



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 440
135th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsors: Reps. Fowler Arthur and Lear

Jessica Sutton, LSC Fellow

SUMMARY

- Allows services provided under the Jon Peterson Special Needs or Autism scholarship programs to be offered remotely by qualified credentialed providers.
- Requires certain credentialed professionals to be included on the list of who may provide services under the Jon Peterson Special Needs Scholarship Program.

DETAILED ANALYSIS

Remote education services

The bill allows services prescribed in the finalized individualized education program (IEP) of a student receiving a Jon Peterson Special Needs Scholarship, or the IEP or education plan of a student receiving an Autism Scholarship, to be provided remotely. Specifically, it requires that remote services be provided by qualified credentialed providers in the same manner that telehealth services are provided to patients by specified health care professionals under continuing law.¹ All services provided remotely must be specified under the student's IEP or education plan.²

Appropriate credentialed professionals

Under continuing law, a registered private provider participating in the Jon Peterson Special Needs Scholarship Program must employ teaching and nonteaching professionals who hold credentials determined by the State Board to be appropriate for the special education program it operates. The bill requires the State Board to include the following credentialed professionals on their list of approved credentialed professionals:

¹ See R.C. 4743.09, not in the bill, for the standards for telehealth services.

² R.C. 3310.41(B) and R.C. 3310.52(A).

- A behavior analyst certified by a nationally recognized organization that certifies behavior analysts;
- A behavior analyst certified in Ohio;
- A psychologist licensed to practice in this state;
- An independent school psychologist or school psychologist licensed to practice in this state;
- Any person carrying out specific tasks under the supervision of a licensed psychologist, independent school psychologist, or school psychologist;
- An unlicensed person holding a doctoral degree in psychology or special education from a program approved by the Department of Education and Workforce;
- A registered behavior technician working under the supervision and following the intervention plan of a certified behavior analyst;
- An occupational therapist licensed to practice in this state;
- A speech-language pathologist licensed to practice in this state;
- An intervention specialist who holds a valid license issued by the State Board;
- A literacy intervention specialist certified through pathways recognized by the Ohio Dyslexia Committee; and
- Any other qualified individual as determined by the Department.³

Continuing law includes a similar list of providers already permitted to provide intervention services under the Autism Scholarship Program.⁴

HISTORY

Action	Date
Introduced	03-04-24

ANHB0440IN-135/sb

³ R.C. 3310.58(C).

⁴ R.C. 3310.41(E).