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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 59
(1_136_0307-4)
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 \$787,000 and \$385,000, 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 \$36,000 over the biennial renewal cycle related to the bill's certificate elimination for radiation experts. Losses will be realized in ODH's General Operations Fund (Fund 4700). However, costs related to the certificate issuance will no longer be realized.
- 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 bill places the Ohio Athletic Commission within the Department of Commerce. The Commission's operations would continue to be funded by license, registration, and other receipts deposited into the Occupational Licensing and Regulatory Fund (Fund 4K90).
- The Ohio Department of Natural Resources (ODNR) will likely incur losses totaling between \$20,000 and \$25,000 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
Dietitian Initial	\$225	\$95
Dietitian Renewal	\$180	\$95
Dietitian Limited Permit (Initial and Renewal)	\$65	\$50
Physician Assistant Initial	\$400	\$150
Physician Assistant Renewal	\$200	\$150
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 \$786,790 in FY 2024 and \$385,250 in FY 2025, for a total decrease in revenue of \$1.2 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
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	\$758,700	\$473,800	\$252,900
Radiologist Assistant	\$2,800	\$1,400	\$1,400	\$700
Special Activity Certificate	\$625	\$375	\$250	\$150
Total	\$1,939,890	\$1,153,100	\$718,625	\$333,375
Difference	-\$786,790		-\$385,250	

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

Radiation experts

The bill eliminates the certification for radiation experts. This will result in a loss of approximately \$36,400 in revenue over the biennial renewal cycle. Losses will be realized in ODH's General Operations Fund (Fund 4700). However, there would also be an elimination of administrative costs to issue these certificates. 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.

Additionally, 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.

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.

The bill further modifies the education requirements for environmental health specialist registration by removing the requirement that ODH approve required science courses. This may result in minimal administrative savings for ODH.

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).

The bill also places the Ohio Athletic Commission within the Department of Commerce. It requires the Director of Commerce to appoint an Administrator of Athletics, who would assume the responsibilities currently held by the Executive Director of the Commission. The bill additionally codifies the hearing and investigation process if the Commission believes that a license holder regulated by the Ohio Athletic Commission has violated the terms of the relevant license. While the bill moves the Commission into the Department of Commerce, all license, registration, and other fees would continue to be deposited into the Occupational Licensing and Regulatory Fund (Fund 4K90). This would remain as the funding source covering the Commission's operating expenses.

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 and the fee for a commercial bird shooting preserve license from \$200 to \$150. The bill also modifies the fee for a commercial nuisance wild animal control operator license from \$40 annually to \$25 triennially while simultaneously expanding the number of individuals that would require this license. Under current law only business, not their employees, obtain the nuisance wild animal operator license.

Under the bill, each employee would also need the license. Taken together these changes would result in lost revenue of between \$20,000 and \$25,000 annually.

Additional changes made by the bill would have little or no net fiscal effect. It eliminates the mine foreperson and foreperson of nongaseous mines certifications and accompanying examination and eliminates outdated references to certifications of and examinations for shot firers and fire bosses. According to ODNR, these certificates are 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

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.

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 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.

Synopsis of Fiscal Effect Changes

Ohio State Medical Board

The substitute bill (I_136_0307-4) removes provisions that would have reduced initial license and renewal fees for medical, osteopathic, and podiatric physicians from \$305 to \$200. Additionally, the substitute bill removes a provision that would have reduced the initial and renewal fee for the certificate of conceded eminence from \$1,000 to \$300. It also modifies the fee decrease for physician assistants. Currently, the fee for the initial license is \$400 and the fee for the renewal is \$200. The first substitute bill (I_136_0307-2) set both at \$100. This substitute bill (I_136_0307-4) set both at \$150. Using FY 2024 and FY 2025 license numbers, the estimated revenue loss in I_136_0307-2 would have been about \$4.2 million and \$3.7 million in FY 2024 and FY 2025, respectively. The estimated revenue loss in I_136_0307-4 is about \$787,000 and \$385,000.

Ohio Department of Health

L_136_0307-4 removes all provisions of the bill regarding radon testing and mitigation licenses, including provisions that would have done all of the following: (1) eliminated the radon tester and radon mitigation contractor licenses, and allowed an individual or business or government entity holding a license to maintain and renew the license until December 31, 2026, (2) allowed an individual licensed as a radon mitigation specialist to perform radon mitigation, and (3) reduced the initial license fee and renewal fee for a radon mitigation specialist license. These changes would have resulted in a loss of revenue of approximately \$316,000 over the

biennial renewal cycle. At the same time, administrative costs would have been reduced. ODH estimated that there are 2.65 full-time equivalent positions in the radon program that may have been impacted by the previous substitute bill's provisions. However, these changes are removed in the current substitute bill.

Additionally, the substitute bill removes language that would have reduced the initial license fees and renewal fees for lead inspector, lead risk assessor, lead abatement contractor, lead abatement project designer, and clearance technician licenses. These changes would have resulted in a loss of revenue of approximately \$242,000 over the biennial renewal cycle. This loss will no longer be realized in the current substitute bill.

Lastly, the substitute bill further modifies the education requirements for environmental health specialist registration by removing the requirement that ODH approve required science courses. This may result in minimal administrative savings for ODH.

Department of Natural Resources

L_136_0307-4 modifies the fee structure for commercial nuisance wildlife control operators by modifying the fee from \$40 annually to \$25 triennially while simultaneously expanding the requirement to obtain this license to both businesses and their employees. This change is likely to result in lost revenue deposited to Fund 7015 of between \$15,000 and \$20,000 per year. Taken together with the changes made in the previous version (L_136_0307-2) the lost revenue for Fund 7015 would likely be between \$20,000 and \$25,000 annually.

In addition to the elimination of certifications and examinations for mine forepersons of nongaseous mines included in L_136_0307-2, L_136_0307-4 also eliminates certifications and examinations for forepersons of nongaseous mines and eliminates outdated references to shot firers and fire bosses. These changes have no fiscal effect.

Finally, L_136_0307-4 restores the current law requirement for businesses and employees of commercial nuisance wildlife control operators to be certified and take an examination. There is no fiscal effect from this change.

Athletics Commission

L_136_0307-4 places the Ohio Athletic Commission under the administrative umbrella of the Department of Commerce. With this move, the Director of Commerce would have the authority to appoint an Administrator of Athletics to manage the Commission. All revenue collected by the Ohio Athletic Commission would continue to be deposited into the Occupational Licensing and Regulatory Fund (Fund 4K90) as under current law. Fund 4K90 would continue to be used to pay for the Commission's operating costs as under current law.