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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 59
(1_136_0307-2)
136th General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 59's Bill Analysis](#)

Version: In House General Government

Primary Sponsors: Reps. Fowler Arthur and Hiner

Local Impact Statement Procedure Required: No

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Highlights

- The State Medical Board will realize a loss of revenue due to the bill's fee reductions for specified practitioners. Using FY 2024 and FY 2025 licensing numbers, the loss would have been about \$4.2 million and \$3.7 million, respectively. Revenues are deposited into the State Medical Board Operating Fund (Fund 5C60).
- The Ohio Department of Health (ODH) will realize a decrease in revenue totaling approximately \$594,000 over the biennial renewal cycle related to the bill's licensure eliminations for radon testers and radon mitigation contractors, as well as the bill's fee reductions for radon mitigation specialist licenses and various lead abatement licenses. Losses will be realized in ODH's General Operations Fund (Fund 4700).
- Costs to ODH related to license issuance for the eliminated licenses will no longer be realized. ODH expends funds for these programs from Fund 4700, the GRF, and some federal funds. According to ODH, about 2.65 full-time equivalent positions could be impacted by these license eliminations.
- The Department of Commerce (COM) will incur a loss of about \$50,000 over three fiscal years in home inspector licensing revenue deposited into the Division of Real Estate Operating Fund (Fund 5490). This is because the bill lowers the initial license and renewal fee that the Home Inspector Board charges for a triennial home inspector license from the current \$235 to a maximum of \$200.
- The Ohio Department of Natural Resources (ODNR) will incur negligible lost revenue (approximately \$7,000 annually) from the bill's reduction of fees assessed for certain wildlife-related licenses. Wildlife-related fees are deposited to the credit of the Wildlife Fund (Fund 7015).

Detailed Analysis

The bill makes a variety of changes to credentialing and licensing functions housed within the State Medical Board, the Ohio Department of Health, the Department of Commerce, the Department of Natural Resources, the State Board of Education, as well as the Ohio Athletic Commission. The bill also expands the scope of the Legislative Service Commission's biennial Occupational Regulation Report. The potential fiscal effects of these changes on the affected state agencies, boards, and commissions are described under the sections below.

State Medical Board

The bill reduces licensure fee amounts for several practitioners regulated by the State Medical Board. These changes are summarized in the table below. In addition to these changes, the bill also specifies that for the special activity certificate, the applicant must pay only if the applicant expects to be compensated for practicing in conjunction with the special activity, event, or program for which a certificate is issued. It limits the number of times a certificate may be issued to 12 times within a consecutive two-year period. Currently, the limit is six times within this same timeframe.

Table 1. State Medical Board Licensing Fee Changes in H.B. 59		
License Type	Current Amount	New Amount
Conceded Eminence (Initial and Renewal)	\$1,000	\$300
Dietitian Initial	\$225	\$95
Dietitian Renewal	\$180	\$95
Dietitian Limited Permit (Initial and Renewal)	\$65	\$50
Physician Assistant Initial	\$400	\$100
Physician Assistant Renewal	\$200	\$100
Physicians (Initial and Renewal)	\$305	\$200
Radiologist Assistants	\$200	\$100
Special Activity Certificate	\$125	\$75

As a result of these changes, the State Medical Board will experience a reduction in fee revenue. Using FY 2024 and FY 2025 licensing numbers, the new licensing fees would have resulted in a loss of \$4.2 million in FY 2024 and \$3.7 million in FY 2025, for a total decrease in revenue of \$7.9 million over the biennium. The table below compares the current fee revenue for FY 2024 and FY 2025 to the revenue that would be generated due to the H.B. 59 changes for impacted fees only – the Board's licenses that are not changed are not in the table.

Table 2. Comparison of Medical Board Licensing Fee Revenue for Impacted Licenses (Initial and Renewal Fees)				
License type	FY 2024		FY 2025	
	Current Revenue	H.B. 59 Revenue	Current Revenue	H.B. 59 Revenue
Conceded Eminence	\$25,000	\$7,500	\$31,000	\$9,300
Dietitian	\$758,655	\$390,925	\$240,120	\$77,275
Dietitian Limited Permit	\$2,210	\$1,700	\$3,055	\$2,350
Physician Assistant	\$1,175,600	\$505,800	\$473,800	\$100,983
Physician*	\$8,642,405	\$5,492,040	\$8,533,935	\$5,425,200
Radiologist Assistant	\$2,800	\$1,400	\$1,400	\$700
Special Activity Certificate	\$625	\$375	\$250	\$150
Total	\$10,607,295	\$6,399,740	\$9,283,560	\$5,615,958
Difference	-\$4,207,555		-\$3,667,602	

*\$20 of the renewal fee for physicians goes into the Physician Loan Repayment Program, which is administered by ODH. These amounts are not included in the table above.

In total, the State Medical Board licenses over 103,000 practitioners. About \$13.5 million in total revenues were collected in FY 2024 and \$11.8 million in FY 2025. Expenditures were about \$12.4 million in FY 2024 and \$12.8 million in FY 2025.

Ohio Department of Health

The bill makes changes regarding various occupational licenses regulated by the Ohio Department of Health (ODH), including license eliminations and several fee reductions. The table below provides a breakdown of the current fee, proposed fee in H.B. 59, and the potential revenue loss to ODH for each. The renewal cycle for each of these licenses is biennial. Losses will be realized in ODH's General Operations Fund (Fund 4700). While the bill eliminates radon tester and radon mitigation contractor licenses by December 31, 2026, it allows anyone holding a license to maintain and renew the license until that date. Additionally, while the bill eliminates the ODH certificate for radiation experts, the bill requires individuals engaged in the profession to hold a valid, unexpired national certification.

Table 3. ODH License Fee Changes in H.B. 59

License	Current Fee*	Proposed Fee*	Potential Biennial Revenue Loss
Radon tester	\$400	License eliminated	\$190,400
Radon mitigation contractor**	\$800	License eliminated	\$44,800
Radon mitigation specialist	\$600	\$200	\$80,800
Radiation experts	\$100	License eliminated	\$36,400
Lead inspector	\$250	\$200	\$800
Lead risk assessor	\$250	\$200	\$31,850
Lead abatement contractor	\$500	\$250	\$195,500
Lead abatement project designer	\$500	\$250	\$750
Clearance technician	\$250	\$150	\$12,800
Total			\$594,100

*Initial and renewal fees are the same.

**Only certain radon mitigation contractor licensees are required to pay the \$800 fee. The total number of licensees is 134.

Eliminating the specified fees in the table above would result in a loss of revenue. However, there would also be an elimination of administrative costs to issue these licenses and certificates. According to ODH, there are 2.65 full-time equivalent positions in the radon program that could be impacted by the bill's provisions.

Environmental health specialist requirements

The bill modifies certain educational and employment requirements that an applicant must meet to apply to register as an environmental health specialist (EHS). Some of these provisions decrease the amount of time that an EHS must work full time as an EHS prior to applying for registration, depending on their qualifications. This could result in registrations occurring sooner than currently allowed, which would impact the timing of ODH's program costs and revenues. The bill also increases the amount of time, from four years to five years, within which an EHS in training must register as an EHS. This could allow an EHS in training to continue as such for an additional year before seeking licensure as a registered EHS. The renewal fee for an EHS in training is \$35 and the application for registration as an EHS is \$50.

Radiation

Continuing law requires hospitals to develop a quality assurance program for all sources of radiation-generating equipment. A radiation expert must conduct oversight and maintenance of a hospital's quality assurance program. The bill requires a hospital to designate the radiation expert who will oversee the hospital's program and maintain a record of that designation.

Ohio Athletic Commission

This bill codifies the existing practice of licensing tough persons competitions as mixed martial arts events. Consequently, there is no fiscal effect related to this change. Additionally, the bill reduces the fee for the biennial athlete agent registration from \$500 to \$400. Based on the 65 such registrations overseen by the Ohio Athletic Commission, this change will result in a loss of about \$6,500 every two years for the Occupational Licensing and Regulatory Fund (Fund 4K90).

Department of Commerce – Home Inspector Board

This bill reduces the maximum fee the Ohio Home Inspector Board may assess for both initial and renewals of home inspector licenses and any applicable special assessments from \$250 to \$200. The current license fee is \$235 for each license. Currently, there are approximately 1,415 licensed home inspectors, which would therefore result in a revenue loss of approximately \$50,000 to the Real Estate Operating Fund (Fund 5490) every three fiscal years. The bill also modifies the continuing education requirements for home inspectors by requiring that home inspectors complete 42 hours of continuing education each three years rather than 14 hours each year. There is no apparent fiscal impact related to this change.

Ohio Department of Natural Resources (ODNR)

The bill lowers several license and permit fees issued by the Division of Wildlife and would result in a negligible loss of revenue credited to the Wildlife Fund (Fund 7015). Specifically, it reduces the annual fee for a fish wholesaler permit from \$65 to \$50, the fee for a commercial bird shooting preserve license from \$200 to \$150, and the wild animal hunting preserve license fees from \$1,000 to \$300 for an initial license and from \$200 to \$150 for annual renewal. According to ODNR, taken together these changes would result in lost revenue totaling approximately \$7,000 annually.

Two additional changes made by the bill would have little or no net fiscal effect. It eliminates two certification requirements; one administered by the Division of Wildlife and the other by the Division of Mineral Resources Management. First the bill eliminates the certificate for employees of commercial nuisance wild animal control operators. Under the bill these employees would be authorized to trap nuisance wild animals under their employer's certificate. Under current law there is no fee for this certification. The bill also eliminates the mine foreperson of nongaseous mines certification and accompanying examination. According to ODNR, this certificate is obsolete and no longer issued.

State Board of Education

Professional administrator license fee for Bright New Leaders Program participants

Under current law, the State Board of Education establishes educator license fees sufficient to cover its estimated operating expenses. The fees are deposited into Fund 4K90. The bill sets a statutory fee of \$150 to obtain or renew a professional administrator license for individuals who complete the Bright New Leaders for Ohio Schools Program, which provides an alternative pathway for individuals to receive training and licensure in K-12 education administration and places those individuals in public schools that struggle with low achievement.

The bill's statutory fee is \$50 lower than the standard \$200 fee the State Board currently charges for the professional administrator license, which must be renewed every five years. The State Board does not track how many individuals have received professional administrator licenses following completion of the Bright New Leaders for Ohio Schools Program. However, as points of reference, the program began in 2015 and the current cohort consists of 20 individuals. The revenue loss to Fund 4K90 is expected to be minimal due to the limited number of individuals likely to qualify for the reduced fee.

School counselor training in building and construction trades

The bill also revises the current law requirement for school counselors serving grades 7-12 to complete training in building and construction trades career pathways. Under continuing law, the Affiliated Construction Trades Ohio Foundation (ACT Ohio) provides and bears all costs of the training program. In addition to some timing-related provisions, the bill introduces the option for a school counselor to complete certain workforce-related alternative training activities instead of repeating the training program offered by ACT Ohio. The provisions likely do not have a fiscal effect. However, there may be some additional workload for district and school local professional development committees to review completion of the alternative activities.

E-Check rule rescission

The bill requires that, if the Director of the Ohio Environmental Protection Agency (Ohio EPA) discontinues the motor vehicle inspection and maintenance program (E-Check), the Director must immediately rescind any rule associated with the program, including rules that govern the certification of inspectors and repair technicians under the program.¹ Ohio EPA may realize additional work and related operating expenses to rescind rules as required by the bill including continuing law requirements for public notice and public hearings. These costs would be absorbed utilizing existing staff and appropriated resources.

LSC report

Under continuing law, the Legislative Service Commission (LSC) is required to publish a biennial report comparing one-third of the state's occupational regulations with the general state policy outlined by S.B. 255 of the 132nd General Assembly for the purpose of assisting the General Assembly in its review of the associated agencies and occupational licensing boards the following biennium. The bill expands, beginning with the 2027-2028 biennium, the scope of the report to include a number of factors that a standing committee of the General Assembly must consider when conducting its review of the board that regulates the occupation. Accordingly, the bill allows a standing committee tasked with the General Assembly's statutorily required review of occupational licensing boards to accept the report issued by LSC in the immediately preceding biennium in lieu of either receiving testimony from the board's chief executive officer or receiving a report from the board containing the information. It also requires the LSC Director, beginning with the 2027-2028 biennium, to require any department or board that regulates an occupation to provide the following information to be included in LSC's report: (1) quantitative data on

¹ Under continuing law, the Director is required to immediately discontinue the E-Check Program if the U.S. EPA determines that it is not necessary for Ohio or any area of Ohio to comply with the federal Clean Air Act.

several topics for the period since the occupation was last reported by the LSC Director, (2) an impact statement, including studies or data points, on any changes made to the occupation by the General Assembly for the period since the occupation was last reported by the LSC Director, and (3) additional documentation to support any response made to the LSC Director for inclusion in the report that is quantitative in nature, including responses related to fee structure and expenses of the agency or board. Altogether, these additional responsibilities can be absorbed by LSC's existing resources.