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## MISCELLANEOUS

### **JobsOhio contract extension**

- Allows the state, upon agreement with JobsOhio, to extend the original transfer agreement regarding spirituous liquor distribution in Ohio for an additional 15 years from the end of the original term by entering into a new agreement.
- Subjects any transfer agreement extension to Controlling Board approval.

### **OneOhio Recovery Foundation**

- Defines “OneOhio Recovery Foundation” to mean a nonprofit corporation receiving payments under the settlement agreement in *State of Ohio v. McKesson Corp.*, Case No. CVH20180055 (C.P. Madison Co., settlement agreement of October 7, 2021) and its constituent regional boards.
- Specifies that OneOhio Recovery Foundation is not a state agency, executive agency, public office, state entity, public employer, or a department, office, or institution, and exempts it from requirements that apply to state agencies, public offices, public employers, or institutions.
- Exempts the Foundation from Ohio’s Open Meetings Law but requires that a meeting of its full board be open to the public unless its directors vote to hold an executive session by a majority of the quorum of the board.
- Requires the Attorney General to provide legal advice to and conduct any case, including bringing an action for equitable relief or recovery of damages, in which the Foundation or its employees, officers, or appointed members are a party to a legal action as a result of acting in its official capacity.

### **Data codes – children served by publicly funded programs**

- Authorizes specified state agency directors – on behalf of programs that are publicly funded – to request and receive data verification codes for children who are younger than compulsory school age and are receiving services from the publicly funded programs.

### **Observances**

- Designates April as the Month of the Military Child.
- Designates October 26 as “Sudden Unexpected Death in Epilepsy Awareness Day.”

### **JobsOhio contract extension**

(R.C. 4313.02)

The act allows the state, upon agreement with JobsOhio and subject to approval of the Controlling Board, to extend the original transfer agreement regarding spirituous liquor

distribution in Ohio for an additional 15 years from the end of the original term (expiring in 2038) by entering into a new agreement.

## **OneOhio Recovery Foundation**

(R.C. 182.02)

The act defines “OneOhio Recovery Foundation” to mean a nonprofit corporation receiving payments under the settlement agreement in *State of Ohio v. McKesson Corp.*, Case No. CVH20180055 (C.P. Madison Co., settlement agreement of October 7, 2021) and its constituent regional boards and specifies it is not a state agency, executive agency, public office, state entity, public employer, or a department, office, or institution.<sup>211</sup> The settlement agreement, totaling an award to Ohio of \$808.3 million, was the result of a lawsuit filed by the state against McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Drug Corporation (opioid manufacturers and distributors) to seek payment for damages caused by opioids in Ohio.

The act exempts the OneOhio Recovery Foundation, and its employees, officers, or appointed members, from the requirements of other state agencies, executive agencies, public offices, state entities, public employers, or departments, offices, or institutions. Specifically, the act exempts OneOhio Recovery Foundation from the following:

- The Ohio Ethics Law, including financial disclosure requirements, conflicts of interest, criminal code offenses related to offenses against justice and public administration, and executive agency lobbying laws.<sup>212</sup>
- Ohio’s Public Records Law, which requires public records of a public office to be made available for public inspection at all reasonable times during business hours.<sup>213</sup>
- Ohio’s Open Meetings Law (see below), which requires meetings of public bodies to be open to the public.<sup>214</sup>
- Ohio’s State and Local Government Expenditure database, which includes information about expenditures made in each fiscal year and is available for free to members of the public.<sup>215</sup>
- An audit by the Auditor of State, whose office is permitted to audit the accounts of private institutions, associations, boards, and corporations receiving public money.<sup>216</sup>

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<sup>211</sup> R.C. 1.60, not in the act.

<sup>212</sup> R.C. 121.41, 121.60, 102.01, and 2921.01, not in the act.

<sup>213</sup> R.C. 9.28 and 149.011, not in the act; R.C. 149.43.

<sup>214</sup> R.C. 121.22.

<sup>215</sup> R.C. 113.70, not in the act.

<sup>216</sup> R.C. 117.01, not in the act.

- Ohio's antitrust law.<sup>217</sup>
- Collective bargaining law that applies to public employees.<sup>218</sup>
- Laws governing state employee whistleblower protection, civil service, compensation, work hours, leave, and benefits.<sup>219</sup>
- Ohio's Public Employees Retirement System (OPERS).<sup>220</sup>
- Licensing authority prohibitions against a person who is a victim of nonconsensual dissemination of private sexual images.<sup>221</sup>

Although, the act generally exempts OneOhio Recovery Foundation from Ohio's Open Meetings Law, it does require that a meeting of the full board of directors of OneOhio Recovery Foundation be open to the public unless its directors vote to hold an executive session by a majority of the quorum of the board.

Additionally, the act requires the Attorney General to provide legal advice to and conduct any case, including bringing an action for equitable relief or recovery of damages, in which OneOhio Recovery Foundation or its employees, officers, or appointed members are a party to a legal action as a result of acting in its official capacity.

## **Data codes – children served by publicly funded programs**

(R.C. 3301.0714 and 3301.0723)

The act authorizes certain agency directors – on behalf of programs that receive public funds and provide services to children younger than compulsory school age – to request child data verification codes for children receiving services from the programs. The directors are the Director of Education and Workforce, the Director of Children and Youth, the Director of Developmental Disabilities, the Director of Health, the Director of Job and Family Services, the Director of Mental Health and Addiction Services, the Medicaid Director, the Executive Director of the Commission on Minority Health, and the Executive Director of Opportunities for Ohioans with Disabilities.

The act also requires the independent contractor that is under contract with the Department of Education and Workforce to create and maintain student data verification codes for school districts to (1) assign codes to children receiving services from a program and (2) provide the codes to the state agency director who requested them from the contractor on the program's behalf. Continuing law requires the independent contractor to perform those duties for publicly funded programs administered by a state agency.

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<sup>217</sup> R.C. 1331.01, not in the act.

<sup>218</sup> R.C. 4117.01, not in the act.

<sup>219</sup> R.C. 124.01, not in the act.

<sup>220</sup> R.C. 145.012, not in the act.

<sup>221</sup> R.C. 9.74, not in the act.

After receiving the codes, the agency director must provide them to the program. The act then requires the program to use the codes for purposes of submitting information about the children to the Department, but only to the extent permitted by federal law.

### **Month of the Military Child**

(R.C. 5.55)

The act designates April as the Month of the Military Child.

### **Sudden Unexpected Death in Epilepsy Awareness Day**

(R.C. 5.2320; Section 700.10)

The act designates October 26 as “Sudden Unexpected Death in Epilepsy Awareness Day” and names this provision “Brenna’s Law. “