STATE OF OHIO

# Executive Department

OFFICE OF THE GOVERNOR

*Columbus*

## VETO MESSAGE

### STATEMENT OF THE REASONS FOR THE VETO OF ITEMS IN
### AMENDED SUBSTITUTE HOUSE BILL 315

### January 2, 2025

Pursuant to Article II, Section 16 of the Ohio Constitution, which states that the Governor may disapprove any items in a bill making an appropriation of money, I hereby disapprove the following items contained in Amended Substitute House Bill 315 and set forth below the reasons for so doing. The text I am disapproving is identified in this message by reference to the corresponding page and boxed text of the bill.

### ITEM NUMBER 1

On page number 179, delete the boxed text beginning with "(1) "Health-related licensing..." and ending with "of the Revised Code.".
On page number 179, delete the boxed text beginning with "(5) "Pharmacist" means an..." and ending with "to practice pharmacy.".
On page number 179, delete the boxed text beginning with "(7) "Prescriber" has the..." and ending with "of the Revised Code.".
On page number 179, delete the boxed text beginning with "(B) A health-related licensing..." and ending with "or other health authority.".

**Medical Malpractice and Malfeasance**

I am vetoing section 3592.07(B) as it is not in the public interest and instead could lead to devastating and deadly consequences for patient health.

Ohio's medical licensing boards exist to protect patients and the public from bad actors in the medical field. Section 3792.07(B) threatens patient safety by providing a health care professional, including hospitals and inpatient facilities, with a legal shield that would prevent being held to account for dangerous or harmful medical care given to a patient by them saying there was a difference of "medical opinion."

Section 3792.07(B) substantially limits state regulatory agencies from appropriately responding to patient and public complaints by investigating and disciplining health care professionals for harm they have caused patients. Section 3792.07(B) would prevent even the start of an investigation by a health care regulatory or licensing board if the subject of the investigation claims that the alleged wrongdoing was based upon a difference in "medical opinion."

Therefore, the veto of this item is in the public interest.

## ITEM NUMBER 2

On page 1, delete the boxed text, "2921.42,".
On page 2, delete the boxed text, "2921.42,".
On page 168, delete the boxed text beginning with "Sec. 2921.42. (A) No public official shall..." to the end of the page.
On page 169, delete the boxed text beginning with "position of profit in..." to the end of the page.
On page 170, delete the boxed text beginning with "any housing program..." to the end of the page.
On page 171, delete the boxed text beginning with "of the mayor..." and ending with "of the Revised Code.".
On page 317, delete the boxed text, "2921.42,".

### Exemptions to Longstanding Ohio Ethics Laws

Under current law, public officials are subjected to ethical restrictions and requirements to ensure transparency and proper use of taxpayer money. This provision would exempt some officials from these requirements. The Ohio Ethics Commission has asked that this provision be vetoed. In their letter, they state that this provision "exempts mayors and all other executive officers of villages from the criminal prohibitions of R.C. 2921.42 (the public contract law), a statute enforced by the Commission for almost forty years." As further stated, this provision would "invite misuse of taxpayer money."

Therefore, the veto of this item is in the public interest.

## ITEM NUMBER 3

On page 1, delete the boxed text, "1901.31,".
On page 1, delete the boxed text, "2303.12, 2303.26,".
On page 2, delete the boxed text, "1901.31, 2303.12, 2303.26,".
On page 153, delete the boxed text beginning with "Sec. 1901.31. The clerk and..." to the end of the page.
On page 154, delete the boxed text beginning with "the clerk of..." to the end of the page.
On page 155, delete the boxed text beginning with "municipal court shall..." to the end of the page.
On page 156, delete the boxed text beginning with "election to that..." to the end of the page.

On page 157, delete the boxed text beginning with "that is provided in…" to the end of the page.
On page 158, delete the boxed text beginning with "Columbiana county…" to the end of the page.
On page 159, delete the boxed text beginning with "committee shall meet…" to the end of the page.
On page 160, delete the boxed text beginning with "same manner as…" to the end of the page.
On page 161, delete the boxed text beginning with "the proper persons…" to the end of the page.
On page 162, delete the boxed text beginning with "year shall be…" and ends with "and receive verdicts.".
On page 165, delete the boxed text beginning with "Sec. 2303.12. (A) As used in..." to the end of the page.
On page 166, delete the boxed text beginning with "of common pleas..." and ends with "singularly or concurrently.".
On page 317, delete the boxed text, "1901.31, 2303.12, 2303.26,".
On page 320, delete the boxed text beginning with "Section 1901.31…" and ends with "135th General Assembly.".
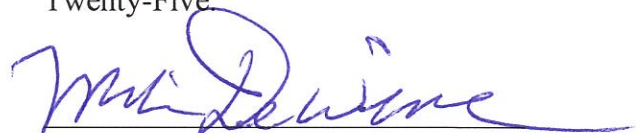
**Clerks of Court Governance**

This provision would fundamentally change the legal relationship between clerks and the judges of the courts. For example, the requirement that clerks "perform all other duties that the judges of the court may prescribe" has been an Ohio law for decades. I take no position on the merits of the provision, however, these and related issues should be decided by the legislature after thorough public hearings where clerks and judges may be heard.

Therefore, this veto of this item is in the public interest.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed at Columbus this 2nd day of January, Two Thousand Twenty-Five.

Mike DeWine, Governor

This will acknowledge the receipt of a copy of this veto Message of Amended Substitute House Bill 315 that was disapproved in part by Governor Mike DeWine on January 2, 2025.

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Name and Title of Officer

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Date and Time of Receipt