

OHIO

House

of

Representatives

JOURNAL

THURSDAY, MAY 22, 2014

ONE HUNDRED FIFTY-EIGHTH DAY
Hall of the House of Representatives, Columbus, Ohio
Thursday, May 22, 2014, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Pursuant to House Rule No. 23, the Clerk called the House to order.

Representative Dovilla was selected to preside under the Rule.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 557-Representatives Derickson, Mallory.

To designate June 20, 2014, as "Freedom Summer Day."

H. B. No. 558-Representative Pillich.

To amend section 122.011 and to enact sections 5903.21, 5903.22, 5903.23, 5903.24, 5903.25, 5903.26, 5903.27, 5903.28, and 5903.29 of the Revised Code to establish the Disabled Veterans Small Business Loan Program.

H. B. No. 559-Representative Pillich.

To amend sections 4728.01, 4728.02, 4728.06, 4728.09, and 4728.13 and to enact section 4728.061 of the Revised Code to make changes to the licensing and records requirements, penalties, and other provisions of the Precious Metals Dealers Law.

H. B. No. 560-Representative Pillich.

To enact section 153.014 of the Revised Code to require a building or structure constructed using state capital budget moneys to adhere to certain energy efficiency and building standards and to encourage the use of Ohio-produced products.

H. B. No. 561-Representative Pillich.

To amend section 5901.02 of the Revised Code to increase the number of individuals who serve on the Veterans Service Commission.

H. B. No. 562-Representative Pillich.

To amend section 5165.01 of the Revised Code to remove behavioral and mental health services from nursing facilities' bundled services for purposes of Medicaid payments.

H. B. No. 563-Representative Pillich.

To amend sections 125.01, 125.09, 125.11, 3772.033, 5747.98, and 5751.98 and to enact sections 5747.61 and 5751.55 of the Revised Code to provide a five per cent bid preference for state contracts to a business owned by veterans and to authorize a personal income and commercial activity tax credit for a business that hires and employs a veteran for at least one year.

H. B. No. 564-Representative Pillich.

To enact section 9.27 of the Revised Code to limit agreements to privatize state property, facilities, services, or functions.

H. B. No. 565-Representative Pillich.

To enact section 5902.10 of the Revised Code to require the Director of Veterans Services to notify the Governor when an Ohio resident who is a member of the armed forces has been killed by hostile fire, and to require the Governor to order state and subdivision flags to be flown at half-staff on the day of the individual's funeral. .

H. B. No. 566-Representative Pillich.

To amend sections 121.40 and 121.403, to enact sections 121.4011, 121.4012, 121.4013, 121.4014, 121.4015, and 121.4016 of the Revised Code to establish the Ohio Service Corps Intern Program, and to make an appropriation.

H. B. No. 567-Representative Pillich.

To amend sections 4741.01, 4741.03, 4741.26, and 5747.01 and to enact section 5747.78 of the Revised Code to require the State Veterinary Medical Licensing Board to inspect the place of business of a person that is licensed, registered, or permitted under the Veterinarians Law, to establish requirements and procedures for those inspections, and to authorize an income tax deduction of up to \$2,500 per year for veterinarians who provide free veterinary services.

Said bills were considered the first time.

**REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS
FOR SECOND CONSIDERATION**

Representative Fedor submitted the following report:

The standing committee on Education to which was referred **H. B. No. 460**-Representatives Brenner, Driehaus, having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: SCHOOLS-INITIATE COMMUNITY LEARNING PROCESS TO ASSIST & GUIDE SCHOOL RESTRUCTURING

Representative Stebelton moved to amend the title as follows:

Add the names: "Fedor, Bishoff, Antonio."

Representative Driehaus moved to amend as follows:

In line 42, delete " shall" and insert " may"

In line 112, after " complete" insert " , in consultation with community partners,"

In line 204, delete " or" and insert an underlined comma

In line 205, after " authority" insert " , or community partner"

In line 206, delete " or" and insert an underlined comma; after " school" insert " , or community partner"

In line 208, delete " or" and insert an underlined comma

In line 209, after " authority" insert " , or community partner"

The motion was agreed to and the bill so amended.

GERALD L. STEBELTON
JOHN BECKER
BILL HAYES
TONY BURKLEY
MARILYN SLABY
NICKIE J. ANTONIO
DENISE DRIEHAUS
JOHN PATTERSON

ANDREW BRENNER
TIMOTHY DERICKSON
MICHAEL HENNE
KRISTINA ROEGNER
TERESA FEDOR
HEATHER BISHOFF
DEBBIE PHILLIPS
FRED STRAHORN

The following member voted "NO"

ANDY THOMPSON

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Antonio submitted the following report:

The standing committee on Health and Aging to which was referred **H. B. No. 301**-Representatives Pelanda, Bishoff, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

RE: ADVANCED PRACTICE REGISTERED NURSE-DELEGATE
AUTHORITY TO PRESCRIBE DRUGS

Representative Wachtmann moved to amend the title as follows:

Add the name: "Schuring."

Representative Bishoff moved to amend as follows:

In line 7, after "sections" insert "4723.07 and"; delete "and 4723.50"

Between lines 9 and 10, insert:

"**Sec. 4723.07.** In accordance with Chapter 119. of the Revised Code, the board of nursing shall adopt and may amend and rescind rules that establish all of the following:

(A) Provisions for the board's government and control of its actions and business affairs;

(B) Minimum standards for nursing education programs that prepare graduates to be licensed under this chapter and procedures for granting, renewing, and withdrawing approval of those programs;

(C) Criteria that applicants for licensure must meet to be eligible to take examinations for licensure;

(D) Standards and procedures for renewal of the licenses and certificates issued by the board;

(E) Standards for approval of continuing nursing education programs and courses for registered nurses, licensed practical nurses, certified registered nurse anesthetists, clinical nurse specialists, certified nurse-midwives, and certified nurse practitioners. The standards may provide for approval of continuing nursing education programs and courses that have been approved by other state boards of nursing or by national accreditation systems for nursing, including, but not limited to, the American nurses' credentialing center and the national association for practical nurse education and service.

(F) Standards that persons must meet to be authorized by the board to approve continuing education programs and courses and a schedule by which that authorization expires and may be renewed;

(G) Requirements, including continuing education requirements, for reactivating inactive licenses or certificates, and for reinstating licenses or certificates that have lapsed;

(H) Conditions that may be imposed for reinstatement of a license or

certificate following action taken under section 3123.47, 4723.28, 4723.281, 4723.652, or 4723.86 of the Revised Code resulting in a license or certificate suspension;

(I) Requirements for board approval of courses in medication administration by licensed practical nurses;

(J) Criteria for evaluating the qualifications of an applicant for a license to practice nursing as a registered nurse, a license to practice nursing as a licensed practical nurse, or a certificate of authority issued under division (B) of section 4723.41 of the Revised Code for the purpose of issuing the license or certificate by the board's endorsement of the applicant's authority to practice issued by the licensing agency of another state;

(K) Universal and standard precautions that shall be used by each licensee or certificate holder. The rules shall define and establish requirements for universal and standard precautions that include the following:

- (1) Appropriate use of hand washing;
- (2) Disinfection and sterilization of equipment;
- (3) Handling and disposal of needles and other sharp instruments;
- (4) Wearing and disposal of gloves and other protective garments and devices.

(L) Standards and procedures for approving certificates of authority to practice nursing as a certified registered nurse anesthetist, clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner, and for renewal of those certificates;

(M) Quality assurance standards for certified registered nurse anesthetists, clinical nurse specialists, certified nurse-midwives, or certified nurse practitioners;

(N) Additional criteria for the standard care arrangement required by section 4723.431 of the Revised Code entered into by a clinical nurse specialist, certified nurse-midwife, or certified nurse practitioner and the nurse's collaborating physician or podiatrist;

(O) Continuing education standards for clinical nurse specialists who were issued a certificate of authority to practice as a clinical nurse specialist under division (C) of section 4723.41 of the Revised Code as that division existed at any time before ~~the effective date of this amendment~~ March 20, 2013;

(P) For purposes of division (B)(31) of section 4723.28 of the Revised Code, the actions, omissions, or other circumstances that constitute failure to establish and maintain professional boundaries with a patient ;

(Q) Standards and procedures for delegation under division (C) of section 4723.48 of the Revised Code of the authority to administer drugs.

The board may adopt other rules necessary to carry out the provisions of this chapter. The rules shall be adopted in accordance with Chapter 119. of the Revised Code."

In line 47, delete " (B)(8)" and insert " (Q)"; delete " 4723.50" and insert " 4723.07"

Delete lines 81 through 157

In line 158, after "sections" insert "4723.07 and"; delete "and 4723.50"

In line 1 of the title, after "sections" insert "4723.07 and"; delete "and 4723.50"

The motion was agreed to and the bill so amended.

Representative Bishoff moved to amend as follows:

In line 69, delete the underlined comma and insert an underlined semicolon

In line 70, after " department" insert " ; or an ambulatory surgical facility, as defined in section 3702.30 of the Revised Code"

The motion was agreed to and the bill so amended.

LYNN R. WACHTMANN	ANNE GONZALES
NICKIE J. ANTONIO	TIM W. BROWN
JOHN PATRICK CARNEY	CHRISTINA HAGAN
ROBERT F. HAGAN	BRIAN HILL
JAY HOTTINGER	RON MAAG
DALE MALLORY	DAN RAMOS
KIRK SCHURING	BARBARA R. SEARS
RYAN SMITH	ROBERT COLE SPRAGUE

The following member voted "NO"

TERRY JOHNSON

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Stinziano submitted the following report:

The standing committee on Judiciary to which was referred **H. B. No. 333**-Representative Stinziano, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ACCESSIBILITY LAW VIOLATION-GIVE NOTICE BEFORE FILING LAWSUIT

Representative Butler moved to amend the title as follows:

Add the name: "Lynch."

JIM BUTLER
 MICHAEL STINZIANO
 MARGARET CONDITT
 BILL HAYES
 MATT LYNCH
 PETER STAUTBERG
 ROLAND WINBURN

DOROTHY PELANDA
 NICHOLAS J. CELEBREZZE
 MIKE FOLEY
 TOM LETSON
 MARILYN SLABY
 GERALD L. STEBELTON

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Stinziano submitted the following report:

The standing committee on Judiciary to which was referred **Sub. S. B. No. 43**-Senators Burke, Tavares, et al., having had the same under consideration, reports it back with the following amendments and recommends its passage when so amended.

RE: CIVIL COMMITMENT/TREATMENT OF MENTALLY ILL-CHANGE LAWS

Representative Butler moved to amend the title as follows:

Add the name: "Representative Stautberg."

Representative Stinziano moved to amend as follows:

After line 4418, insert:

"Section 4. This act shall be known as "Joey's Law.""

The motion was agreed to and the bill so amended.

Representative Stautberg moved to amend as follows:

In line 3051, strike through "in a hospital"

The motion was agreed to and the bill so amended.

JIM BUTLER
 MICHAEL STINZIANO
 MARGARET CONDITT
 MATT LYNCH
 PETER STAUTBERG

DOROTHY PELANDA
 NICHOLAS J. CELEBREZZE
 BILL HAYES
 MARILYN SLABY
 GERALD L. STEBELTON

The following members voted "NO"

MIKE FOLEY
 ROLAND WINBURN

TOM LETSON

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the House amendments to:

Am. Sub. S. B. No. 245-Senators Coley, Seitz - et al.

Attest:

Vincent L. Keeran,
Clerk.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has adopted the following concurrent resolution in which the concurrence of the House is requested:

S. C. R. No. 21 -Senator Hughes

Cosponsors: Senators Seitz, Uecker, Oelslager, Schiavoni, Bacon, Brown, Burke, Coley, Eklund, Gardner, Gentile, Jordan, LaRose, Manning, Patton, Tavares, Turner

To urge the Government of Turkey to respect the rights and religious freedoms of the Ecumenical Patriarchate.

Attest:

Vincent L. Keeran,
Clerk.

Said concurrent resolution was referred to the committee on Rules and Reference under the Rule.

MESSAGE FROM THE SPEAKER

The Speaker of the House of Representatives, on May 22, 2014, signed the following:

Sub. H.B. No. 165 - Representative Roegner - et al.

Sub. H.B. No. 484 - Representatives Rosenberger, Brown - et al.

Am. Sub. S.B. No. 245 - Senators Coley, Seitz - et al.

Sub. S.B. No. 260 - Senator Patton - et al.

S.B. No. 275 - Senator Hite - et al.

On motion of Representative Slaby, the House adjourned until Tuesday, May 27, 2014 at 9:00 o'clock a.m.

The hour having arrived for the meeting of the two houses in joint convention for the purpose of honoring recipients of The Ohio Military Medal of Distinction and their family members.

The members of the Senate preceded by the President and Clerk appeared within the bar of the House. The President of the Senate called the joint convention to order.

Senator Widener and Representative Sears announced a quorum of each house, respectively, was present.

Prayer was offered by William G. Batchelder, Speaker of the Ohio House of Representatives.

The Ohio Army National Guard Color Guard presented the colors, followed by the National Anthem, sung by the Little Miami High School Women's Select Chorale. The posting of the colors and the Pledge of Allegiance to the Flag followed the National Anthem.

The Battle Hymn of the Republic was sung by the Little Miami High School Women's Select Chorale.

The Ohio Military Medal of Distinction was awarded to the following Ohioans:

SPC Angel L. Lopez	October 5, 2013	U.S. Army
SSG Sonny C. Zimmerman	July 16, 2013	U.S. Army

The benediction was offered by Colonel Andrew Aquino, State Chaplain, Ohio Army National Guard.

On motion of Senator Widener, the joint convention was dissolved.

Attest:

BRADLEY J. YOUNG,
Clerk.