Interested Party Testimony for House Bill 440

Senate Health Committee

November 12, 2025

Good morning, Chair Huffman, Vice Chair Johnson, Ranking Member Liston, and members of the committee. Thank you for the opportunity to provide interested party testimony for House Bill 440 on behalf of the Ohio Board of Nursing (OBN). My name is Jack Brubaker, and I serve as the Board's Legislative Liaison.

OBN regulates more than 300,000 licensees and certificate holders. OBN licenses and regulates Registered Nurses (RNs), Licensed Practical Nurses (LPNs), Advanced Practice Registered Nurses (APRNs), Dialysis Technicians (DTs), Community Health Workers (CHWs), State of Ohio Certified Doulas and Certified Medication Aides (CMAs). OBN's top priorities are to efficiently license the nursing workforce and remove unsafe practitioners from practice in a timely manner to protect Ohio patients. Public protection is critical, as nursing touches virtually every citizen of Ohio.

House Bill 440 seeks to clarify existing law regulating OBN's background check process by explicitly stating the requirements for compliance in ORC section 4723.091 and by doing so, removes the need for pre-existing cross-references in separate sections of code. OBN views these changes as necessary and serves to improve understanding of current law.

The bill establishes two new specific duties on the Bureau of Criminal Investigation (BCI); including the requirement to report to OBN any information provided by the FBI about any individual subject to a background check, and the duty for BCI's Superintendent to request the FBI send them any information that the FBI has on the individual subject to the background check. These provisions would possibly provide OBN investigators with access to more information to assist them in evaluating an individual's criminal history, which in turn would help us better protect the public from unsafe practitioners.

Lastly, the bill's provisions specifying who may have access to an individual's background check results would add clarity to existing law and further protect the privacy of individuals subject to board-related background checks. OBN appreciates the work of the bill sponsors and the opportunity to provide feedback throughout the process. Thank you for your time and consideration.

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