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## **Ohio Senate**

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Chair Abrams, Vice Chair Williams, Ranking Member Brown and members of the House Criminal Justice Committee, thank you for the opportunity to provide sponsor testimony on Senate Bill 109, which regards sex offenses and individuals regulated by the State Medical Board.

As many of you know, in 2019, Governor DeWine issued an Executive Order that convened a Working Group to better understand the State Medical Board's handling of the Richard Strauss matter. Richard Strauss was an Ohio State University doctor who abused many patients. The Working Group looked at not only the Medical Board's handling of the Strauss case in the 1990s and early 2000s, but also the current operations of the State Medical Board.

Senate Bill 109 is the culmination of all the hard work put forth by Governor DeWine's Working Group, and provisions of the bill are a direct result of the Working Group's recommendations, as well as those that arose through our continued collaboration with the State Medical Board and the Ohio State Medical Association.

Senate Bill 109 updates provisions of the criminal code to increase accountability of licensed medical professionals by:

- Revising the offense of sexual battery to include licensed medical professionals acting in the course of medical treatment as listed offenders, among teachers, coaches, mental health professionals, etc.

Senate Bill 109 also gives the Medical Board more tools to hold licensees accountable and offer greater protection to the public by:

- Requiring prosecutors and/or courts to notify the Medical Board when licensees are indicted or convicted of sexual battery – this is already required for mental health professionals.
- Requiring a hospital or health care facility to report to the Medical Board any investigation of a licensee for criminal conduct or sexual misconduct within 30 days of the commencement of the investigation.
- Adding a consumer member (not a licensee) of the Medical Board to the internal investigatory process, allowing for additional board insight in the handling of sexual misconduct complaints.

- Authorizing an automatic 90-day suspension of the license of an individual whose license was suspended, revoked, or surrendered in another state.
- Requiring practitioners subject to a probationary order to disclose that probationary status to patients.
- Requiring the Medical Board to provide current probation information on its website.

At its core, Senate Bill 109 seeks to increase accountability of licensed medical professionals by holding them to the same standard as other professions with an existing power dynamic, while providing the State Medical Board enough resources to remove bad actors from practice in a timely manner. Senate Bill 109 passed unanimously out of committee and on the floor.

Thank you Chair Abrams and members of the House Criminal Justice Committee for the opportunity to provide sponsor testimony today. I would be happy to answer any questions that the committee may have.