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Chair Schmidt, Vice Chair Deeter, Ranking Member Somani, and members of the House Health Committee, thank you for allowing me the opportunity to present proponent testimony in support of House Bill 440. My name is Heather Plahuta and I am here today testifying on behalf of the Office of the Attorney General. This bill seeks to make a minor adjustment to the statute governing Board of Nursing background checks.

As most of you are likely aware, the Bureau of Criminal Identification and Investigation (BCI) is responsible for processing criminal records checks, or background checks in the State of Ohio. As part of this duty, BCI works in close conjunction with the FBI, and must maintain levels of compliance with federal standards. As part of a regular review of state statutes, the FBI recently notified BCI that the language in the Ohio Revised Code lacks a minimum level of specificity with regard to the recipient of the results of criminal records checks. The statute currently reads that the records may be received by "any person" at the Board of Nursing. The FBI requested that this verbiage be made more prescriptive to avoid confusion caused by overly vague terminology. HB 440 adjusts the language in the statute to meet the standards of our federal counterparts and ultimately maintain the level of compliance to allow regular operations to continue.

You'll note that HB 440 contains an emergency clause. The FBI has not set a deadline for the statute to be changed, but it would be prudent for the State of Ohio to act expeditiously to ensure this essential function of the state and federal government continues uninterrupted. An emergency clause being part of legislation regarding background check technical changes is not unheard of. Senate Bill 217 of the 134th General Assembly provided specificity as to who is eligible to receive criminal record check information with respect to long-care ombudsman programs, direct-care positions, community-based long-term care services, and certain persons serving as a municipal tax administrator. The emergency clause contained in SB 217 was sustained throughout the legislative process.

Chair Schmidt, thank you again for allowing this testimony, and thank you to the sponsors, Vice Chair Deeter and Representative Stewart for introducing this brief, yet critical bill. I'd be happy to entertain any questions from the committee at this time.