

<p>POLICY NUMBER K-701</p>	<p>POLICY TITLE: Policy Regarding Legislative Representation</p>
	<p>RELATES TO: OHIO STATE DENTAL BOARD MEMBERS AND STAFF</p>
<p>EFFECTIVE DATE: November 8, 2017</p> <p>NEXT REVIEW DATE: July, 2018</p>	<p><u>BOARD MEMBERS</u></p> <p><u>BOARD EMPLOYEES</u></p>


 Constance Clark, R.D.H., President


 Harry Kamdar, M.B.A., Executive Director

I. Purpose

The Ohio State Dental Board (Board) is committed to ensuring the safe practice of dentistry to the public. The purpose of this policy is to address that the Dental Board has a unique perspective and thus a responsibility to provide consultation to legislators, through advocacy and consulting efforts, regarding the crafting of laws and rules affecting the regulation of the practice of dentistry, dental hygiene, and dental assistant radiography, as that relates to the public’s interest. Advocating and consulting occurs in a variety of ways and includes: contacts and/or meetings with legislators and other interested parties; testifying at hearings; writing letters; and providing oral and written information.

Legal Authority

O.R.C. and O.A.C. Chapter 4715

II. Applicability

The policy applies to legislative representation of the Ohio State Dental Board (Board)

III. Definitions

Legislative agent O.R.C. 101.70(F) which defines a legislative agent as “any individual, except a member of the general assembly, a member of the staff of the general assembly, the governor, lieutenant governor, attorney general, secretary of state, treasurer of state, or auditor of state, who is engaged during at least a portion of the individual's time to actively advocate as one of the individual's main purposes.”

Employer O.R.C. 101.70(G) which states: "Employer" means any person who, directly or indirectly, engages a legislative agent.

Actively Advocate O.R.C 101.70(E) which states: "Actively advocate" means to promote, advocate, or oppose the passage, modification, defeat, or executive approval or veto of any legislation by direct communication with any member of the general assembly, any member of the controlling board, the governor, the director of any department listed in section 121.02 of the Revised Code, or any member of the staff of any public officer or employee listed in this division. "Actively advocate" does not include the action of any person not engaged by an employer who has a direct interest in legislation if the person, acting under Section 3 of Article I, Ohio Constitution, assembles together with other persons to consult for their common good, instructs a public officer or employee who is listed in this division, or petitions that public officer or employee for the redress of grievances.

IV. Procedure

The extent of the Board's legislative involvement will be directly related to the extent to which the following are affected by a proposed piece of legislation: The relationship of the proposed legislation to the power, authority or jurisdiction of the Board; the impact of legislation on the functioning of the Board as a state agency; the extent to which the legislation directly affects the ability of the Board to effectively enforce the law and rules regulating the practice of dentistry, dental hygiene and dental assistant radiography; if the legislation required the Board to take on new or additional responsibilities.

In order to ensure compliance with this statutory mandate, the Executive Director will determine which staff members shall register as legislative agents on behalf of the Ohio State Dental Board. The Executive Director shall also assist individual board members regarding his/her responsibility to register, based upon ongoing or sustained contracts with individual policy makers.

During the course of the legislative process, it may be necessary for Board members or staff to present written or oral testimony or attend meetings about a legislative issue. When the legislative issue is not one that has been specifically

addressed by the Board, the Executive Director shall use the Criteria set forth in this guideline to determine the appropriate action to take on behalf of the Board. The Executive Director shall also assure that the position of the Board, as related through testimony or during meetings, is in concert with the Board's mission.

Any member of the Board or staff may contact a legislative representative or offer testimony on any legislative issue, as a private citizen, on his/her own time. Such contract or testimony should explicitly state the capacity in which the member is appearing (i.e. personal versus as a representative of the Board). Furthermore, Board members and staff should avoid the perception of a conflict of interest in such situations, and clearly indicate that the views expressed are not representative of the Dental Board itself. Any questions or concerns regarding conflict of interest in these matters should be brought to the Executive Director for discussion and resolution.

V. Attachments

Legislative Lobbying Definitions

VI. Monitoring

The supervisory staff overseeing the daily practices of the procedures contained within this policy shall utilize quality tools and instruments to ensure compliance.

An interdisciplinary team comprised of the Director, Deputy Director, and Policy Committee of the Board, shall meet as needed throughout the year to review policies and procedures and integrate collaborative services. Assigned designees may represent each of these respective disciplines. All policies must be documented as an official review in the policy database on an annual basis.

Each year, the policy design team shall review the quality assurance data and results derived from audit reports, quality tools and instruments, legal or investigatory measures, and interdisciplinary team meeting summaries and/or actions, and incorporate the findings and other improvement recommendations as revisions to the current policies and procedures or develop new policies when necessary.

VI. Training

This revised policy requires staff education or training prior to policy implementation.

VII. References

- O.R.C. Chapter 4715
- O.R.C. 101.70
- O.A.C. Chapter 4715