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Chairman Manning, Vice Chair Reynolds, Ranking Member Hicks-Hudson and members of the Senate Judiciary Committee, thank you for the opportunity to bring Senate Bill 109 before you today.

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 Medical Board. SB 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.

The Working Group had a series of recommendations for the Medical Board and the Governor asked the Board to review 25 years of closed sexual misconduct cases to make sure those cases were closed properly.

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

- Revising the offense of sexual battery to reference "sexual activity", which includes sexual conduct and/or sexual contact, as opposed to just "sexual conduct."
- Including licensed medical professionals acting in the course of medical treatment as listed offenders, among teachers, coaches, mental health professionals, etc.

SB 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 licensees placed on probation by the Medical Board for specific types of offenses involving harm to a patient to provide a written signed disclosure to the patient.
- The Medical Board would also be required to provide current probation information on its website.

The Richard Strauss matter was an unthinkable tragedy that greatly affected citizens of Ohio, who we have a duty to protect. SB 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.

Thank you, Chairman Manning and members of the Senate Judiciary Committee. I would be happy to answer any questions the committee may have.