to designate up to 5% of the ALI in each fiscal year to pay the administrative costs ODH incurs for operating the program.

DOHCD3 AIDS Prevention

Section: 291.20

Requires GRF ALI 440444, AIDS Prevention, to be used to administer educational and other prevention initiatives.

DOHCD4 FQHC Primary Care Workforce Initiative

Section: 291.20

Requires GRF ALI 440465, FQHC Primary Care Workforce Initiative, to be provided to the Ohio Association of Community Health Centers to administer the FQHC Primary Care Workforce Initiative. Requires the Initiative to provide medical, dental, behavioral health, physician assistant, and advanced practice nursing students with clinical rotations through federally qualified health centers.

Allows the ODH Director to designate up to 5% of the ALI in each fiscal year to pay the administrative costs ODH incurs for operating the program.

Executive

DOHCD5 Emergency Preparation and Response

Section: 291.20

Requires GRF ALI 440477, Emergency Preparation and Response, to be used to support public health emergency preparedness and response efforts. Allows the ALI to also be used to support data infrastructure projects and other data analysis and analytics work.

DOHCD6 Lupus Awareness

Section: 291.20

Requires GRF ALI 440481, Lupus Awareness, to be distributed to the Lupus Foundation of America, Greater Ohio Chapter, Inc., to operate a lupus education and awareness program.

DOHCD7 Chronic Disease, Injury Prevention and Drug Overdose

Section: 291.20

Makes the following earmarks from GRF ALI 440482, Chronic Disease, Injury Prevention and Drug Overdose:

- (1) Up to \$1,000,000 in each fiscal year to be used, in consultation with OhioMHAS and the Governor's RecoveryOhio Initiative, to support the continuation of the Emergency Department Comprehensive Care Initiative to enhance Ohio's response to the addiction crisis by creating a comprehensive system of care for patients who present in emergency departments with addiction; and
- (2) Up to \$250,000 in FY 2024 to be used, in consultation with the Governor's RecoveryOhio Initiative, to support local health providers' harm reduction efforts to reduce overdose rates and deaths.

DOHCD8 Infectious Disease Prevention and Control

Section: 291.20

Reappropriates an amount requested by ODH, up to the available balance of GRF ALI 440483, Infectious Disease Prevention and Control, at the end of FY 2024 for the same purpose in FY 2025.

DOHCD9 Centralized Warehouse Operations and Support

Section: 291.20

Requires GRF ALI 440492, Centralized Warehouse Operations and Support, to be used to provide support and readiness for the administration of emerging health responses. Specifies that expenses may include management, rent, and maintenance costs of the stored equipment.

DOHCD10 Evidenced-based Community Health Interventions

Section: 291.20

Requires GRF ALI 440493, Evidence-Based Community Health Interventions, to be used to make distributions to local health departments for quality foundational public health services.

Executive

DOHCD11 Targeted Health Care Services - Over 21

Section: 291.20

Requires GRF ALI 440507, Targeted Health Care Services - Over 21, to be used to administer the Cystic Fibrosis Program and to implement the Hemophilia Insurance Premium Payment Program.

Requires ODH to expend up to \$100,000 in each fiscal year for the Hemophilia Insurance Premium Payment Program.

Requires the ALI to also be used to provide essential medications and to pay the copayments for drugs approved by ODH and covered by Medicare Part D that are dispensed to participants in the Cystic Fibrosis Program.

Requires ODH to expend all funds in the ALI.

DOHCD12 Lead Activities

Section: 291.20

Requires ODH to distribute the following funds to local governments for projects that include lead hazard control and housing rehabilitation initiatives that expand ODH’s lead hazard control and prevention effort: (1) GRF ALI 440530, Lead-Safe Home Fund Program, and (2) \$500,000 in each fiscal year from GRF ALI 440527, Lead Abatement.

DOHCD13 Harm Reduction

Section: 291.20

Requires GRF ALI 440529, Harm Reduction, to be used to distribute funding to local health departments or a partner agency to operate harm reduction programs, including syringe services.

Requires local health departments eligible for funding to be accredited or in the process of becoming accredited through the Public Health Accreditation Board.

DOHCD15 Tobacco Use Prevention, Cessation, and Enforcement

Section: 291.20

Earmarks \$250,000 in each fiscal year from Fund 5BX0 ALI 440656, Tobacco Use Prevention, Cessation, and Enforcement, to be distributed to boards of health for the Baby and Me Tobacco Free Program. Requires the ODH Director to determine how the funds are to be distributed, but requires that awards be prioritized for boards that serve women who reside in communities that have the highest infant mortality rates in the state, as identified by the ODH Director, in consultation with the Medicaid Director, in rules.

Requires the remainder of the ALI to be used to administer tobacco use prevention and cessation activities and programs, to administer compliance checks, retailer education, programs related to legal age restrictions, and to enforce the Ohio Smoke-Free Workplace Act (See DOHCD22 for the Moms Quit for Two Grant Program earmark from this ALI).

Executive

DOHCD16 Youth Homelessness

Section: 291.20

Requires GRF ALI 440672, Youth Homelessness, to be used to address homelessness in youth and pregnant women by providing assertive outreach to provide stable housing, including recovery housing.

DOHCD17 Fee Supported Programs

Section: 291.20

Earmarks \$2,160,000 in each fiscal year from Fund 4700 ALI 440647, Fee Supported Programs, to be used to distribute subsidies, on a per capita basis, to local health departments accredited through the Public Health Accreditation Board, or local health departments that are in the process of earning accreditation.

Earmarks \$1,840,000 in each fiscal year from ALI 440647 to be used to distribute subsidies to local health departments accredited through the Public Health Accreditation Board on a per capita basis.

DOHCD18 Children and Youth with Special Health Care Needs Audit Fund

Section: 291.20

Specifies that the Children and Youth with Special Health Care Needs Audit Fund (Fund 4770) is to receive revenue from audits of hospitals and recoveries from third-party payers. Permits moneys in the fund to be used for payment of audit settlements and for costs directly related to obtaining recoveries from third-party payers and for encouraging Program for Children and Youth with Special Health Care Needs recipients to apply for third-party benefits.

Permits moneys in the fund to also be used for payments for diagnostic and treatment services on behalf of children and youth with special health care needs and Ohio residents who are 21 or over and who are suffering from cystic fibrosis or hemophilia.

Permits moneys to also be used for administrative expenses incurred in operating the Program for Children and Youth with Special Health Care Needs.

DOHCD19 Genetics Services

Section: 291.20

Requires Fund 4D60 ALI 440608, Genetics Services, to be used to administer newborn screening and genetic disease programs. Prohibits the funds from being used to counsel or refer for abortion, except in the case of a medical emergency.

DOHCD20 Toxicology Screenings

Section: 291.20

Requires Fund 5TZ0 ALI 440621, Toxicology Screenings, to be used to reimburse county coroners in counties in which the coroner has performed toxicology screenings on victims of a drug overdose.

Requires the ODH Director to transfer the funds to the counties in proportion to the numbers of toxicology screenings performed per county.

Executive

DOHCD21 Children and Youth with Special Health Care Needs - County Assessments

Section: 291.20

Requires Fund 6660 ALI 440607, Children and Youth with Special Health Care Needs – County Assessments, to be used to make payments for expenses associated with the Program for Children and Youth with Special Health Care Needs.

DOHCD22 Moms Quit for Two Grant Program

Section: 291.30

Creates the "Moms Quit for Two Grant Program," which is to provide grants to private, nonprofit entities or government entities that demonstrate the ability to deliver evidence-based tobacco cessation interventions to pregnant women who reside in communities with high infant mortality, as determined by ODH, or to other adults residing in the home with a pregnant woman.

Earmarks \$750,000 in each fiscal year from Fund 5BX0 ALI 440656, Tobacco Use Prevention, Cessation, and Enforcement, to be used to award grants for the Moms Quit for Two Grant Program.

DOHCD23 WIC vendor contracts

Section: 291.40

Requires ODH to process and review a Women, Infants, and Children (WIC) vendor contract application not later than 45 days after receipt of the application if the applicant is a WIC-contracted vendor at the time of application and meets all of the following requirements: (1) submits a complete WIC vendor application with all required documents and information; (2) passes the required unannounced preauthorization visit within 45 days of submitting a complete application; and (3) completes the required in-person training within 45 days of submitting the complete application.

Requires ODH to deny an application for the contract if an applicant fails to meet any of the requirements.

Allows an applicant, after an application has been denied, to reapply for a WIC vendor contract during the contracting cycle applicable to the applicant's WIC region.

Executive

OBMCD37 Transfers out of the GRF**Section: 512.10**

Provides for the OBM Director to make the following transfers out of the GRF:

- (1) Requires transfer of up to \$20,000,000 cash in FY 2024 to the State Marketing Office Fund (Fund 5MJ0);
- (2) Requires transfer of \$3,000,000 cash in FY 2024 to the Credit Score Cost Assistance Fund (Fund 5ZM0) and creates the fund;
- (3) Permits transfer of up to \$24,129,706 cash in each fiscal year to the Targeted Addiction Program Fund (Fund 5TZ0);
- (4) Requires transfer of up to \$5,000,000 cash in each fiscal year to the Persian Gulf, Afghanistan, Iraq Compensation Fund (Fund 7041);
- (5) Requires transfer of \$40,000,000 cash in FY 2024 to the Tobacco Use Prevention Fund (Fund 5BX0).
- (6) Permits transfer of up to \$600,000,000 cash in each fiscal year to the Foundation Funding - All Students Fund (Fund 5VS0);
- (7) Requires transfer of \$10,000,000 cash in FY 2024 to the State Board of Education Licensure Fund (Fund 4L20);
- (8) Requires transfer of \$14,000,000 cash in FY 2024 to the OhioMeansJobs Workforce Development Revolving Loan Fund (Fund 5NH0); States that the purpose of the transfer is support of need-based financial aid to students who are enrolled in an educational program for an in-demand job;
- (9) Requires transfer of up to \$4,000,000 cash in FY 2024 to the Second Chance Grant Pilot Program Fund (Fund 5YD0);
- (10) Permits, upon request of the DAS Director, transfer of up to \$2,500,000 cash in each fiscal year to the Information Technology Development Fund (Fund 5LJ0); States purpose of transfer is to support the operations of the Office of InnovateOhio;
- (11) Requires transfer of \$6,600,000 cash in FY 2024 to the Professional Development Fund (Fund 5L70);
- (12) Requires transfer of \$511,000 cash in each fiscal year to the Wildlife Fund (Fund 7015);

Requires an amount of cash authorized by Section 529.10 of H.B. 687 of the 134th General Assembly to be transferred to support capital projects but not transferred as of June 30, 2023, to remain in the GRF.

OBMCD40 Utility Radiological Safety Board assessments**Section: 514.10**

Specifies the maximum amounts, unless the agency and nuclear electric utility mutually agree to a higher amount by contract, that may be assessed against nuclear electric utilities according to codified law and deposited into the following funds:

\$109,800 in FY 2024 and \$112,900 in FY 2025 to the Utility Radiological Safety Fund (Fund 4E40) used by AGR;

\$1,405,870 in FY 2024 and \$1,474,757 in FY 2025 to the Radiation Emergency Response Fund (Fund 6100) used by ODH;

\$332,287 in each fiscal year to the ER Radiological Safety Fund (Fund 6440) used by the Ohio EPA; and

\$1,435,000 in FY 2024 and \$1,449,000 in FY 2025 to the Emergency Response Plan Fund (Fund 6570) used by ODPS.

Executive

KIDCD1 Creation of the Department of Children and Youth

R.C. 5180.01, 121.02, 121.03, 121.35, 121.37, 121.40, 3109.15-3109.17, 3109.179, 5101.34-5101.342, 5180.02, Sections 130.10-103.16 and 423.140

Creates DCY on July 1, 2023, to serve as the state's primary children's services agency and establishes the position of DCY Director.

Requires DCY to facilitate and coordinate the delivery of children's services in Ohio.

Addresses the transfer of duties to DCY relating to children's services, including by doing the following:

(1) Requiring specified Directors (DCY, ODJFS, ODE, ODH, DODD, ODM, OhioMHAS, and DEV), or their designees, to identify and develop a plan to transfer children's services duties, functions, programs, and staff to DCY by January 1, 2025.

(2) Transferring to the new DCY 90 days after the bill's effective date responsibilities currently charged to ODJFS regarding the Ohio Family and Children First Cabinet Council, the Children's Trust Fund Board, and the Ohio Commission on Fatherhood.

Requires the OBM Director to make budget and accounting changes to implement the transfer of duties, functions, and programs to DCY, including renaming, transferring, creating, and consolidating funds. Allows the OBM Director to also cancel or establish encumbrances and transfer appropriations between impacted agencies as necessary. Appropriates any encumbrances.

Fiscal effect: There will be administrative costs to develop a plan to facilitate this transfer. There will also be costs to establish the office (e.g. office space, supplies, etc.). Staff will be transferred from other impacted agencies, so associated personnel costs will instead be reflected in DCY's budget.

Executive

LECCD1 Cash transfers to the Lake Erie Protection Fund

Section: 319.10

Permits the OBM Director to transfer up to \$25,000 in each fiscal year from each of the following funds to the Lake Erie Protection Fund (Fund 4C00):

- (a) Environmental Protection Fund (Fund 5BC0) used by Ohio EPA.
- (b) Pesticide, Fertilizer and Lime Fund (Fund 6690) used by AGR.
- (c) General Operations Fund (Fund 4700) used by ODH.
- (d) Central Support Indirect Chargeback Fund (Fund 1570) used by ODNR.
- (e) Highway Operating Fund (Fund 7002) used by ODOT.
- (f) Supportive Services Fund (Fund 1350) used by DEV.

Permits Fund 4C00 to accept contributions and transfers made to the fund.

Executive

MCDCD36 Special Focus Facility Program

R.C. 5165.771

Aligns statutory language regarding the Special Focus Facility (SFF) program with federal changes to the program.

Prohibits a nursing facility from appealing an ODM order terminating a nursing facility's participation in the Ohio Medicaid program if the appeal challenges (1) standard health survey findings under the SFF program or (2) a U.S. Centers for Medicare and Medicaid Services (CMS) determination to terminate the nursing facility's participation in the Medicare or Medicaid program.

Instead, requires such appeals to be brought to (1) ODH or (2) CMS, respectively.

Fiscal effect: None.

Executive

DPSCD25 SNAP and WIC benefit trafficking – Ohio Investigative Unit

R.C. 2913.46

Prohibits an individual from knowingly trafficking Supplemental Nutrition Assistance Program (SNAP) benefits or from knowingly soliciting SNAP or WIC benefits, as well as selling, transferring, or trading them as under continuing law.

Fiscal effect: Minimal; provides a reference to federal rule, which may make it easier to directly link evidence to SNAP or WIC violations and prosecute violators.
