



# Ohio Legislative Service Commission

---

## Final Analysis

Kailey Henry

### **Am. H.B. 51**

131st General Assembly

(As Passed by the General Assembly)

*(For details of fiscal provisions of the act, see the LSC Budget in Detail, As Enacted (with FY 2015 Actual Expenditures); and the LSC Comparison Document, As Enacted; both of which are available online at [www.lsc.ohio.gov/fiscal/bwc-oic-131/bwc-oic-131.htm](http://www.lsc.ohio.gov/fiscal/bwc-oic-131/bwc-oic-131.htm))*

**Reps.** Hackett, Amstutz, Anielski, Antonio, Baker, Barnes, Bishoff, Blessing, Boose, Brown, Buchy, Burkley, Cupp, Derickson, Dever, Dovilla, Green, Grossman, Hall, Hambley, Henne, Kraus, Maag, McClain, Perales, Reineke, Retherford, Romanchuk, Schaffer, Sears, R. Smith, Terhar, Thompson, Rosenberger

**Sens.** Manning, Bacon, Hottinger, Uecker, Balderson, Eklund, Patton, Seitz, Thomas

**Effective date:** June 30, 2015; certain provisions effective September 29, 2015

---

## **ACT SUMMARY**

- Eliminates the ability of the Industrial Commission to enter into personal service contracts with attorneys to serve as temporary district or staff hearing officers during a hearing spike.
- Eliminates the requirement that the Industrial Commission prepare a monthly report regarding the use of temporary district or staff hearing officers under personal service contracts.

---

## **CONTENT AND OPERATION**

### **Hearing spike personal service contracts**

(R.C. 4121.351 (repealed))

The act eliminates the ability of the Industrial Commission to enter into personal service contracts with attorneys to serve as temporary district or staff hearing officers during a hearing spike. The act also eliminates the requirement that the Industrial Commission prepare monthly reports regarding the use of these temporary officers.

Under former law, a hearing spike occurred when the number of claims ready for hearing on the last day of any calendar month exceeded by 15% the largest number of claims heard by full-time district and staff hearing officers in any of the preceding 12 calendar months. A hearing spike could not occur for more than a total of six calendar months in any one calendar year. The Industrial Commission could enter into personal service contracts only after attempting to resolve the hearing spike by utilizing all full-time employees and Industrial Commission resources under the constraints of any collective bargaining agreement, including offering overtime to district and staff hearing officers. The Commission's authority to enter into additional personal service contracts ceased until the beginning of the next calendar year if the Industrial Commission reached its allotment of six calendar months during any calendar year. If any party to a hearing before a personal service contract attorney objected to a hearing before that attorney, the Industrial Commission had to immediately transfer that hearing to the available docket of an appropriate full-time district or staff hearing officer.

---

## HISTORY

ACTION	DATE
Introduced	02-10-15
Reported, H. Insurance	03-10-15
Re-referred to H. Finance	03-10-15
Re-reported, H. Finance	03-11-15
Passed House (96-0)	03-11-15
Reported, S. Transportation, Commerce and Labor	06-17-15
Passed Senate (32-0)	06-24-15

15-HB51-131.docx/emr

