



# Ohio Legislative Service Commission

## Bill Analysis

Nicholas A. Keller

### Am. H.B. 51

131st General Assembly

(As Reported by S. Transportation, Commerce and Labor)

(Excluding appropriations and similar provisions)

**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

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## BILL 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.

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## CONTENT AND OPERATION

### Hearing spike personal service contracts

(R.C. 4121.351 (repealed))

The bill 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 bill also eliminates the requirement that the Industrial Commission prepare monthly reports regarding the use of these temporary officers.

Under current law, a hearing spike occurs when the number of claims ready for hearing on the last day of any calendar month exceeds 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 cannot occur for more than a total of six calendar

months in any one calendar year. The Industrial Commission may enter into these personal service contracts only after attempting to resolve the hearing spike by utilizing all current full-time employees and Industrial Commission resources under the constraints of any current collective bargaining agreement, including offering overtime to current district and staff hearing officers. The Commission's authority to enter into additional personal service contracts ceases until the beginning of the next calendar year if the Industrial Commission reaches its allotment of six calendar months during any calendar year. If any party to a hearing before a personal service contract attorney objects to a hearing before that attorney, the Industrial Commission must immediately transfer that hearing to the available docket of an appropriate full-time district or staff hearing officer.

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## 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

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