

Columbus Office

Vern Riffe Center  
77 S. High Street  
13th Floor  
Columbus, Ohio 43215-6111  
(614) 752-2438  
[Rep48@ohiohouse.gov](mailto:Rep48@ohiohouse.gov)



Committees

Finance, Chairman  
Controlling Board

48th House District

Stark County

**Scott Oelslager**  
State Representative

Chairman Hackett, Vice-Chairman Hottinger and Ranking member Craig, thank you for allowing me to give sponsor testimony on House Bill 80, the Bureau of Workers' Compensation Budget. I would like to take a few moments to explain some of the policy changes that the House included in its version of the bill. I won't go into detail concerning the actual BWC budget since the Administrator will also testify this afternoon.

This bill supports our first responders who work hard each and every day to protect the lives of all Ohioans. Under current law, peace officers, fire fighters and emergency medical workers diagnosed with post-traumatic stress disorder are eligible to seek workers' compensation benefits – BUT only if the PTSD is accompanied by a physical injury.

Under House Bill 80, peace officers, firefighters and emergency medical workers diagnosed with post-traumatic stress disorder will be eligible to receive compensation and benefits under workers' compensation, regardless of whether they have suffered an accompanying injury.

House Bill 80 is very narrowly crafted to apply to just these professions, which are unique, dangerous and stressful.

It is also important to note what is not changed by House Bill 80.

- Ohio already requires certification from a doctor that treatment is medically necessary and appropriate. This is unchanged by House Bill 80.
- Ohio already requires documentation from a doctor that the patient's condition is disabling in order to receive compensation. This is unchanged by House Bill 80.
- And nothing in House Bill 80 prevents an employer from filing evidence contradicting these points, which will be adjudicated in the same manner as every other case is today.

Another important policy change the House included deals with worker misclassification.

Currently, Ohio has different definitions of what constitutes an employee for purposes of workers' compensation, unemployment compensation and state income taxes. Someone could be considered an "employee" under workers' comp and an "independent contractor" under unemployment compensation. The end result is confusion and frustration for Ohio employers trying to navigate the various types of premium coverage they must incur as well as employee tax responsibility.

House Bill 80 will get Ohio to a uniform definition that will provide employers with clarity and certainty by requiring the state's superintendent of industrial compliance to establish a test, consistent with that used by the Internal Revenue Service, to determine whether an individual is an employee or an independent contractor under Ohio's workers' comp, unemployment and income tax laws.

This language will also provide clarity for the state, ensuring that income tax collections, workers' compensation premiums and unemployment compensation premiums are accurately calculated and collected. To help ensure child support obligations are being met, the bill also requires local child support enforcement agencies to be notified that an individual is working.

House Bill 80 transfers \$11 million from the state's Disaster Services Fund to the Local Disaster Assistance Fund to assist 25 counties impacted by a pair of flooding events that have taken place in Southeast Ohio over the last 18 months. The counties had received state and federal disaster declarations following the storms.

Finally, an amendment was accepted that requires the form that an individual fills out to initiate a workers' compensation claim, to collect information about an employee's, and under certain circumstances, a dependent's immigration status. The bill prohibits a person who provides false information from receiving compensation or benefits under the workers' compensation law.

Thank you Mr. Chairman and members of the committee for your time this afternoon. I am happy to answer any questions you may have.