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H.B. 673
133rd General Assembly

Bill Analysis

Version: As Introduced

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SUMMARY

Higher education grant program

- Requires the Chancellor of Higher Education to establish a program to provide grants to eligible institutions to expedite and increase the offering of coursework that leads to healthcare-related credentialing.

Educator preparation program make up hours and weeks

- Requires each educator preparation program to develop and implement a plan to provide its students with alternative experiences in the 2020-2021 academic year to make up hours or weeks of clinical experiences missed due to school closure or limited hours because of COVID-19.
- Requires the Department of Higher Education and Department of Education to consider a student who successfully completes make-up hours or weeks using alternative experiences eligible for licensure and endorsement recommendations in the same manner as a student who completes clinical experiences.

Location of hair-related services

- Prohibits the State Cosmetology and Barber Board from requiring an individual who holds a license issued by the Board to provide hair-related services to obtain an additional license or permit to provide those services on premises other than a fixed location.

Temporary nursing licenses without examination

- Continues the suspension of the requirement that an applicant pass a licensure examination to receive a license to practice as a registered nurse or licensed practical nurse until July 1, 2021.
- Specifies that a nursing license issued without examination is valid until July 1, 2021.
- Requires the Nursing Board to count hours worked under a temporary license issued without examination towards any clinical experience that must be completed before a nurse is eligible to take the licensure examination (when the temporary license expires).

Pharmacist administration of COVID-19 immunization and tests

- Authorizes a pharmacist or pharmacy intern to administer immunizations for COVID-19 to individuals seven and older.
- Authorizes a pharmacist to administer diagnostic tests for COVID-19 and COVID-19 antibodies.

Continuing education requirement suspension

- Suspends any requirement that a person must complete continuing education to maintain or renew an occupational license beginning on the bill's effective date and ending on December 1, 2020.
- Specifies that the suspension does not apply if the laws governing the applicable occupational license allow a person to complete continuing education through distance education.

Effective date

- Declares an emergency.

DETAILED ANALYSIS

Higher education grant program

The bill requires the Chancellor of Higher Education to establish a program to provide grants to state institutions of higher education and private nonprofit colleges and universities to expedite and increase the offering of coursework leading to healthcare-related credentialing. It expressly includes credentials for nurses, social workers, technicians, or "other appropriate professions." The bill specifies that the Chancellor must develop guidelines and procedures for the program, including an application process and award criteria.¹

The bill does not appropriate funds for the program.

¹ Section 5.

Educator preparation program make up hours and weeks

The bill requires each educator preparation program to develop and implement a plan to provide its students with alternative experiences, assignments, or instruction in the 2020-2021 academic year to make up any hours or weeks of clinical experiences missed due to school closure or limited hours because of COVID-19. These alternatives must allow students to demonstrate mastery of the expected outcomes of clinical experiences. They may include:

1. Virtual learning;
2. Designing lessons and units of instruction;
3. Selecting and implementing instructional strategies;
4. Teaching lessons and content;
5. Assessing learning to evaluate student progress and inform instructional decisions;
6. Creating a supportive learning environment;
7. Managing the classroom effectively; and
8. Other appropriate activities.

The bill requires the Department of Higher Education and the Department of Education to consider a student who successfully completes make-up hours or weeks using these alternatives eligible for licensure and endorsement recommendations in the same manner as a student who completes clinical experiences.²

Background

Approval of educator preparation programs

Continuing law requires the Chancellor of Higher Education and Superintendent of Public Instruction to establish metrics for the preparation of educators and other school personnel, which must be aligned with the standards for educator licenses adopted by the State Board of Education. The Chancellor must approve institutions of higher education engaged in the preparation of educators and other school personnel that the Chancellor determines maintain satisfactory training procedures and records of performance.³

Administrative rules regarding clinical experiences

Under the Chancellor's rules, an educator preparation program must be designed to include a minimum of 100 clock hours of field experience prior to student teaching and a minimum of 12 weeks of student teaching for initial teacher licensure. Additionally, an educator

² Section 6.

³ R.C. 3333.048, not in the bill.

preparation program must include a minimum of 50 clock hours of field experiences for each endorsement and each additional licensure area beyond the candidate's initial license.⁴

Educator preparation programs and COVID-19 guidance

The Department of Higher Education issued guidance to educator preparation programs in March 2020 regarding students who were at risk of not meeting clinical experience requirements due to efforts to curb the spread of COVID-19. That guidance, which only applies to the spring and summer terms of 2020, indicates that the Department is providing programs with flexibility regarding the number of hours or weeks that students must complete. It also specifies that the programs may provide students with alternative experiences, assignments, or instruction to allow students to demonstrate mastery of expected outcomes as an alternative to traditional experiences. Students who successfully complete the alternative experiences will be eligible for licensure and endorsement recommendations.⁵

Location of hair-related services

The bill prohibits the State Cosmetology and Barber Board from requiring an individual who holds a license issued by the Board to provide hair-related services to obtain an additional license or permit to provide those services on premises other than a fixed location. This provision applies regardless of any provision of the Barber Law or the Cosmetology Law⁶ to the contrary.⁷

Current law generally requires individuals licensed by the Board to perform services in a licensed facility. An administrative rule allows the Board to issue a temporary event salon license to a licensee who wishes to provide services on premises other than a fixed location. The rule requires an applicant for this license to complete an application for each temporary event, pay an application fee of \$10, and affirm that the salon premise for the temporary event will meet the conditions for a salon license under current law.⁸

Temporary nursing licenses without examination

H.B. 197 of the 133rd General Assembly temporarily suspended the requirement that an applicant pass a licensure examination accepted by the State Board of Nursing to receive a license to practice as a registered nurse or licensed practical nurse. The bill changes the duration of the suspension, making it effective during the period beginning on the date the emergency declared by Executive Order 2020-01D was issued, March 9, 2020, and ending on July 1, 2021, rather than during the emergency declared by Executive Order 2020-01D as under current law.

⁴ Ohio Administrative Code (O.A.C.) 3333-1-05(C).

⁵ <https://www.ohiohighered.org/educator-preparation/covid-19-guidance>.

⁶ R.C. Chapters 4709 and 4713.

⁷ R.C. 4713.351.

⁸ R.C. 4709.02, 4713.14, and 4713.35, not in the bill; O.A.C. 4713-8-09.

The bill specifies that a nursing license issued without examination is valid until July 1, 2021. Currently, under H.B. 197, a nursing license issued without examination is valid until whichever of the following occurs first: (1) March 1, 2021 (90 days after December 1, 2020) or (2) the date that is 90 days after the duration of the COVID-19 emergency period.⁹

The bill requires the Nursing Board to recognize any hours a nurse works under a temporary license issued without examination and count those hours towards any outstanding clinical experience that must be completed before the nurse is eligible to take the examination (at the time when the temporary license is no longer valid and the examination requirement is no longer suspended).¹⁰

Pharmacist administration of COVID-19 immunizations and tests

Subject to the same requirements and limitations as in current law for the administration of flu shots, the bill authorizes a pharmacist or pharmacy intern to administer immunizations for COVID-19, if any, to individuals seven and older. Some of the requirements in current law that apply through the bill to pharmacist and pharmacy intern administration of COVID-19 immunizations include (1) completing a course in the administration of immunizations, (2) maintaining CPR certification, and (3) practicing in accordance with a physician-established protocol.¹¹

In addition to authorizing the administration of COVID-19 immunizations, the bill authorizes a pharmacist to administer diagnostic tests for COVID-19 and tests for COVID-19 antibodies.¹²

Continuing education requirement suspension

The bill suspends any requirement that a person must complete continuing education to maintain or renew an occupational license beginning on the bill's effective date and ending on December 1, 2020. The provision applies notwithstanding any law to the contrary. However, the suspension does not apply if the laws governing the applicable occupational license allow a person to complete continuing education through distance education.

For purposes of this provision:

- "Occupational license" means any license, certificate, permit, or other authorization issued by a state agency that allows the holder to practice a job or profession.

⁹ Section 30 of H.B. 197 of the 133rd General Assembly and Sections 2, 3, and 4.

¹⁰ Section 3.

¹¹ R.C. 4729.41.

¹² R.C. 4729.42.

“Occupational license” does not include a license issued pursuant to rules of the Supreme Court of Ohio governing admission to the practice of law.¹³

- “Distance education” means continuing education courses in which instruction is accomplished through the use of interactive, electronic media and where the teacher and student are separated by distance or time, or both.¹⁴

Effective date

The bill declares an emergency by stating its provisions are necessary because immediate action is crucial to protecting the public health during an outbreak of COVID-19. If passed as an emergency law, the bill would take effect immediately following the Governor’s signature.¹⁵

HISTORY

Action	Date
Introduced	05-26-20

H0673-I-133/ec

¹³ Ohio Constitution, Article IV, Section 5.

¹⁴ Section 7.

¹⁵ Section 9.