

OHIO

SENATE

JOURNAL

WEDNESDAY, MARCH 12, 2014

ONE HUNDRED FIFTY-SEVENTH DAY
Senate Chamber, Columbus, Ohio
Wednesday, March 12, 2014, 1:30 p.m.

The Senate met pursuant to adjournment.

Prayer was offered by Chaplain Tom McCullough, Capitol Commission, Granville, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of the last legislative day was read and approved.

**REPORTS OF REFERENCE AND BILLS FOR SECOND
CONSIDERATION**

Senator Jordan reports for the Standing Committee on Reference, recommending that the following bills and resolution, standing in order for second consideration, be referred to committee as recommended:

Sub. H. B. No. 201-Representative Butler, et al.

To amend section 5301.36 and to enact section 5301.234 of the Revised Code to make changes relative to mortgage subrogation and entries of satisfaction.

To the Committee on Insurance and Financial Institutions.

Sub. H. B. No. 264-Representatives Wachtmann, Barnes, et al.

To amend sections 3313.713, 3314.03, 3326.11, and 3328.24 and to enact section 3313.7110 of the Revised Code and to amend the version of section 3326.11 of the Revised Code that is scheduled to take effect on July 1, 2014, regarding care for students with diabetes in schools.

To the Committee on Medicaid, Health and Human Services.

Sub. H. B. No. 289-Representative Schuring, et al.

To amend sections 715.69, 715.691, and 715.771 and to enact sections 715.692 and 715.693 of the Revised Code to terminate the authority to create new or substantially modified joint economic development zones (JEDZ), to require the creation of review councils to approve and to evaluate the progress of JEDZ development plans, and to authorize businesses and their employees to bring a civil action seeking termination of the JEDZ contract or income tax if the council finds that the development plan is not being complied with.

To the Committee on Finance.

Sub. H. B. No. 366-Representative Sprague, et al.

To amend sections 3712.04 and 3712.99 and to enact section 3712.062 of the Revised Code to require hospice care programs to establish policies to prevent diversion of controlled substances that contain opioids.

To the Committee on Medicaid, Health and Human Services.

H. B. No. 418-Representative Patterson, et al.

To enact section 5.2288 of the Revised Code to designate March as "Maple Syrup Month."

To the Committee on State Government Oversight and Reform.

S. C. R. No. 35-Senator Gentile.

To urge the House of Representatives of the United States to pass S. 1926 of the 113th Congress, generally referred to as the Homeowner Flood Insurance Affordability Act of 2014, which delays implementation of certain provisions of the Biggert-Waters Flood Insurance Reform Act of 2012.

To the Committee on Insurance and Financial Institutions.

S. B. No. 287-Senator Hughes.

To amend sections 135.14, 135.142, 135.143, 135.35, and 3770.06 and to enact section 135.48 of the Revised Code to modify authorized investments of interim moneys and inactive moneys under the Uniform Depository Act.

To the Committee on Finance.

S. B. No. 288-Senator Eklund.

To amend section 2329.66 and to enact sections 143.01 to 143.11 of the Revised Code to create the Volunteer Police Officers' Dependents Fund to provide death benefits to survivors of volunteer police officers killed in the line of duty and disability benefits to disabled volunteer police officers.

To the Committee on Insurance and Financial Institutions.

S. B. No. 289-Senator Patton.

To enact section 1345.82 of the Revised Code to regulate the sale of used tires and provide notice to consumers of the age and history of purchased used tires.

To the Committee on Commerce and Labor.

S. B. No. 290-Senator Patton, et al.

To enact section 4125.031 of the Revised Code to permit a professional employer organization to file federal taxes in any manner permitted by federal law.

To the Committee on Insurance and Financial Institutions.

S. B. No. 291-Senators Manning, LaRose, et al.

To create a study committee to explore alternative funding mechanisms for Ohio's maritime ports.

To the Committee on Ways and Means.

S. B. No. 292-Senator Bacon.

To amend sections 9.02, 109.08, 109.081, 109.521, 109.57, 109.572, 109.578, 109.60, 109.85, 109.86, 1331.01, 1331.04, 1331.99, 1345.02, 1345.03, 1345.031, 1345.05, 1345.06, 1345.07, 1345.21, 1345.22, 1345.23, 1345.24, 1345.43, 1345.44, 2151.419, 2743.191, 2743.56, 2743.71, 2746.02, 2901.01, 2923.02, 2923.31, 2923.32, 2953.32, 2981.13, and 5302.221; to enact sections 9.28, 1331.17, and 2945.63; and to repeal section 1331.05 of the Revised Code to make various changes to the laws governing the duties and function of the Attorney General.

To the Committee on Civil Justice.

S. B. No. 293-Senator Brown.

To amend sections 120.03, 120.06, 120.14, 120.16, 120.18, 120.24, 120.26, 120.28, 120.33, 120.34, 1901.183, 2152.13, 2152.67, 2301.20, 2307.60, 2701.07, 2743.51, 2901.02, 2909.24, 2929.02, 2929.13, 2929.14, 2941.021, 2941.14, 2941.148, 2941.401, 2941.43, 2941.51, 2945.06, 2945.21, 2945.25, 2945.33, 2945.38, 2949.02, 2949.03, 2953.02, 2953.07, 2953.08, 2953.09, 2953.10, 2953.21, 2953.23, 2953.71, 2953.72, 2953.81, 2967.05, 2967.13, 2967.193, 2971.03, 2971.07, 5120.113, 5120.61, 5139.04, and 5919.16 and to repeal sections 109.97, 120.35, 2929.021, 2929.022, 2929.023, 2929.024, 2929.03, 2929.04, 2929.05, 2929.06, 2947.08, 2949.21, 2949.22, 2949.24, 2949.25, 2949.26, 2949.27, 2949.28, 2949.29, 2949.31, and 2967.08 of the Revised Code to abolish the death penalty and to declare an emergency.

To the Committee on Criminal Justice.

S. B. No. 294-Senator Hughes, et al.

To enact section 5.2280 of the Revised Code to designate September as "Safe Driving Awareness Month."

To the Committee on Public Safety, Local Government, and Veterans Affairs.

S. B. No. 295-Senator Hughes, et al.

To amend section 2935.23 of the Revised Code to authorize the prosecuting attorney of a county or chief legal officer of a municipal corporation to issue investigative subpoenas for misdemeanors.

To the Committee on Criminal Justice.

S. B. No. 296-Senator Hite, et al.

To amend sections 2307.75 and 3737.88 and to enact section 2305.52 of the Revised Code to create a qualified immunity from liability for the dispensing of incompatible motor fuel when the retail dealer is not involved in the fuel selection, to limit the Product Liability Law with respect to motor fuel and motor fuel additives, and to prohibit an insurer from denying a claim on the basis that an underground storage tank is not compatible with a motor fuel if the State Fire Marshal has determined that the tank and fuel are compatible.

To the Committee on Civil Justice.

YES - 9: KRIS JORDAN, SCOTT OELSLAGER, CHRIS WIDENER, LARRY OBHOF, KEVIN BACON, JOSEPH SCHIAVONI, LOU GENTILE, MICHAEL J. SKINDELL, RANDY GARDNER.

NO - 0.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Said bills and resolution were considered a second time and referred to committee as recommended.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Coley submitted the following report:

The standing committee on Civil Justice, to which was referred **Am. H. B. No. 261**-Representatives Butler, Stinziano, et al., having had the same under consideration, reports back a substitute bill and recommends its passage.

Co-Sponsors: Obhof, Coley, Seitz.

YES - 10: JOE UECKER, SCOTT OELSLAGER, JOHN EKLUND, KEVIN BACON, LARRY OBHOF, MICHAEL J. SKINDELL, EDNA BROWN, ERIC H. KEARNEY, BILL COLEY, BILL SEITZ.

NO - 0.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

Senator Faber submitted the following report:

The Standing Committee on Rules to which were referred the appointments by the Governor of:

Jose Feliciano, from Aurora, Portage County, Ohio, as Member of the Commission on Hispanic-Latino Affairs for a term beginning November 15, 2013, ending at the close of business October 7, 2014, replacing Rev. Max Rodas, Resigned.

J. Mike Robinson, from Loveland, Clermont County, Ohio, as Member of the Commission on Hispanic-Latino Affairs for a term beginning November 13, 2013, ending at the close of business October 7, 2016, replacing Richard Romero, Term expired.

Emanuel Torres Sifuentes, from Blacklick, Franklin County, Ohio, as Member of the Commission on Hispanic-Latino Affairs for a term beginning November 13, 2013, ending at the close of business October 7, 2015, replacing Emerald L. Hernandez, Term expired.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES - 10: KEITH L. FABER, LARRY OBHOF, SCOTT OELSLAGER, DAVE BURKE, BILL COLEY, JIM HUGHES, LOU GENTILE, EDNA BROWN, CHARLETA B. TAVARES, JOSEPH SCHIAVONI.

NO - 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Peterson	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Smith	Tavares
Turner	Uecker	Widener	Faber-32.

So the Senate advised and consented to said appointments.

REPORTS OF CONFERENCE COMMITTEES

Am. Sub. H. B. No. 416 -Representatives Burkley, Hill. Cosponsors: Representatives Blessing, Brenner, Brown, Derickson, Dovilla, Hall, Hood, Landis, Kunze, Retherford, Roegner, Rosenberger, Stautberg, Thompson, Milkovich, Smith, Bishoff, Boyd, Patmon, Scherer, Sheehy, Stebelton, Speaker Batchelder. Senators Coley, Sawyer, Brown, Eklund, Hite, Lehner, Obhof.

To amend Section 733.10 of Am. Sub. H.B. 59 of the 130th General

Assembly to provide additional calamity day relief for schools and to declare an emergency, was taken up.

The question being, "Shall the emergency clause of the bill stand as part of the report?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Peterson	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Smith	Tavares
Turner	Uecker	Widener	Faber-32.

So the emergency clause of the bill stood as part of the report.

The question being, "Shall the report of the Committee of Conference be agreed to as an emergency measure?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Peterson	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Smith	Tavares
Turner	Uecker	Widener	Faber-32.

So the report of the Committee of Conference was agreed to as an emergency measure.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 107-Representative Baker.

Cosponsors: Representatives Adams, J., Barborak, Gonzales, Henne, Stebelton, Amstutz, McClain, Sykes, Anielski, Antonio, Derickson, Dovilla, Driehaus, Duffey, Hall, Maag, Rosenberger, Adams, R., Ashford, Barnes, Beck, Boose, Brown, Buchy, Budish, Burkley, Butler, Conditt, DeVitis, Gerberry, Green, Grossman, Hackett, Hayes, Hill, Landis, Lundy, Mallory, McGregor, Milkovich, O'Brien, Patmon, Patterson, Pelanda, Perales, Reece, Retherford, Rogers, Romanchuk, Ruhl, Sheehy, Slaby, Smith, Sprague,

Strahorn, Thompson, Winburn, Young, Speaker Batchelder. Senators Sawyer, Tavares.

To enact section 122.177 of the Revised Code to authorize the Development Services Agency to award grants to businesses that employ high school students in career exploration internships and to make an appropriation, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 107**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Peterson	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Smith	Tavares
Turner	Uecker	Widener	Faber-32.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Oelslager moved to amend the title as follows:

Add the names: "Balderson, Beagle, Brown, Burke, Coley, Eklund, Gardner, Hite, Hughes, Jones, Manning, Obhof, Oelslager, Peterson, Schiavoni, Turner, Widener, Schaffer."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Am. S. B. No. 99-Senators Oelslager, Tavares.

Cosponsors: Senators Brown, Cafaro, Gardner, Hite, Kearney, Lehner, Schiavoni, Smith, Turner, LaRose, Manning, Skindell, Gentile.

To amend sections 1739.05 and 1751.35 and to enact sections 1751.69 and 3923.85 of the Revised Code regarding insurance coverage for orally administered cancer medications, was considered the third time.

The question being, "Shall the bill, **Am. S. B. No. 99**, pass?"

Senator Oelslager moved to amend as follows:

Delete lines 5 through 279 and insert:

"Section 1. That sections 1739.05 and 5162.20 be amended and sections 1751.69, 3923.85, and 5164.09 of the Revised Code be enacted to read as follows:

Sec. 1739.05. (A) A multiple employer welfare arrangement that is created pursuant to sections 1739.01 to 1739.22 of the Revised Code and that operates a group self-insurance program may be established only if any of the following applies:

(1) The arrangement has and maintains a minimum enrollment of three hundred employees of two or more employers.

(2) The arrangement has and maintains a minimum enrollment of three hundred self-employed individuals.

(3) The arrangement has and maintains a minimum enrollment of three hundred employees or self-employed individuals in any combination of divisions (A)(1) and (2) of this section.

(B) A multiple employer welfare arrangement that is created pursuant to sections 1739.01 to 1739.22 of the Revised Code and that operates a group self-insurance program shall comply with all laws applicable to self-funded programs in this state, including sections 3901.04, 3901.041, 3901.19 to 3901.26, 3901.38, 3901.381 to 3901.3814, 3901.40, 3901.45, 3901.46, 3902.01 to 3902.14, 3923.24, 3923.282, 3923.30, 3923.301, 3923.38, 3923.581, 3923.63, 3923.80, 3923.85, 3924.031, 3924.032, and 3924.27 of the Revised Code.

(C) A multiple employer welfare arrangement created pursuant to sections 1739.01 to 1739.22 of the Revised Code shall solicit enrollments only through agents or solicitors licensed pursuant to Chapter 3905. of the Revised Code to sell or solicit sickness and accident insurance.

(D) A multiple employer welfare arrangement created pursuant to sections 1739.01 to 1739.22 of the Revised Code shall provide benefits only to individuals who are members, employees of members, or the dependents of members or employees, or are eligible for continuation of coverage under section 1751.53 or 3923.38 of the Revised Code or under Title X of the "Consolidated Omnibus Budget Reconciliation Act of 1985," 100 Stat. 227, 29 U.S.C.A. 1161, as amended.

Sec. 1751.69. (A) As used in this section, "cost sharing" means the cost to an individual insured under an individual or group health insuring corporation policy, contract, or agreement according to any coverage limit, copayment, coinsurance, deductible, or other out-of-pocket expense requirements imposed by the policy, contract, or agreement.

(B) Notwithstanding section 3901.71 of the Revised Code and subject to division (D) of this section, no individual or group health insuring corporation policy, contract, or agreement providing basic health care services or prescription drug services that is delivered, issued for delivery, or renewed in this state, if the policy, contract, or agreement provides coverage for cancer

chemotherapy treatment, shall fail to comply with either of the following:

(1) The policy, contract, or agreement shall not provide coverage or impose cost sharing for a prescribed, orally administered cancer medication on a less favorable basis than the coverage it provides or cost sharing it imposes for intravenously administered or injected cancer medications.

(2) The policy, contract, or agreement shall not comply with division (B)(1) of this section by imposing an increase in cost sharing solely for orally administered, intravenously administered, or injected cancer medications.

(C) Notwithstanding any provision of this section to the contrary, an individual or group health insuring corporation policy, contract, or agreement shall be deemed to be in compliance with this section if the cost sharing imposed under such a policy, contract, or agreement for orally administered cancer treatments does not exceed one hundred dollars per prescription fill.

(D) The prohibitions in division (B) of this section do not preclude an individual or group health insuring corporation policy, contract, or agreement from requiring an enrollee to obtain prior authorization before orally administered cancer medication is dispensed to the enrollee.

(E) A health insuring corporation that offers coverage for basic health care services is not required to comply with division (B) of this section if all of the following apply:

(1) The health insuring corporation submits documentation certified by an independent member of the American academy of actuaries to the superintendent of insurance showing that compliance with division (B)(1) of this section for a period of at least six months independently caused the health insuring corporation's costs for claims and administrative expenses for the coverage of basic health care services to increase by more than one per cent per year.

(2) The health insuring corporation submits a signed letter from an independent member of the American academy of actuaries to the superintendent of insurance opining that the increase in costs described in division (E)(1) of this section could reasonably justify an increase of more than one per cent in the annual premiums or rates charged by the health insuring corporation for the coverage of basic health care services.

(3)(a) The superintendent of insurance makes the following determinations from the documentation and opinion submitted pursuant to divisions (E)(1) and (2) of this section:

(i) Compliance with division (B)(1) of this section for a period of at least six months independently caused the health insuring corporation's costs for claims and administrative expenses for the coverage of basic health care services to increase more than one per cent per year.

(ii) The increase in costs reasonably justifies an increase of more than

one per cent in the annual premiums or rates charged by the health insuring corporation for the coverage of basic health care services.

(b) Any determination made by the superintendent under division (E)(3) of this section is subject to Chapter 119. of the Revised Code.

Sec. 3923.85. (A) As used in this section, "cost sharing" means the cost to an individual insured under an individual or group policy of sickness and accident insurance or a public employee benefit plan according to any coverage limit, copayment, coinsurance, deductible, or other out-of-pocket expense requirements imposed by the policy or plan.

(B) Notwithstanding section 3901.71 of the Revised Code and subject to division (D) of this section, no individual or group policy of sickness and accident insurance that is delivered, issued for delivery, or renewed in this state and no public employee benefit plan that is established or modified in this state shall fail to comply with either of the following:

(1) The policy or plan shall not provide coverage or impose cost sharing for a prescribed, orally administered cancer medication on a less favorable basis than the coverage it provides or cost sharing it imposes for intravenously administered or injected cancer medications.

(2) The policy or plan shall not comply with division (B)(1) of this section by imposing an increase in cost sharing solely for orally administered, intravenously administered, or injected cancer medications.

(C) Notwithstanding any provision of this section to the contrary, a policy or plan shall be deemed to be in compliance with this section if the cost sharing imposed under such a policy or plan for orally administered cancer treatments does not exceed one hundred dollars per prescription fill.

(D)(1) The prohibitions in division (B) of this section do not preclude an individual or group policy of sickness and accident insurance or public employee benefit plan from requiring an insured or plan member to obtain prior authorization before orally administered cancer medication is dispensed to the insured or plan member.

(2) Division (B) of this section does not apply to the offer or renewal of any individual or group policy of sickness and accident insurance that provides coverage for specific diseases or accidents only, or to any hospital indemnity, medicare supplement, disability income, or other policy that offers only supplemental benefits.

(E) An insurer that offers any sickness and accident insurance or any public employee benefit plan that offers coverage for basic health care services is not required to comply with division (B) of this section if all of the following apply:

(1) The insurer or plan submits documentation certified by an independent member of the American academy of actuaries to the superintendent

of insurance showing that compliance with division (B)(1) of this section for a period of at least six months independently caused the insurer or plan's costs for claims and administrative expenses for the coverage of basic health care services to increase by more than one per cent per year.

(2) The insurer or plan submits a signed letter from an independent member of the American academy of actuaries to the superintendent of insurance opining that the increase in costs described in division (E)(1) of this section could reasonably justify an increase of more than one per cent in the annual premiums or rates charged by the insurer or plan for the coverage of basic health care services.

(3)(a) The superintendent of insurance makes the following determinations from the documentation and opinion submitted pursuant to divisions (E)(1) and (2) of this section:

(i) Compliance with division (B)(1) of this section for a period of at least six months independently caused the insurer or plan's costs for claims and administrative expenses for the coverage of basic health care services to increase more than one per cent per year.

(ii) The increase in costs reasonably justifies an increase of more than one per cent in the annual premiums or rates charged by the insurer or plan for the coverage of basic health care services.

(b) Any determination made by the superintendent under division (E)(3) of this section is subject to Chapter 119. of the Revised Code.

Sec. 5162.20. (A) The department of medicaid shall institute cost-sharing requirements for the medicaid program. The department shall not institute cost-sharing requirements in a manner that ~~disproportionately~~ does either of the following:

(1) Disproportionately impacts the ability of medicaid recipients with chronic illnesses to obtain medically necessary medicaid services ;

(2) Violates section 5164.09 of the Revised Code.

(B)(1) No provider shall refuse to provide a service to a medicaid recipient who is unable to pay a required copayment for the service.

(2) Division (B)(1) of this section shall not be considered to do either of the following with regard to a medicaid recipient who is unable to pay a required copayment:

(a) Relieve the medicaid recipient from the obligation to pay a copayment;

(b) Prohibit the provider from attempting to collect an unpaid copayment.

(C) Except as provided in division (F) of this section, no provider shall waive a medicaid recipient's obligation to pay the provider a copayment.

(D) No provider or drug manufacturer, including the manufacturer's representative, employee, independent contractor, or agent, shall pay any copayment on behalf of a medicaid recipient.

(E) If it is the routine business practice of a provider to refuse service to any individual who owes an outstanding debt to the provider, the provider may consider an unpaid copayment imposed by the cost-sharing requirements as an outstanding debt and may refuse service to a medicaid recipient who owes the provider an outstanding debt. If the provider intends to refuse service to a medicaid recipient who owes the provider an outstanding debt, the provider shall notify the recipient of the provider's intent to refuse service.

(F) In the case of a provider that is a hospital, the cost-sharing program shall permit the hospital to take action to collect a copayment by providing, at the time services are rendered to a medicaid recipient, notice that a copayment may be owed. If the hospital provides the notice and chooses not to take any further action to pursue collection of the copayment, the prohibition against waiving copayments specified in division (C) of this section does not apply.

(G) The department of medicaid may collaborate with a state agency that is administering, pursuant to a contract entered into under section 5162.35 of the Revised Code, one or more components, or one or more aspects of a component, of the medicaid program as necessary for the state agency to apply the cost-sharing requirements to the components or aspects of a component that the state agency administers.

Sec. 5164.09. (A) Except as provided in division (C) of this section, the medicaid program shall cover prescribed, orally administered cancer medications on at least the same basis that it covers intravenously administered or injected cancer medications. In implementing this section, the department of medicaid shall not institute cost-sharing requirements under section 5162.20 of the Revised Code for prescribed, orally administered cancer medications that are greater than any cost-sharing requirements instituted under that section for intravenously administered or injected cancer medications.

(B) Division (A) of this section does not preclude the department from requiring a medicaid recipient to obtain prior authorization before a prescribed, orally administered cancer medication is dispensed to the recipient.

(C) This section shall not be implemented during a fiscal year if the medicaid director determines that this section's implementation would cause the costs of the medicaid program's coverage of prescribed drugs to increase by more than one per cent over such costs for the most recent previous fiscal year for which the amount of such costs is known.

Section 2. That existing sections 1739.05 and 5162.20 of the Revised Code are hereby repealed.

Section 3. Sections 5162.20 and 5164.09 of the Revised Code as amended or enacted by this act shall take effect January 1, 2015.

Section 4. This act shall be known as the "Robert L. Schuler Act" in honor of the late Robert L. Schuler who served in both the Ohio House of Representatives and the Ohio Senate.

Section 5. Sections 1739.05 and 1751.69 of the Revised Code, as amended or enacted by this act, apply only to policies, contracts, and agreements that are delivered, issued for delivery, or renewed in this state on or after January 1, 2015. Section 3923.85 of the Revised Code, as enacted by this act, applies only to policies of sickness and accident insurance delivered, issued for delivery, or renewed in this state and public employee benefit plans that are established or modified in this state on or after January 1, 2015."

Delete lines 1 through 4 of the title and insert:

"To amend sections 1739.05 and 5162.20 and to enact sections 1751.69, 3923.85, and 5164.09 of the Revised Code regarding insurance and Medicaid coverage for orally administered cancer medications."

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **Am. S. B. No. 99**, pass?"

The yeas and nays were taken and resulted - yeas 31, nays 1, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Kearney	LaRose	Lehner
Manning	Obhof	Oelslager	Peterson
Sawyer	Schaffer	Schiavoni	Seitz
Skindell	Smith	Tavares	Turner
Uecker	Widener		Faber-31.

Senator Jordan voted in the negative-1.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Oelslager moved to amend the title as follows:

Add the names: "Burke, Eklund, Hughes, Jones, Obhof, Sawyer, Uecker."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

Sub. S. B. No. 261-Senators Bacon, Manning.
Cosponsors: Senators Patton, Obhof, Seitz, Brown.

To amend section 2919.27 of the Revised Code to provide that service of a protection order or consent agreement upon a person is not necessary for the person to be convicted of the offense of violating a protection order if the prosecution proves that the person had actual notice of the order or agreement and that the person recklessly violated its terms, was considered the third time.

The question being, "Shall the bill, **Sub. S. B. No. 261**, pass?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelsluger
Peterson	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Smith	Tavares
Turner	Uecker	Widener	Faber-32.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Bacon moved to amend the title as follows:

Add the names: "Balderson, Beagle, Burke, Eklund, Hite, Hughes, Jones, LaRose, Oelsluger, Sawyer, Tavares."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

OFFERING OF RESOLUTIONS

Senator Faber offered the following resolution:

S. R. No. 281-Senators Faber, Widener, Tavares.

Permitting the use of the Ohio Senate Chambers by the Ohio River Valley Junior State of America on April 26-27, 2014.

WHEREAS, The members of the Senate of the 130th General Assembly of Ohio are pleased to learn that the Ohio River Valley Junior State of America has requested permission to use the Ohio Senate Chambers and four committee rooms during its annual Spring State Convention, April 26-27, 2014; and

WHEREAS, A beneficial educational organization, the Ohio River Valley Junior State of America provides students with the opportunity to better appreciate and understand government and its components. The knowledge

gained through this event will certainly be of value to participants in the years to come; and

WHEREAS, Utilizing the facilities that accommodate those involved in the state legislative process, the Ohio River Valley Junior State of America will effectively offer students an accurate depiction of state government and the manner in which legislation is processed; and

WHEREAS, Through participation in the Ohio River Valley Junior State of America's annual Spring State Convention, students will be better prepared to become productive members of our complex and ever-changing society. The maturity and experience participants will gain through their involvement in this program will not only enrich their total educational experience but also enable them to make better-informed decisions as they assume the responsibilities of adult citizenship; therefore be it

RESOLVED, That we, the members of the Senate of the 130th General Assembly of Ohio, in adopting this Resolution, grant the Ohio River Valley Junior State of America permission to use the Ohio Senate Chambers and four committee rooms for its 2014 Spring State Convention, contingent upon the availability of those facilities, and salute the participants as some of Ohio's finest young citizens; and be it further

RESOLVED, That the Clerk of the Senate transmit a duly authenticated copy of this Resolution to the Ohio River Valley Junior State of America.

The question being, "Shall the resolution, **S. R. No. 281**, be adopted?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Peterson	Sawyer	Schaffer	Schiavoni
Seitz	Skindell	Smith	Tavares
Turner	Uecker	Widener	Faber-32.

So the resolution was adopted.

The question being, "Shall the title be agreed to?"

Senator Tavares moved to amend the title as follows:

Add the names: "Bacon, Brown, Cafaro, Coley, Eklund, Gardner, LaRose, Manning, Obhof, Sawyer, Smith."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

COMMUNICATIONS FROM THE GOVERNOR

The President handed down the following messages from the Governor which were read by the Clerk:

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Craig W. Butler, from Pickaway County, Ohio, as Director of the Ohio Environmental Protection Agency for a term beginning February 21, 2014, and continuing at the pleasure of the Governor.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 21st day of February in the year of our Lord, two thousand and fourteen.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Lance D. Himes, from Franklin County, Ohio, as Interim Director of the Ohio Department of Health for a term beginning February 21, 2014, and continuing at the pleasure of the Governor.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 21st day of February in the year of our Lord, two thousand and fourteen.

[Seal]

John R. Kasich,
Governor.

Said appointments were referred to the Committee on Rules.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has agreed to

the report of the Committee of Conference on matters of difference between the two houses on:

Am. Sub. H. B. No. 416-Representatives Burkley, Hill - et al.

Attest: Bradley J. Young,
Clerk.

Message from the House of Representatives

Mr. President:

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

Am. H. C. R. No. 11 -Representative Stebelton - et al.

Attest: Bradley J. Young,
Clerk.

On the motion of Senator Widener, the Senate adjourned until Thursday, March 13, 2014 at 11:00 o'clock a.m.

Attest: VINCENT L. KEERAN,
Clerk.