



Legislative Update - February 2024

Prepared by DeLeone and Associates

Active Legislation

House Bill 24 - Representative Andrea White (R - Kettering)

Status: House Bill 24 is pending in the House Insurance Committee and received its fourth hearing on October 11, 2023. The committee accepted a substitute version of the bill. For information related to the changes included in the new version please follow this link.

Analysis: House Bill 24 requires health benefit plans and the Medicaid program to cover biomarker testing for specified purposes when need for the test is supported by medical and scientific evidence. The bill also requires that health benefit plans and the Medicaid program to ensure biomarker testing coverage in a manner that limits disruptions in care. Additionally, the bill requires that any appeal of a biomarker testing coverage determination be handled in accordance with the health plan issuer's appeal policy and any relevant provision of the laws governing insurance and Medicaid appeals.

Proponents: Academy of Medicine of Cleveland and Northern Ohio, American Cancer Society, Case Western Reserve School of Medicine, Ohio Life Sciences, OSU - James Cancer Center, Zangmeister Cancer Center, Nation Marrow Donor Program, Ohio Hematology Oncology Society, UC Health Cancer Center, Akron Children's Hospital, American College of Surgeons, American Academy of Pediatrics, Ohio State Medical Association, AdvaMed, Arthritis Foundation, Cleveland Clinic

Opponents: Ohio Association of Health Plans, NFIB Ohio

Interested Parties: N/A

House Bill 49 - Representatives Ron Ferguson (R - Wintersville) and Tim Barhorst (R - Fort Loraine)

Status: House Bill 49 received a full House floor vote on June 27 and passed with a 90-5 vote. Elements of this price transparency bill were included in the state operating budget. The bill has received two hearings in the Senate Small Business and Economic Opportunity Committee.

Analysis: House Bill 49 requires each hospital to maintain and make public a list of all standard charges for all hospital items or services and requires the hospital to maintain and make public a

consumer-friendly list of standard charges for the hospital's shoppable services. The bill also requires the Director of Health to monitor each hospital's compliance with the bill's requirements and in cases of noncompliance, to impose penalties, including fines. The legislation also prohibits a noncompliant hospital from taking a collection action against a patient for debts owed for hospital items or services provided during the period of noncompliance.

Proponents: America First Policy Institute, PatientRightsAdvocates.org, Universal Health Care Action Network of Ohio, Ohio Consumers for Health Coverage & Independent Women's Voice, NFIB Ohio, and Power to the Patients.

Opponents: N/A

Interested Parties: N/A

House Bill 73 - Representatives Jennifer Gross (R - West Chester) and Mike Loychik (R - Bazetta)

Status: House Bill 73 received a full House floor vote on June 21 and passed with a bipartisan vote of 75-17. The bill was referred to the Senate Health Committee on September 17th. Notably the bill was scheduled for a sponsor hearing in the Senate on January 31 but was pulled from the agenda.

Analysis: House Bill 73 authorizes a prescriber to issue for a patient a prescription for any drug, including an off-label drug - if the prescriber has obtained the patient's informed consent. The bill also prohibits disciplinary action against a licensed health care professional for expressing a medical opinion that does not align with those of the licensing board, a local board of health, or the Ohio Department of Health.

Proponents: Front Line COVID-19 Critical Care Alliance, Ohio Advocates for Medical Freedom, Listen Adult and Pediatric Services, Ohio State Medical Association, Tree of Life Health Services, various medical professionals

Opponents: Ohio Pharmacists Association, Ohio Hospital Association, Ohio Council of Retail Merchants

Interested Parties: N/A

House Bill 92 - Representatives Tom Young (R -Washington Twp.) and Nick Santucci (R - Howland Twp.)

Status: House Bill 92 received sponsor testimony on May 3 in House Health Public Health Policy Committee.

Analysis: House Bill 92 establishes the Canadian Prescription Drug Importation Program.

Proponents: N/A

Opponents: N/A

Interested Parties: N/A

House Bill 99 - Representative Susan Manchester (R - Waynesfield)

Status: House Bill 99 is pending in House Insurance Committee received its fourth hearing on September 20, 2023.

Analysis: House Bill 99 seeks to regulate the practice of reducing benefits related to emergency services if a condition is determined, after the fact, to not be an emergency.

Proponents: American College of Emergency Physicians - Ohio Chapter, US Acute Care Solutions, Cleveland Clinic, Ohio State Medical Association, Ohio Fire Chiefs Association, Ohio Hospital Association, The MetroHealth System

Opponents: Ohio Association of Health Plans, NFIB Ohio, America's Health Insurance Plans

Interested Parties: N/A

House Bill 130 - Representative Kevin Miller (R - Newark)

Status: House Bill 130 received a third hearing on February 7 in the House Insurance Committee where a substitute bill was accepted.

Analysis: House Bill 130 proposes an exemption to prior authorization requirements and requires health plans to make prior authorization requirements available on its website.

Proponents: Various provider groups including the Ohio State Medical Association, hospital systems, medical schools, and various patient advocacy groups

Opponents: N/A

Interested Parties: N/A

House Bill 142 - Representatives Bob Young (R - Green) and Tom Young (R - Washington Township)

Status: House Bill 142 received sponsor testimony on May 3 in the House Insurance Committee.

Analysis: House Bill 142 seeks to require health plan issuers and the Medicaid program to cover treatments and services related to Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections and Pediatric Acute-onset Neuropsychiatric Syndrome.

Proponents: N/A

Opponents: N/A

Interested Parties: N/A

House Bill 152 - Representatives Casey Weinstein (D - Hudson) and Bob Young (R - Green)

Status: House Bill 152 received a full House floor vote on June 21 and passed with a 86-8 vote. The bill is pending in the Senate Insurance Committee.

Analysis: House Bill 152 seeks to require health plans to cover hearing aids for those 21 and younger.

Proponents: Various provider groups including the Ohio State Medical Association, hospital systems, medical schools, and various patient advocacy groups

Opponents: N/A

Interested Parties: NFIB Ohio

House Bill 156 - Representatives Gayle Manning (R - North Ridgeville) and Scott Oelslager (R - Canton)

Status: House Bill 156 received sponsor and proponent testimony on December 6, 2023.

Analysis: House Bill 156 seeks to amend the law related to physician-administered drugs (white bagging)

Proponents: UC Health, OSU Wexner Medical Center, Ohio Hematology, MetroHealth System, Nationwide Children's Hospital, Ohio State Medical Association, Akron Children's Hospital, The Association for Clinical Oncology, Cleveland Clinic, The Ohio Society of Health-System Pharmacy and US Oncology Network/Oncology Hematology Care

Opponents: N/A

Interested Parties: N/A

House Bill 160 - Representatives Nick Santucci (R - Howland Township)

Status: House Bill 160 received its third hearing in the House Insurance Committee on February 7.

Analysis: House Bill 160 seeks to amend laws regarding limitations imposed by health insurers on dental care. The bill is a companion bill to Senate Bill 115.

Proponents: Ohio Dental Association and MetroHealth System

Opponents: Delta Dental of Ohio, AFLAC, Union Benefits Trust, Ohio Association of Health Plans, American Council of Life Insurers, National Association of Dental Plans, Americas Health Insurance Plans, Westfield

House Bill 174 - Representatives Michelle Grim (D - Toledo) and Michael Skindell (D - Lakewood)

Status: House Bill 174 is pending in House Insurance Committee and received sponsor testimony on September 20.

Analysis: House Bill 174 establishes the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents.

Proponents: N/A

Opponents: N/A

House Bill 177 - Representatives Susan Manchester (R - Waynesfield)

Status: The Ohio House Public Health Policy Committee favorably reported House Bill 177 by a 12-0 vote on November 16, 2023.

Analysis: House Bill 177 seeks to prohibit certain health insurance cost-sharing practices. Also known as the co-pay accumulator bill, this is a reintroduced version of [HB135](#) from the 134th General Assembly.

Proponents: Zangmeister Cancer Center, National Psoriasis Foundation, Arthritis Foundation State Advocacy Committee, American Diabetes Association, Aired Alliance, American Cancer Society Action Network, Academy of Medicine of Cleveland and Northern Ohio, Ohio Chapter of the American Academy of Pediatrics, Lupus and Allied Diseases Association, Ohio Life Sciences, Infusion Access Foundation, Cystic Fibrosis Foundation, Ohio Hematology Oncology Society, Association for Clinical Oncology, The ALS Association, Ohio State Medical Association, National MS Society, American College of Surgeons, Ohio Psychiatric Physicians Association, Ohio Dermatological Association, Little Hercules Foundation, and various other advocacy coalitions

Opponents: America's Health Insurance Plans, Pharmaceutical Care Management Association, Ohio Employers Against Health Care Hikes, and Ohio Association of Health Plans

House Bill 291 - Representatives Sara Carruthers (R - Hamilton) and Beth Liston (D - Dublin)

Status: House Bill 291 is pending in the House Insurance Committee and received its third hearing on February 7 where the bill was amended.

Analysis: House Bill 291 amends the law regarding prescription drugs and medication switching.

Proponents: Ohio State Medical Association, Ohio Chapter, American College of Surgeons, American Diabetes Association, Ohio Dermatological Association, Ohio Psychiatric Physicians Association, Little Hercules Foundation, American Cancer Society Cancer Action Network, Ohio Bleeding Disorders Council, Ohio Chapter of American Academy of Pediatrics, Ohio Hematology Oncology Society, Ohio Association of Rheumatology

House Bill 359 - Representative Tom Young (R - Washington Twp.)

Status: House Bill 359 is pending in the House Insurance Committee and received sponsor testimony on February 7.

Analysis: House Bill 359 requires health plan issuers and the Medicaid program to cover treatments and services related to Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections and Pediatric Acute-onset Neuropsychiatric Syndrome.

House Bill 384 - Representatives Thomas Hall (R - Middletown) and Munira Abdullahi (D - Columbus)

Status: House Bill 384 is pending in the House Insurance Committee and is awaiting sponsor testimony. The bill is a companion bill to Senate Bill 61.

Analysis: House Bill 384 prohibits a health plan issuer from imposing - on a prescription insulin drug - cost sharing in an amount that exceeds \$35 for a 30-day supply.

House Bill 400 - Representatives Jamie Callender (R - Concord) and Bride Sweeney (D - Westlake)

Status: House Bill 400 is pending in the House Insurance Committee and is awaiting sponsor testimony.

Analysis: House Bill 400 provide Medigap policies for Medicare-eligible individuals under the age of 65.

Senate Bill 9 - Senators Kirk Schuring (R - Canton) and Stephen Huffman (R - Tipp City)

Status: Senate Bill 9 is pending in the Senate General Government Committee and received its seventh hearing on May 16.

Analysis: Senate Bill 9 is the reintroduced version of last General Assembly's SB133 which made several updates to Ohio's medical marijuana program.

Proponents: One Bond Laboratories, Cannabis Safety First, MedicateOH,

Opponents: Various medical marijuana cultivators, Prevention Action Alliance, Center for Christian Virtue, Ohio Prosecuting Attorneys Association

Interested Parties: Various medical marijuana operators

Senate Bill 115 - Senator Kirk Schuring (R - Canton)

Status: Senate Bill 115 was reported out of the Senate Insurance committee by a 9-3 vote and voted out of the Senate by a 22-8 vote on November 15. Senate Bill 115 is the companion bill to House Bill 160. NABIP Ohio submitted a letter to the Senate sponsor and House Insurance Committee leadership highlighting the organization's position.

Analysis: Senate Bill 115 seeks to amend laws regarding limitations imposed by health insurers on dental care.

Proponents: Ohio Dental Association, various dentists, MetroHealth, Union Benefits Trust, National Association of Dental Plans, American Council of Life Insurers, and Westfield

Opponents: Delta Dental of Ohio, Ohio Association of Health Plans, Union Benefits Trust, National Association of Dental Plans, America's Health Insurance Plans, American Council of Life Insurers, Westfield

Senate Bill 175 - Senator George Lang (R - West Chester)

Status: Senate Bill 175 received sponsor testimony on December 6, 2023.

Analysis: The bill amends several sections of the Ohio Revised Code regarding insurance regulations and taxes.

Proponents: N/A

Opponents: N/A

Senate Bill 177 - Senators Bill DeMora (R - Columbus) and Paula Hicks-Hudson (D - Toledo)

Status: Senate Bill 177 is pending in the Senate Insurance Committee.

Analysis: Senate Bill 177 establishes the Ohio Health Care Plan to provide universal health care coverage to all Ohio residents.

Proponents: N/A

Opponents: N/A

Enacted Legislation

House Bill 33 - Representative Jay Edwards (R - Athens)

Status: House Bill 33 was signed by Governor DeWine on July 3.

Analysis: House Bill 33 establishes state operating appropriations for fiscal years 2024-2025. Notably, the House included elements of HB675 from the previous General Assembly in the substitute bill. The amendment was ultimately removed from the bill.

Inactive Legislation - Continuous Monitoring

Senate Bill 61 - Senators Hearcel Craig (D - Columbus) and Nathan Manning (R - North Ridgeville)

Status: Senate Bill 61 is pending in the Senate Health Committee and received sponsor testimony on March 8.

Analysis: Senate Bill 61 prohibits a health plan issuer from imposing – on a prescription insulin drug – cost sharing in an amount that exceeds \$35 for a 30-day supply.

Proponents: N/A

Opponents: N/A

Interested Parties: N/A