



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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Sub. H.B. 675*

132nd General Assembly

(As Reported by H. State and Local Government)

Rep. Barnes

BILL SUMMARY

- Authorizes municipal corporations and counties to establish local Hope for a Smile programs to improve the oral health primarily of school-age children.
- Provides that the programs will be funded by new and existing property tax levies, grants, donations, awards, and reimbursement from Medicaid and private insurance companies.
- Specifies that the funding would be used to purchase and operate mobile dental care units used to serve children and elderly persons.
- Allows for collaboration with dental associations and institutions of higher education in operating the program.
- Requires annual progress reports be submitted to the Governor and the General Assembly.

CONTENT AND OPERATION

Hope for a Smile program

The bill authorizes municipal corporations and counties to establish local Hope for a Smile programs. (See **COMMENT.**) The objective of a Hope for a Smile program is to improve the oral health of school-age children – particularly children who are indigent and uninsured. The bill states that such programs may be designed to create systemic efficiencies by improving health outcomes and thereby minimize the extent to

* This analysis was prepared before the report of the House State and Local Government Committee appeared in the House Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

which health care costs resulting from poor oral health will be borne by the public in the future.¹

Funding

Hope for a Smile programs could be funded through property taxes, donations, grants, or awards, and by Medicaid and insurance reimbursement to the extent so reimbursable. The bill authorizes a county or municipal corporation to allocate revenue from a new or existing health or human services property tax levy to its Hope for a Smile program. Under continuing law, health and human services levies are subject to voter approval.²

In addition, the bill authorizes a municipal corporation to levy or allocate unvoted inside millage in an amount not exceeding one mill per dollar of taxable value (0.1%) specifically for the purpose of funding a local Hope for a Smile program.³ The ability of a municipality to levy additional unvoted property taxes would depend on whether there is available millage within the ten-mill limitation or under the municipal charter (if the municipality has a charter). Under the Ohio Constitution as implemented in statute, a property tax may not be levied if the tax would increase the total unvoted millage levied by all taxing subdivisions above ten mills per dollar of taxable value (1%) in any area of the municipality unless that tax is approved by voters or a municipal charter authorizes additional unvoted millage. The bill does not authorize unvoted property taxes in excess of the ten-mill limitation.⁴

In addition to or as alternative to tax funding, a municipal corporation or county could seek Medicaid payment for services provided to persons who are Medicaid recipients and payment from private insurance companies for services provided to persons covered by their policies. Accordingly, the municipal corporation or county may apply on the program's behalf to the Department of Medicaid for a Medicaid provider agreement. The bill requires the Director of Health to assist in facilitating such arrangements. A municipal corporation or county also may apply for workforce development or economic development funding from the U.S. Department of Labor.⁵

¹ R.C. 307.601(A) and 749.40(A).

² R.C. 307.601(B) and 749.40(B)(2).

³ R.C. 749.40(B)(1) and 5705.06(H).

⁴ See Ohio Constitution, Article XII, section 2, and R.C. 5705.02.

⁵ R.C. 307.601(E) and 749.40(E).



Revenue raised for a Hope for a Smile program would have to be deposited to a special fund created for the program and used to acquire, maintain, and operate mobile dental care units.⁶

Mobile dental care units

The mobile dental care units would be staffed by dentists or dental hygienists or by the faculty and staff of dental and dental hygiene programs at higher education institutions in Ohio. Students enrolled in those educational programs also may participate in staffing the units. The units would travel to schools located in the county or municipal corporation and provide dental services to students. When scheduling visits to the schools, priority must be given to schools attended by high numbers of children who are indigent and uninsured. However, the program may also serve other children and elderly persons. Services provided by the mobile dental care units would be subject to the law governing dentists and dental hygienists, which is administered by the Ohio State Dental Board (R.C. Chapter 4715.).⁷

Collaboration

The bill expressly allows a municipal corporation or county operating a Hope for a Smile program to collaborate with any of the following entities:

- The Ohio Dental Association;
- The Ohio Dental Hygienists' Association;
- The Ohio State University College of Dentistry and the dental hygiene program at the College;
- Case Western Reserve University School of Dental Medicine;
- Shawnee State University;
- James A. Rhodes State College;
- Columbus State Community College;
- Cuyahoga Community College, Metropolitan Campus;
- Youngstown State University;

⁶ R.C. 307.601(D) and 749.40(D).

⁷ R.C. 307.601(D) and 749.40(D).



- Lorain County Community College;
- Lakeland Community College;
- University of Cincinnati;
- Sinclair Community College;
- Owens Community College; and
- Stark State College.⁸

Reporting requirement

The bill requires municipal corporations and counties that operate a Hope for a Smile program to prepare annual reports on the progress the program has made in achieving its objective, saving money for the Medicaid program and other social welfare programs, and promoting workforce and economic development. The reports must be submitted to the Governor and the General Assembly by July 1 each year.⁹

COMMENT

Municipal corporations have home rule powers granted to them in Article XVIII of the Ohio Constitution that do not depend on state law. These powers include the power of local self-government, the exercise of police powers, and the ownership and operation of public utilities. Some of the authority that is expressly granted by the bill might qualify as a lawful exercise of a home rule power, meaning that it could be undertaken independently of the bill's express grant of authority.

HISTORY

ACTION	DATE
Introduced	05-22-18
Reported, H. State and Local Government	---

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⁸ R.C. 307.601(C) and 749.40(C).

⁹ R.C. 307.601(F) and 749.40(F).

