



THE BIG TURN TOWARD TELEHEALTH

States eye new laws in light of huge increase in use of these services; ideas include removing statutory restrictions, ensuring payment parity, and setting standards of care

by Jon Davis (jdavis@csg.org)

Greater acceptance and use of telehealth services — the transmission of audio/visual signals and data between physically disconnected sites like a hospital or doctor’s office and a patient’s house — seem likely to be permanent legacies of the COVID-19 pandemic. The U.S. Centers for Medicare & Medicaid Services included 144 services (such as emergency department visits, initial inpatient and nursing facility visits, and discharge day management services) to its list of Medicare-eligible telehealth coverage for the duration of the official public health emergency. But without legislative (or administrative) measures, that eligibility will disappear when, or shortly after, the emergency is declared over. CMS took the first step toward permanency in December

when it added more than 60 telehealth services that will continue to be covered by Medicare beyond the emergency. Will telehealth also become an enduring part of services covered by Medicaid and private insurers? The answer will depend partly on the actions taken by states and their legislatures, with far-reaching consequences for health providers and consumers alike. For example, about one in five Americans get their health insurance through Medicaid. “No two states [are] alike in how telehealth is defined, reimbursed or regulated,” the Center for Connected Health Policy noted in its fall 2020 study of state laws. (The center, an initiative of the Public Health Institute, aims to promote a greater acceptance and use of telehealth.)

TELEHEALTH POLICIES IN  
MIDWEST ENTERING 2021

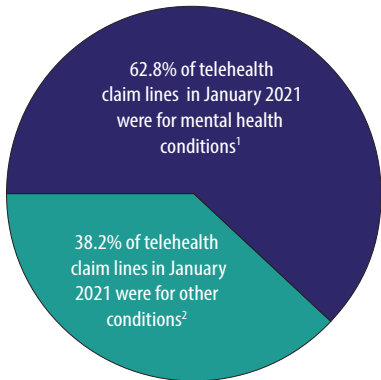
All U.S. states reimburse for “some form of live video” for Medicaid fee-for-service, while 21 states — including Illinois, Indiana, Kansas, Minnesota and Nebraska in the Midwest — do so for remote patient monitoring, according to the center’s report. Minnesota was among 18 U.S. states (as of 2020) reimbursing for “store-and-forward,” or “asynchronous,” transfers of data:

pre-recorded videos or digital images stored at a point of origin (such as a patient’s home) and forwarded at a later time to a doctor’s office or hospital for analysis or consultation. And Minnesota was the only Midwestern state with a Medicaid payment parity law in place, requiring that payments for telehealth services be equal to those for in-person services. A bill introduced this session, HF 1412/SF 1160, would extend this kind of “telehealth parity” to private insurance plans in Minnesota as well. Across the Midwest, myriad telehealth-related bills have been introduced this session, and some already signed into law, a signal that many legislators envision these services being a part of their state’s health system long after the COVID-19 pandemic is in the rear-view mirror. “Telehealth parity” is the subject of several current bills. As of late March, measures requiring parity among private health insurers were active in states such as Illinois (HF 3498) and Iowa (SF 92). In Nebraska, LB 314 would require telehealth consultations to be reimbursed at the same rate as in-person ones, and LB 487 would require parity for mental health treatments. HB 122 in Ohio would prevent private insurers from charging different cost-sharing rates for telehealth than for in-person

YEAR-OVER-YEAR CHANGE, BY MONTH, IN TELEHEALTH INSURANCE CLAIMS IN MIDWEST (MISSOURI INCLUDED)	
Month	% change from 2019
December 2020	+4,754%
October 2020	+3,786%
August 2020	+3,169%
June 2020	+3,369%
April 2020	+6,754%
February 2020	-4%

Source: FAIR Health

MAJORITY OF DIAGNOSES FOR TELEHEALTH CLAIMS IN MIDWEST (MISSOURI INCLUDED) ARE RELATED TO MENTAL HEALTH



<sup>1</sup> The most common mental health diagnoses were generalized anxiety disorder, major depressive disorder, adjustment disorders, ADHD disorder and bipolar disorder.  
<sup>2</sup> Aside from mental health conditions, the most common telehealth claims were related to acute respiratory diseases/infections, joint/soft tissue diseases/issues, developmental disorders and diabetes mellitus.

Source: FAIR Health



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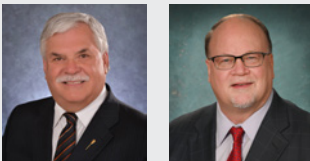
- Have any states in the Midwest introduced or passed “right to repair” laws for agricultural and/or electronics equipment?

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EDUCATION

With assist from private donors, South Dakota funds, launches endowment for needs-based scholarships

by Tim Anderson (tanderson@csg.org)

As longtime state Sen. Lee Schoenbeck describes it, South Dakota needed to find a way of “filling the cup” for his home state’s lower-income high school graduates as they looked at college options.

“Things like grants, other scholarships, loans and work studies don’t always get there,” he says, “and other states were filling it when we weren’t.”

“That’s caused us to lose a lot of our blue-collar kids.”

This turned out to be the ideal year to seek a policy remedy.

With passage of SB 171, legislators agreed to put \$50 million toward a \$200 million endowment for a needs-based Freedom Scholarship. The other \$150 million is coming from private donors.

“Usually we have \$5 million to \$15 million to spend in special appropriations,” explains Schoenbeck, president pro tempore of the South Dakota Senate. “The idea that we

“Our belief is if they stay for three years, we’ve got them for a lifetime.”

South Dakota Senate President Pro Tempore Lee Schoenbeck

had \$50 million, and it was legislator-initiated, was unique.”

In South Dakota, a special appropriation is the spending of one-time money and requires approval by super-majorities in both legislative chambers.

According to Schoenbeck, this year’s special appropriation of \$50 million marks a record for South Dakota and reflects the state’s strong fiscal standing, the result of factors such as an influx of federal dollars and economic growth (the state’s GDP grew by 9.9 percent between the final two quarters of 2020, highest rate in the nation).

Under SB 171, investment income for the Freedom Scholarship will go to students via the state’s colleges and universities, both private and public. To participate, these postsecondary schools must have a nonprofit entity to receive and award scholarship funds. An existing foundation will make investment decisions for the endowment, and a five-member, governor-appointed board will oversee the scholarship program.

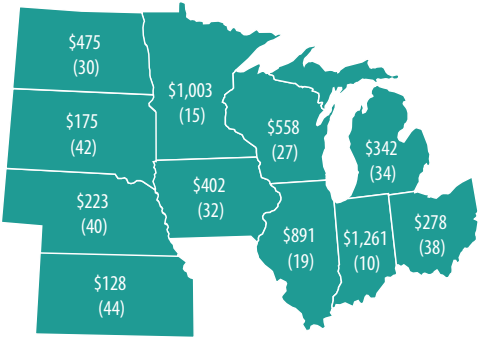
Students must be residents of the state, maintain a grade-point average of 2.5 and graduate within five years. They also must agree to live and work in South Dakota for three years after their graduation; if they don’t fulfill this pledge, the scholarship turns into an interest-bearing loan.

“Our belief is if they stay for three years, we’ve got them for a lifetime,” Schoenbeck says.

The same three-year work/live stipulation is part of an existing Build Scholarship, which supports residents and nonresidents who are attending South Dakota’s technical colleges and seeking degrees in high-demand fields such as agriculture, automotive, health care and information technology.

In the 2018-’19 academic year, U.S. states awarded about \$14.1 billion in state-funded student financial aid: about 64 percent of it in the form of needs-based grant aid, 23 percent in merit-based aid and 13 percent in nongrant aid, according to the National Association of State Student Grant and Aid Programs.

STATE GRANT DOLLARS PER UNDERGRADUATE STUDENT DURING 2018-’19 ACADEMIC YEAR (U.S. RANK)\*



\*The per dollar amount is the total amount of state’s grant dollars for undergraduates compared to the state’s full-time-equivalent enrollment of undergraduates.

Source: National Association of State Student Grant and Aid Programs

As part of its 50-state survey, the association also looked at differences in the breadth of state-funded award programs. For example, how much is a state awarding in grants compared to the state’s full-time-equivalent enrollment of undergraduates? In the Midwest, the amount was as high as \$1,261 in Indiana and as low as \$128 in Kansas (see map).

Tim Anderson serves as CSG Midwest staff liaison to the Midwestern Legislative Conference’s Education Committee.



GREAT LAKES

A decade-old success for the region, Restoration Initiative may get more federal dollars in coming years

by Tim Anderson (tanderson@csg.org)

The Great Lakes Restoration Initiative has weathered its share of fiscal and political storms since first being created more than 10 years ago.

Soon after the GLRI’s inception, cuts in federal spending were necessitated by the impacts of the Great Recession. But the initiative survived. More recently, proposed budgets of the Trump administration called for severely cutting or completely zeroing out the GLRI from the federal budget. Yet funding levels never fell over the past four years.

Protecting the Great Lakes has proven to be a powerful, bipartisan unifier of the basin’s U.S. legislators, who sit on relevant congressional committees and serve in key leadership positions.

“We’ve been successful as a region,” Chad Lord, policy director of the Healing Our Waters-Great Lakes Coalition, said during a presentation in February for the Great Lakes-St. Lawrence Legislative Caucus, a bipartisan group of state and provincial legislators from the region.

The latest accomplishment: U.S. Congress’ reauthorization of the GLRI for another five years, this time at increasingly higher levels of funding that reach \$475 million by fiscal year 2026. That compares to appropriation levels of \$300 million per year as recently as 2019.

Between 2010 and 2020, about \$3.5 billion went to the initiative, with states and other entities receiving federal funds

for various Great Lakes protection and restoration activities. The GLRI has become a cornerstone of efforts to clean up the region’s toxic “hot spots,” prevent the introduction of invasive species, control nonpoint source pollution, and protect native habitat and species.

The U.S. Environmental Protection Agency is the lead federal agency for the GLRI, and it singles out several advances in the initiative’s first 10 years:

- Four Areas of Concern (including Deer Lake and White Lake in Michigan, and the Lower Menominee River in Michigan and Wisconsin) have been delisted; in addition, 100 beneficial uses in various parts of the Great Lakes basin have been restored due to the accelerated cleanup of Areas of Concern. These AOCs exist across the basin, on both sides of the U.S.-Canada border. They are geographic areas designated by the two federal governments as environmentally degraded due to toxic contamination.
- New barriers to close Asian carp pathways to the Great Lakes were installed and more than 6 million pounds of Asian carp were removed from upper Illinois waterways near Lake Michigan.
- The amount of phosphorus (a pollutant that contributes to harmful algal blooms) going into the Great Lakes and its tributaries has been reduced by more than 1.5 million pounds.
- About 440,000 acres of habitat, including more than 60,500 acres of

coastal wetlands, have been protected, restored and enhanced.

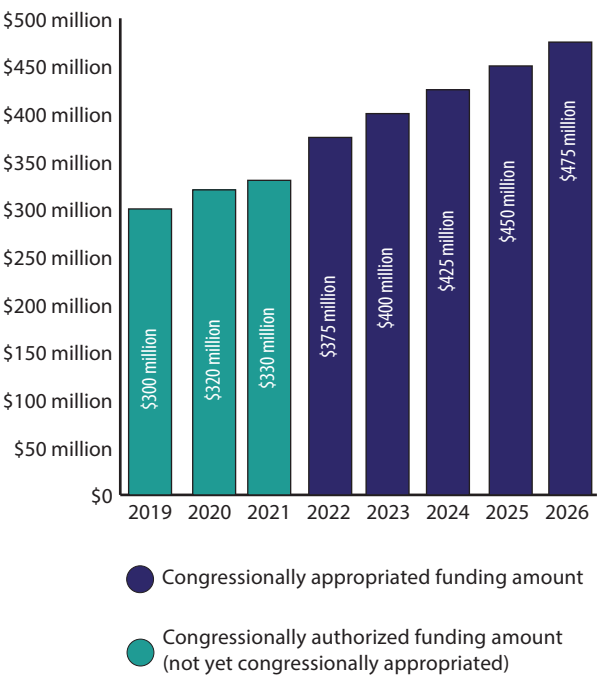
The higher authorization levels for the GLRI through FY 2026 aren’t a guarantee of higher appropriation levels, Lord cautioned. Final spending decisions will be made in each fiscal year, based on congressional negotiations.

Continued funding of the GLRI is one of several federal policy priorities of the Great Lakes-St. Lawrence Legislative Caucus. It also is focusing on investments in water infrastructure and climate resilience; strengthening ports and the maritime transportation system; addressing harmful algal blooms; and fighting aquatic invasive species.

In his presentation to the caucus, Lord singled out water infrastructure as a particularly urgent need of the Great Lakes region because of its older wastewater and sewer systems.

The Healing Our Waters-Great Lakes Coalition estimates the eight-state region’s drinking water and wastewater needs to be \$188 billion. That amount

FEDERAL FUNDING FOR GREAT LAKES RESTORATION INITIATIVE, FY 2019-FY 2026



includes funding to replace lead service lines and upgrade sewer systems to prevent flooding and pollution, as well as grants for disadvantaged communities to make water more affordable.

CSG Midwest provides staff support to the Great Lakes-St. Lawrence Legislative Caucus. Illinois Rep. Robyn Gabel is the caucus chair; Minnesota Rep. Jennifer Schultz is the vice chair.



# HEALTH & HUMAN SERVICES

New federal dollars offer chance to bolster home- and community-based services in long-term care

by Jon Davis ([jdavis@csq.org](mailto:jdavis@csq.org))

Among the \$1.9 trillion authorized by the new American Rescue Plan Act is supplemental funding for states to enhance home- and community-based services, which help seniors and those with disabilities to live at home rather than in nursing home or congregate care facilities. Technically speaking, the act temporarily increases Medicaid’s federal matching rate for these services (also known as HCBS) by 10 percentage points for one year, according to the Center on Budget and Policy Priorities. Practically speaking, this increase could provide about \$11.4 billion in additional federal Medicaid dollars for HCBS, the Kaiser Family Foundation estimates. Under the new federal law, states must use these funds to supplement current Medicaid spending on HCBS and to enhance, expand or strengthen programs. For instance, states could increase provider reimbursement rates or make more people eligible for services, the Center on Budget and Policy Priorities notes. Martha Roherty, executive director of ADvancing States , a national association of state and territorial agencies on aging and disabilities, says that since this funding bump is temporary, the additional federal

dollars would be best used for one-time expenses — for example, investments in technologies (tablets, internet bandwidth, etc.) that help people stay in their homes and that decrease social isolation. The amount of new HCBS dollars going to each state may vary considerably due not only to population size, but the extent to which these types of services are offered. While state Medicaid programs must cover long-term care, doing so with an HCBS program is optional. All Midwestern states have such programs authorized under one or more federal waivers. In September 2020, the AARP Public Policy institute analyzed and compared the use of HCBS in all 50 states as part of its “Long-Term Services and Supports 2020 Scorecard.” States were ranked based on 26 indicators across five broad categories: affordability/access, choice of setting and provider, quality of life and care, support for family caregivers, and effectiveness of transitions. Minnesota and Wisconsin ranked first and third, respectively, among all states for providing quality long-term care, including, but not limited to, HCBS. Compared to most other states, for instance, Minnesota has higher rates of state and Medicaid funding

for long-term care going to home- and community-based services. For individuals receiving long-term-care services through Medicaid, the availability and use of HCBS is much more common in Minnesota and Wisconsin than most other states in the Midwest. Both states also scored high for the rate at which individuals self-direct and manage their long-term-care services — Wisconsin’s 64 per 1,000 people was second highest of all states, while Minnesota’s 60.6 people per 1,000 was third. Among other Midwestern states, AARP’s scorecard ranked Illinois, Ohio and Nebraska in the second tier of states; Iowa, Kansas, Michigan, North Dakota and South Dakota in the third; and Indiana in the bottom tier.

ESTIMATED ADDITIONAL FEDERAL FUNDS FOR STATE MEDICAID PROGRAMS' HOME- AND COMMUNITY-BASED SERVICES (THROUGH MARCH 30, 2022)		
State	Estimated spending on HCBS	Estimated additional funding for HCBS
Illinois	\$1.8 billion	\$177.1 million
Indiana	\$1.4 billion	\$140.0 million
Iowa	\$931 million	\$93.1 million
Kansas	\$1.4 billion	\$140.1 million
Michigan	\$1.4 billion	\$139.1 million
Minnesota	\$4.9 billion	\$488.6 million
Nebraska	\$485 million	\$48.5 million
North Dakota	\$316 million	\$31.6 million
Ohio	\$4.3 billion	\$434.5 million
South Dakota	\$203 million	\$20.3 million
Wisconsin	\$3.4 billion	\$337.0 million

Source: Kaiser Family Foundation

Jon Davis serves as CSG Midwest staff liaison to the Midwestern Legislative Conference's Health & Human Services Committee.

# AGRICULTURE & NATURAL RESOURCES

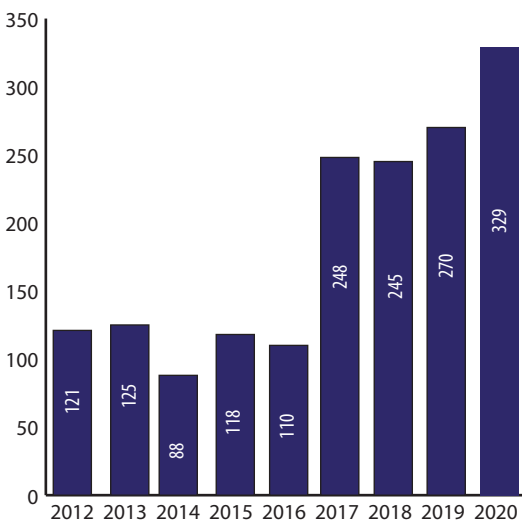
Concerns about pesticide misuse, damage to nearby fields lead to legislative action in Iowa and Indiana

by Carolyn Orr ([carolyn@strawridgefarm.us](mailto:carolyn@strawridgefarm.us))

Over the past four years, the number of complaints related to the misuse of pesticides has spiked in Iowa, reaching 329 in 2020. Private, non-commercial applicators such as farmers were the subjects of about half of last year’s complaints. And in those instances, the state of Iowa was severely limited in what it could do. “The issue was brought to my attention by local media, and I felt it was important to correct the problem,” Iowa Sen. Kevin Kinney says. “I couldn’t believe that the Department of Agriculture didn’t have a way to respond to private applicators.” (In contrast, civil penalties could be levied against commercial applicators.) This year, Kinney worked with his colleague, Sen. Dan Zumbach (chair of the Senate Agriculture Committee), along with Department of Agriculture staff, on a bipartisan legislative fix. The result was passage of SF 482, a new law that establishes civil penalties for instances in which chemicals drift from one field and cause damage on neighboring land. Similar legislation was passed in Indiana this year. As of early April, SB 227 was awaiting the governor’s signature after being approved by overwhelming majorities in both of that state’s legislative chambers.

“[It] specifies a warning and fine structure for civil penalties for any applicator, commercial or private, with the fine varying depending on the severity of the violation,” says Indiana Sen. Jean Leising, sponsor of SB 227. Last year, Leising also had tried to address increased concerns in her home state about pesticide misuse. That 2020 legislation failed to advance, but it helped lead to a summer study by Indiana’s governor-appointed Pesticide Review Board. Leising credits the board’s work with this year’s legislative success. Not only did it thoroughly analyze the issue in a transparent way, she says, the board helped facilitate discussions among stakeholders and develop draft legislation. SF 227 specifies that most first-offense, unintended violations of the state’s pesticide laws will result in a warning. If an additional violation occurs within five years, the second offense can result in a fine of \$250. For more egregious or intentional violations, fines can be up to \$1,000. Funds collected for these violations must be used to provide pesticide education. In Iowa, Kinney says, work on SF 482 began after local media reports

# OF COMPLAINTS OF PESTICIDE MISUSE IN IOWA, 2012-2020



Source: Iowa Department of Agriculture and Land Stewardship

shed light on the growing number of complaints about pesticide drift. Many of these complaints come from the increased use of dicamba, a chemical herbicide designed to kill broad-leaf (as opposed to grass) plants. Dicamba is extremely effective but also very volatile, prone to becoming airborne and drifting to other fields. SF 482 was signed into law in March after receiving unanimous approval in both legislative chambers. It allows for the assessment of a civil penalty

of up to \$500 for both private and commercial applicators when chemicals drift and damage neighboring crops. A five-member panel is being created to help establish the new civil penalties, as well as procedures for assessing and collecting fines. Across the country, pesticide applicators, whether commercial or private, are regulated by federal and state law. When drift and unintended crop damage occurs, landowners who suffer the damage can file complaints with a state department of agriculture. (Private lawsuits are another potential recourse, as well as the mechanism for seeking compensation for crop damage.) If a state finds negligence, civil penalties are possible. However, state laws and regulations sometimes distinguish between commercial and private applicators. For example, a commercial applicator may face civil penalties, while a private applicator only receives a warning. That was the case in Iowa, prior to passage of SF 482. Carolyn Orr serves as CSG Midwest staff liaison to the Midwestern Legislative Conference's Agriculture & Natural Resources Committee.

OHIO LEGISLATURE CURBS EMERGENCY POWERS OF GOVERNOR, LOCAL HEALTH OFFICIALS

**Ohio** lawmakers have rebalanced the powers of the legislative and executive branches during states of emergency by employing one of the most familiar legislative tools in the nation’s checks-and-balances system — overriding a veto by the executive branch. As part of SB 22, which takes effect this summer, a governor-issued state of emergency is limited to 90 days, after which the General Assembly must approve an extension. The legislature will be able to end any governor-declared emergency after 30 days. In addition, a six-member legislative committee will be activated during a health emergency to oversee actions taken by the executive branch.

The new law also curbs the powers of local boards of health. They cannot close schools or bar public gatherings, and quarantine and isolation orders can only apply to “specific individuals that have been medically diagnosed with or have come into direct contact with someone who has been medically diagnosed with a specified disease.” In his veto, Gov. Mike DeWine warned that SB 22 “goes well beyond the issues that have occurred during the COVID-19 pandemic” and “strikes at the heart of local health departments’ ability to move quickly to protect the public from the most serious emergencies Ohio could face.” Legislators in both chambers swiftly overrode the veto.

In a second Midwestern state, **Indiana**, Gov. Eric Holcomb vetoed HB 1123, a bill authorizing the legislature to meet in emergency session to address a governor’s declared state of emergency. Holcomb said the state’s Constitution explicitly gives the governor, not the legislature, the power to call special sessions. As of early April, an override of Holcomb’s veto (which only requires a simple-majority vote) was expected.

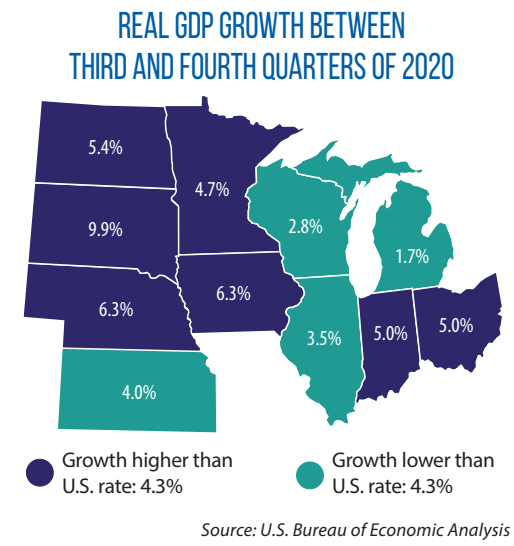


SOUTH DAKOTA RANKED FIRST IN ECONOMIC GROWTH DURING LATTER HALF OF 2020

During the last half of 2020, no U.S. state’s economy grew at a faster pace than **South Dakota**’s, and six other states in the region also exceeded the nation’s growth rate, according to data released in March by the U.S. Bureau of Economic Analysis.

South Dakota’s real GDP between the third and fourth quarters of 2020 rose by nearly 10 percent, with its finance and insurance industries leading the way. Activity in this economic sector also was the leading contributor of growth in six other Midwestern states: **Iowa, Michigan, Minnesota, Nebraska, Ohio** and **Wisconsin**.

Compared to 2019, GDP in every U.S. state declined across the 2020 calendar year. The bureau’s state-by-state data, though, show significant differences — for example, declines as steep as 8.0 percent in Hawaii and 7.0 percent in Wyoming due in part to the impact of the COVID-19 pandemic on the tourism and energy sectors. In the Midwest, the GDP declines in 2020 ranged from -5.4 percent in **Michigan** to -1.7 percent in **South Dakota**. Here were the year-over-year percentage declines in the region’s other states: **Illinois**, -4.0; **Indiana**, -3.1; **Iowa**, -2.3; **Kansas**, -3.0; **Minnesota**, -3.7; **Nebraska**, -2.1; **North Dakota**, -3.5; **Ohio**, -4.0; and **Wisconsin**, -4.5.



INDIANA BANS POLICE CHOKEHOLDS AND INVESTS IN TRAINING OF OFFICERS

With the April signing of HB 1006, **Indiana** joined the growing number of Midwestern states to enact major police-reform legislation over the past year. Passed unanimously by the General Assembly, the new law requires officers to take part in de-escalation training, establishes a procedure for decertifying officers who commit misconduct, prohibits chokeholds under certain circumstances, and criminalizes the shutdown of a body-worn camera to commit or conceal criminal behavior.

Other provisions in HB 1006 include spending \$70 million to upgrade the state’s police-training facility and requiring departments to request a prospective officer’s full employment record during the hiring process. Here are three other examples of legislative-initiated reforms from the Midwest since the summer of 2020:

- **Iowa**’s HF 2647, passed last year, allows the state attorney general to prosecute officer-involved death cases. It also requires annual de-escalation training, bans chokeholds in most instances, and bars police departments from hiring individuals previously convicted of a felony.
- **Minnesota**’s Police Accountability Act of 2020 creates an independent unit of state government to investigate cases involving the use of deadly force and charges of sexual assault against officers. It also gives citizens more input on the work and policies of the state-level Police Officer Standards and Training Board, establishes peer-based trauma counseling for officers, and requires officer training on how to respond to incidents involving a mental health crisis.
- Under **Illinois**’ HB 3653, passed earlier this year, lawmakers mandated that police wear body cameras. In addition, new state-level standards will be established on the use of force and de-escalation techniques. Other provisions in the law ban the use of police chokeholds, invest in more training as well as health and wellness services for officers, and create a new certification system for police officers and standards for decertification.

# OF FATAL SHOOTINGS BY ON-DUTY POLICE OFFICERS SINCE 2015 (AS OF EARLY APRIL)	
Illinois	122
Indiana	116
Iowa	37
Kansas	56
Michigan	96
Minnesota	73
Nebraska	28
North Dakota	13
Ohio	177
South Dakota	19
Wisconsin	101

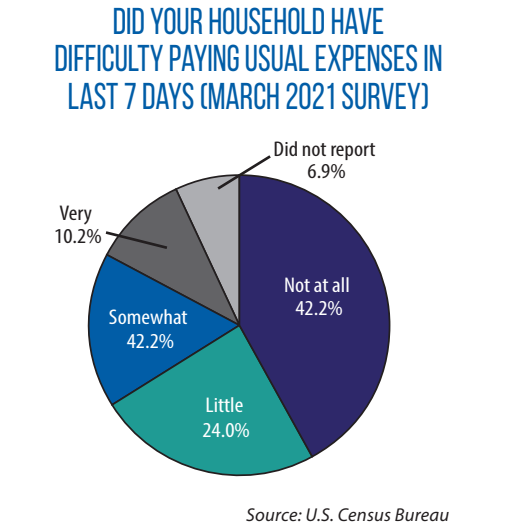
Source: Washington Post

ILLINOIS JOINS NEBRASKA, SOUTH DAKOTA AS HAVING AMONG NATION’S STRICTEST LAWS ON PAYDAY LENDING

**Illinois** has become the third state in the Midwest that caps annual interest rates for consumer loans at 36 percent. The goal of SB 1792 (signed into law in March), and other state measures like it, is to keep consumers from falling into “payday loan debt traps.” In Illinois, the average annual percentage rate on a payday loan is 297 percent, and the average APR on a title loan is 179 percent, according to the Chicago-based Woodstock Institute. The result: Families in the state have been paying more than \$500 million per year in payday and title loan fees, the fourth-highest amount in the nation.

**Nebraska** and **South Dakota** also cap the APR of payday loans at 36 percent. The limits in these two states were instituted through voter-approved ballot measures: Nebraska in 2020 and South Dakota in 2016. In all, 18 U.S. states now restrict annual interest rates at this rate or less, according to the Center for Responsible Lending. Nationally, the center says, the average borrower of payday and car-title loans ends up with 10 loans per year. Payday lenders derive 75 percent of their fees from these borrowers.

According to the center, this debt trap “is associated with a cascade of financial troubles, including an inability to meet basic living expenses, an accumulation of bank fees, closed bank accounts and bankruptcy.”





WITH UNANIMOUS LEGISLATIVE SUPPORT, MINNESOTA BANS DRY-CLEANING USE OF PERCHLOROETHYLENE

**Minnesota** is the first U.S. state with a legislative ban on perchloroethylene, a chemical that the U.S. Environmental Protection Agency describes “as the dry-cleaning solvent of choice” for decades but that has been found to have adverse environmental and human-health effects. Several safer alternatives are now available for use, the U.S. EPA says.

HF 91 passed unanimously in the Minnesota House and Senate; it was signed into law in March. The bill’s author, Minnesota Rep. Rick Hansen, says a legislative agreement actually had been forged last year as the result of discussions with the Minnesota Pollution Control Agency and the Dry Cleaners Association. “But during the pandemic the legislation got sidelined,” he says. “With bipartisan co-sponsors and help from both regulators and the industry, we kept the coalition together to get HF 91 passed.” Under the new law, the state will provide \$213,000 in financial assistance to dry cleaners for cleanup efforts as well as fund a \$355,000 cost-share program to help these businesses transition away from the the use of perchloroethylene. The use of this chemical as a dry-cleaning solvent is prohibited under state statute starting in 2026.

The Minnesota Legislature created a Dry Cleaner Fund in 1995 to reimburse the costs of cleaning up soil and groundwater contaminated with perchloroethylene due to spills, leaks or careless disposal. This money comes from three different fees: a dry-cleaning registration fee, a dry-cleaning solvent fee, and a dry-cleaning solvent use fee. When this fund was created, Minnesota had more than 300 dry cleaners, there currently are less than 100. That decline has left the account short of the funds needed for cleanup efforts; HF 91 provides additional funds to make up for this shortfall.

Three years ago, Minneapolis became the nation’s first “perc-free city.” Local officials banned use of the chemical in dry-cleaning facilities after conducting air quality studies inside business and surrounding communities. Investigators detected perchloroethylene above health risk levels in 99 places across the city. In humans, perchloroethylene may affect the central nervous system, the liver, kidneys, blood and immune system, and perhaps the reproductive system.



NEW LAW IN SOUTH DAKOTA WILL INCREASE PAY FOR STATE’S GOVERNOR IN 2023

With this year’s passage of HB 1232, **South Dakota**’s governor and other constitutional officers will be getting a raise in pay starting in fiscal year 2023. The governor’s new salary will be \$130,000. That compares to \$116,400 in 2020, third-lowest in the Midwest (see table), according to The Council of State Governments’ “Book of the States.” **North Dakota** legislators also were considering proposals this year to raise the pay of their state’s chief executive officer.

Last year, U.S. governors’ annual salaries ranged from a low of \$70,000 in Maine to a high of \$209,747 in California. The method of setting compensation levels varies as well. In some states, the exact amount is set in statute and any changes must be passed by the legislature. In other states, the governor’s pay automatically increases and/or is tied to the compensation of other state employees. Here is a look at some of the methods in place in the Midwest:

- **Indiana** and **Wisconsin** have statutory mechanisms that tie a governor’s pay to that of other state workers. In Indiana, the salary is automatically raised every four years and is based on changes in pay for executive-branch employees in “the same or a similar salary bracket.” Wisconsin has a compensation plan for elected officials, appointed state agency heads, division administrators and other executive-level unclassified positions. The governor’s salary is adjusted according to changes in pay for state executives in the same salary grouping.
- **Michigan** and **Minnesota** have compensation commissions/councils that regularly review the salaries of governors and constitutional officers and then make recommended change to the states’ respective legislatures.
- **Ohio** legislators passed a bill three years ago (SB 296) establishing annual pay increases for the governor and other constitutional officers through FY 2028.

GOVERNORS' SALARIES IN MIDWEST IN 2020	
Illinois	\$181,670
Indiana	\$121,331
Iowa	\$130,000
Kansas	\$110,707
Michigan	\$159,300
Minnesota	\$127,629
Nebraska	\$105,000
North Dakota	\$135,360
Ohio	\$159,182
South Dakota	\$116,400
Wisconsin	\$152,756

Source: The Council of State Governments, “The Book of the States”

QUESTION OF THE MONTH

QUESTION | Have any Midwestern states adopted “right to repair” laws regarding electronics-enabled equipment or products?

According to the Repair Association, which advocates for these measures, bills have been introduced in most states in the region in recent years, including at least four in 2021: **Illinois** (HB 3061), **Kansas** (HB 2309), **Minnesota** (HF 1156/SF 2080) and **Nebraska** (LB 543).

To date, though, no U.S. state legislature has passed a “right to repair” statute. In 2012, voters in Massachusetts approved a ballot initiative that included this language:

“any motor vehicle manufacturer [is prohibited] ... from selling or leasing, either directly or through a dealer, a new motor vehicle without allowing the owner to have access to the same diagnostic and repair information made available to the manufacturer’s dealers and in-state authorized repair facilities.”

A year later, the Massachusetts Legislature amended that law. In 2014, auto manufacturers entered into a memorandum of understanding — applicable across the country — in which they agreed to make diagnostic repair information and tools available to consumers and independent repair operators.

There has since been a legislative push to expand this so-called “right to repair.”

Though these bills often vary from state to state, they tend to have common language ensuring

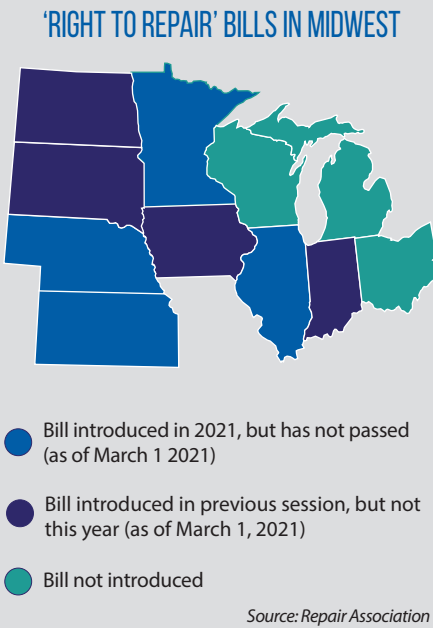
that owners and independent repair operators have access to “the documentation, parts, and tools used to diagnose, maintain and repair” electronics-enabled equipment and products. Under these proposals, the original manufacturers would have to provide this access under “fair and reasonable terms.”

This year’s legislation in Kansas and Nebraska applies only to agricultural equipment (for example, tractors, combines and unmanned aircraft systems); the measures in Illinois and Minnesota apply to all digital equipment.

Minnesota Rep. Peter Fischer has said he is sponsoring the legislation to ensure consumer choice, protect small businesses and curb electronic waste. Earlier this year, Nebraska Sen. Tom Brandt, sponsor of LB 543, told fellow legislators during committee testimony that his bill would save farmers time and money, according to the Legislature’s publication *Unicameral Update*.

“As a farmer, I’m overjoyed when I snap a piece of steel because I can get that off the shelf — I can fix that,” Brandt said . “But when I’ve got code problems, that’s another story.”

Manufacturers and dealers say they are committed to giving end users the tools they need to fix equipment, but they say many of the “right to repair” legislative proposals



are misguided and “overly broad.” Giving unauthorized access to software codes, they say, may override safety features, cause equipment to malfunction, jeopardize manufacturers’ intellectual property and stifle innovation.

Question of the Month response by Tim Anderson ([tanderson@csg.org](mailto:tanderson@csg.org)), publications manager for CSG Midwest, which provides individualized research assistance to legislators, legislative staff and other government officials. This section highlights a research question received by CSG Midwest. Inquiries can be sent to [csgm@csg.org](mailto:csgm@csg.org).

DECISION 2021: FUTURE OF VOTING LAWS HAS BECOME ONE OF THIS YEAR’S MOST-WATCHED POLICY DEBATES IN STATE CAPITOLS

by Tim Anderson (tanderson@csg.org)

After a year in which a pandemic forced states to find new ways of administering and holding elections, competing policy proposals during the 2021 legislative sessions would take states in much different directions.

Some look to build on 2020. In Illinois, for instance, the recently signed HB 1871 codifies curbside voting and local election officials’ use of drop boxes, an option for voters (along with the mail) to return completed absentee ballots. Lawmakers also authorized the allocation of federal Help America Vote Act dollars to pay for ballot drop boxes.

As part of its tracking this year of election-related bills, the Brennan Center for Justice listed Illinois HB 1871 as one of more than 800 proposed measures in U.S. states designed to increase voter access.

The center also has categorized more than 350 pieces of state legislation that it said would have the effect of restricting access. One of those measures is Iowa’s SF 413, which was signed into law in March. Among its many provisions: reducing the time period to apply for and return absentee ballots, shortening the state’s early-voting period (from 29 days to 20), and limiting the number of drop boxes per county.

“We have always seen state legislatures, somewhere in the country, thinking about how they might reform or update their election mechanisms,” says Steven F.



Professor Steven Huefner

Huefner, a professor at The Ohio State University Moritz College of Law. “But this year is completely different. We’ve never seen anything like the volume or the aggressiveness with which states are moving.”

Huefner is a leading regional expert on state laws and voting, and the co-author of “From Registration to Recounts: The Election Ecosystems of Five Midwestern States.” CSG

Midwest interviewed Professor Huefner to get his perspective on this year’s surge of legislative activity.

A lot has been made about how highly partisan the debate in state capitols has been this year. Is that something new or different this year, or has it always been part of U.S. election law and policy?

There’s always been some degree of partisanship. The United States, in fact, is among a very small number of democracies that allows partisans to be in charge. American elections are primarily run by the states, and in most instances, that is the secretaries of state. They try to do their jobs fairly and neutrally, but you can see the partisan pressures. Whereas in other countries, you have independent electoral commissions that run the whole thing. There are some U.S. states that try to do this, and Wisconsin is probably the best example.

But it does feel like we’re at a point in time right now when partisans on both sides keep ratcheting things up, and the battles are becoming more and more pitched. It’s disappointing. Because when it comes to the fundamentals of democracy, everybody ought to have a commitment that all eligible voters should be able to participate with minimum burden or difficulty.

What have you learned about what works best in terms of election administration and laws?

I’d start by saying it really should be structured so that the officials primarily running it are nonpartisan. We should have nonpartisan election

administration. I’d also say the voter registration system should be automatic or allow for same-day registration. And we should have a system where anyone who wants to be able to cast a ballot by mail, or an early vote in person, should be able to do it. That said, it’s reasonable to limit early voting to just a couple of weeks, making sure some weekends are available. You don’t need a month of it. In some ways, the more it’s limited, the more it means voters are making decisions based on the same information.

Q What about requirements for voter identification?

A It’s certainly fair to say that everybody who votes needs to authenticate that they’re an eligible voter. And there are ways to do that. I don’t think it’s wrong to require an identifying number or some other method. Historically what we’ve done is just make voters sign their name and use signature matching. It turns out that signature matching is pretty imprecise. But this is the 21st century, and we have other ways to protect against impersonation. States can experiment with that. It should be done in a way that does not end up creating a real burden to some voters, especially if the burden is disproportionately affecting categories of voters — for example, lower-income voters.

Q Are there any particular approaches you would like to see states try?

A I’d be interested in having people think about whether state IDs should themselves be automatically issued. I know that idea gets resistance from across the political spectrum. But gosh, it would sure help voter administration and help build confidence if everybody got a voter-ID card.

Q The U.S. House has passed HR 1, which would require states to have automatic voter registration, allow same-day registration, offer 15 days of early voting and permit any eligible voter to cast a vote by mail. Does this level of detail surprise you?

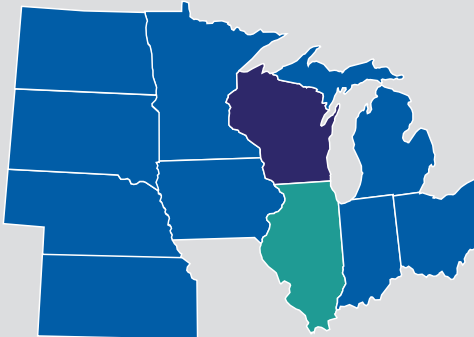
A It would certainly represent a dramatic increase in the amount of federal regulation on state elections. It’s a reaction to what has been happening in the states and the U.S. Supreme Court [namely a 2013 decision that limited the ability to enforce the Voting Rights Act]. The Constitution gives Congress the power to set the terms of the elections of federal officeholders. It’s always seemed uninterested in using that power, until now.

Q Looking back to 2020, what are your views on how elections were administered by states?

A A foundational principle of voting processes is that they should be designed in careful ways that give us confidence that only eligible voters are voting. Because people agree with that, the mechanisms we had before [2020], including for absentee and early voting in person, were quite well-designed and resistant to manipulation.

And then we had the pandemic. Many states then made adjustments to accommodate voters. I think it’s fair to say those accommodations, even though they were adopted almost on the fly, were still quite safe. Therefore, even though there was this dramatic increase in the volume of votes cast by mail, it was still done in a way that was reliable and that we could be confident that the votes were being cast by eligible voters.

CHIEF ELECTION OFFICIALS IN MIDWEST



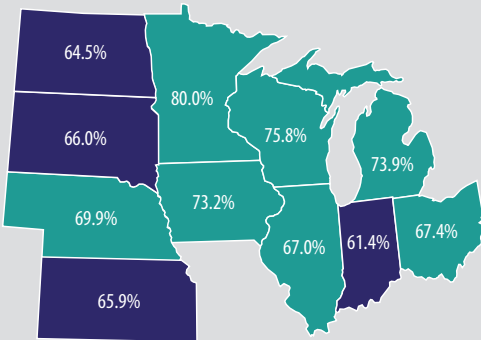
- Secretary of state chosen by voters in partisan election
- Executive director of Illinois Board of Elections (eight-member board appointed by governor, confirmed by Senate)
- Administrator of State Elections Commission (four members of commission appointed by legislative leaders, two by governor)

HOW U.S. VOTERS CAST THEIR BALLOTS: 1996-2020

Year	% voting in person on Election Day	% voting in person prior to Election Day	% voting by mail/ absentee
1996	89%	3%	8%
2000	86%	4%	10%
2004	79%	8%	13%
2008	69%	14%	16%
2012	67%	14%	19%
2016	60%	19%	21%
2020	28%	26%	46%

Source: MIT Election Data and Science Lab, “The Survey of the Performance of American Elections”

ESTIMATED TURNOUT RATE OF VOTING-ELIGIBLE POPULATION IN NOVEMBER 2020 ELECTION



- Lower than estimated U.S. turnout rate: 66.7%
- Higher than estimated U.S. turnout rate: 66.7%

Source: U.S. Elections Project



# SOUTH DAKOTA AMONG FIRST MIDWEST STATES TO ADOPT NEW TELEHEALTH LAW IN 2021

» CONTINUED FROM PAGE 1

services, as well as require that health care practitioners eligible to use telehealth be reimbursed for it. Ohio's HB 122 would also allow eligible health care practitioners to bill the states' Medicaid program for such services.

### 'HERE TO STAY'

The Council of State Governments' Healthy States Task Force, which convened in 2019 to examine how states can meet the challenges of rapidly evolving technologies and policies, included a special section on telehealth policy in its final report (released in the fall of 2020).

That report identified several actions already taken in states, from the creation of a cabinet-level position in Kentucky to a new law in New



Ohio Rep. Brigid Kelly

Hampshire eliminating restrictions on where telehealth services can originate. "We need to make telehealth and broadband more

accessible to people. We know the need for both is great," says Ohio Rep. Brigid Kelly, who served as co-chair of the task force's Interventions to Save Lives Subcommittee.

"A lot of problems that existed before COVID-19 still exist or were exacerbated by COVID-19."

Legislators should look not just at what's happening now, she adds, "but what's likely to happen in the future" and ensure that telehealth laws are flexible enough to evolve with technology.

Kyle Zebley, public policy director

for the American Telemedicine Association, agrees states should be mindful to not preclude new technologies that don't exist now but might in five or 10 years.

By then, telehealth will provide better, more integrated telehealth care at every step of the process, from intake to outcomes, he says, adding that's why the association recommends technology-neutral legislative language such as South Dakota's SB 96.

Signed by Gov. Kristi Noem in early March, the bill defines telehealth as "the use of secure electronic information, imaging and communication technologies" by health care professionals to deliver services to a patient.

The new law also removes a requirement that an existing provider-patient relationship (such as a previous in-person visit) exist before telehealth services can be provided. And the state's telehealth definition allows not only for live, remote visits, but the asynchronous delivery of health care services (store-and-forward technology).

"Telehealth is here to stay," Zebley says. "We made 10 years of advances in one year, 2020; millions of Americans tried telehealth and liked it."

### LEGISLATIVE ACTIVITY IN 2021

Throughout 2020, the consumer awareness group FAIR Health collected data on telehealth by region and the entire country. In January 2020, prior to the COVID-19 pandemic, telehealth services made up 0.12 percent of total insurance claims in the Midwest. In December of that same year, they accounted for 4.9 percent of all claims.

But without permanent changes to state and federal laws, many of

the measures that made telehealth widely adaptable could disappear, Zebley says.

State legislators are aware of that cliff's edge and looking to update their states' laws, he adds, noting that his association has seen "an absolute explosion" of telehealth-related legislation in areas such as parity and standards of care.

South Dakota's SB 96, for example, spells out eight specific standards — verifying and disclosing the identities of participants, obtaining appropriate consent for treatment, ensuring appropriate medical practices are used to make diagnoses, and more.

Many of this year's measures also seek to specify the types of telehealth eligible for reimbursement, as well as who can provide the services.

Live video has traditionally been the telehealth mode most accepted in state laws. Other modalities include store-and-forward services, remote patient monitoring (for example, medical professionals evaluating patients at home in real-time via home monitors), and the use of smart tablets and devices.

Various proposals this year also would expand the list of telehealth-eligible practitioners.

• HB 1151, which passed the North Dakota House in January, would allow telehealth dental consultations or exams in certain situations, but would also require dentists using telehealth to "have adequate knowledge of the availability and location" of local dentists for follow-up care.

• Indiana's HB 1286 and SB 3, passed by their respective chambers in February, would expand telehealth usage beyond just prescribers to other practitioners, including veterinarians. These measures also address record-keeping and specify that a Medicaid patient waives confidentiality of medical information "that is heard by another individual in the vicinity" of the patient during a telehealth consultation.

• Ohio's HB 122 would allow telehealth to be used by advanced-practice nurses, optometrists, pharmacists, physician's assistants, psychologists (and school psychologists), and chiropractors. It would also set a technology-neutral definition of telehealth and classify home monitoring devices as "durable medical equipment" (equipment used in a home to improve a patient's quality of life).

Some bills in the Midwest are narrower in scope:

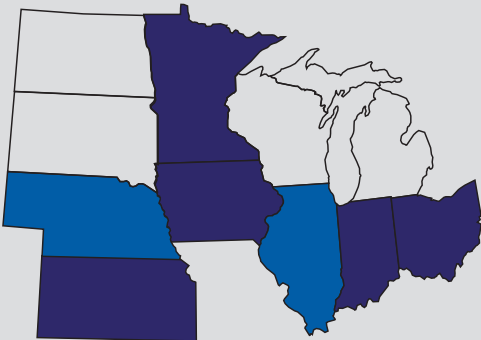
• HF 431, passed in February by the Iowa House, would require state licensing boards to allow for audio-only telehealth in their rules governing various health care providers.

• North Dakota's SB 2179 would have allowed audio-only telehealth services "if no other means of communications technology are available to the patient." It was amended to instead authorize a study of telehealth during the interim.

## TELEHEALTH AND INTERSTATE HEALTH COMPACTS

The role of interstate licensure compacts in state health policy is likely to become more prominent with a rise in telehealth services. These agreements ease the process for professionals in one member state to practice in another member state — for example, an expedited pathway to licensure, license reciprocity, or the ability to practice telehealth. (Each health compact has its own set of rules on licensure and practice across jurisdictional lines.) Here is a look at the status of three interstate health compacts in the Midwest.

### PSYCHOLOGY INTERJURISDICTIONAL COMPACT, OR PSYPACT (AS OF APRIL 2021)\*

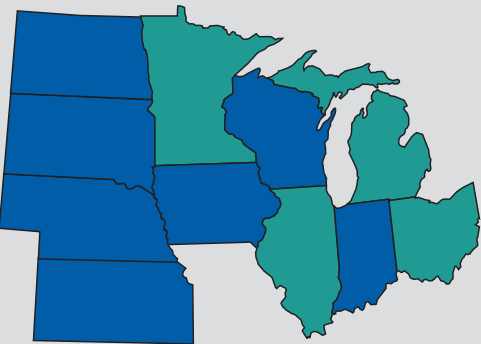


- Member state
- Legislation introduced to join compact

\* PSYPACT allows qualified psychologists licensed in member states to practice via telehealth in other member states.

Source: PSYPACT

### NURSE LICENSURE COMPACT (AS OF APRIL 2021)\*

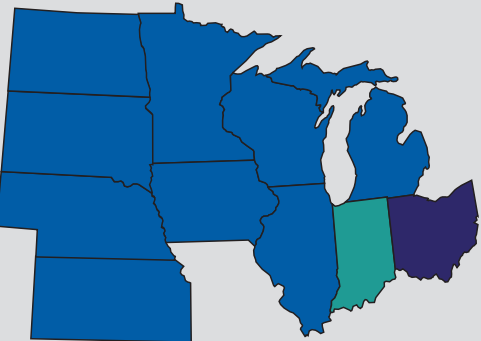


- Member state
- Legislation introduced to join compact

\* This compact allows qualified nurses licensed in member states to practice and provide telenursing services in other member states.

Source: Nurse Licensure Compact

### INTERSTATE MEDICAL LICENSURE COMPACT\* (APRIL 2021)



- Member state
- Legislation introduced to join compact
- Membership legislation passed; implementation in process or delayed

\* This compact allows qualified physicians licensed in member states to practice in other member states via telehealth.

Source: Interstate Medical Licensure Compact

## 4 RECENT FEDERAL ACTIONS, PROPOSALS ON TELEHEALTH

### AMERICAN RESCUE PLAN

- \$500 million in grants will be made available to address rural health care needs related to the pandemic. These funds can be used to increase telehealth capabilities.

### CARES ACT

- Last year's CARES Act created a \$200 million COVID-19 Telehealth Program. Eligible health care providers received federal funding in order to serve patients at their homes or mobile locations during the COVID-19 pandemic. Another round of funding will be available this year.

### MORE FUNDING FOR BROADBAND

- Broadband funding approved last year included \$3.2 billion for the Federal Communication Commission's Emergency Broadband Connectivity Fund for households, \$300 million for Department of Commerce programs, and \$100 million for the U.S. Department of Agriculture's Rural Broadband ReConnect.

### PROPOSED CHANGES IN TELEHEALTH LAWS

- This year's proposed Telehealth Modernization Act (S 368 and HR 1332) would permanently allow homes to be originating sites for telehealth services. Rural health clinics and federally qualified health centers could serve as distant sites for all services, and all practitioners could use telehealth if approved by the U.S. Centers for Medicare and Medicaid. The act also would allow Medicare hospice and home dialysis patients to receive care through telehealth.



# PROFILE: RANDY WEEKES, SPEAKER OF SASKATCHEWAN'S LEGISLATIVE ASSEMBLY

He talks about the role of speaker in a parliamentary system, discusses COVID-19's impact, and explains why his province values its relationship with Midwest states

by Ilene Grossman ([igrossman@csg.org](mailto:igrossman@csg.org))

In October 2020, Randy Weekes won a seat in the Legislative Assembly of Saskatchewan for the sixth time. Later that fall, he won another contested election — via a secret-ballot vote of fellow members of the Assembly — that ensured his new term would be like none other in Weekes' 22-year legislative career.

He was chosen speaker of the Legislative Assembly, a critical position in Canada's parliamentary system that has some roles similar to speakerships in U.S. statehouses but also features one critical difference — the expectation of being nonpartisan or, as Weekes describes it, "an impartial referee."

As presiding officer, Weekes serves as the Assembly's spokesman with international groups and other legislatures while also overseeing financial and administrative policies. Notably, though, he does not attend meetings of his party caucus during session.

It's a very different role for someone whose involvement in party politics dates back to the 1980s.

Raised on a family farm in central Saskatchewan, Weekes got involved with the local Progressive Conservative Party as a high school student, attending several provincial conventions.

"It kind of whet my appetite to be involved in politics," he says.

In the next decade he got a unique chance to participate even more — by being an early joiner and organizer of a newly formed political party. The Saskatchewan Party was created in 1997 by a coalition of Liberals and Progressive Conservatives; soon after, Weekes decided to attend a meeting where a local party association was being set up.

"By the time the meeting was over, I was on the steering committee," he recalls. "And after a few weeks I became the first president of the [party's] constituency association."

Weekes was one of the first MLAs elected to the Legislative Assembly under the Saskatchewan Party banner (in 1999). At the time, he was especially interested in rural issues and troubled by the government's closure of rural schools and hospitals.

During his two decades of legislative service, Weekes has served as both a government member (the party with the most votes that holds the premiership) and as a member of the opposition party.

He recently spoke to CSG Midwest about his new role as speaker, the impacts of COVID-19, and why Saskatchewan values its relationship with U.S. Midwestern states.



## BIO-SKETCH: SASKATCHEWAN SPEAKER RANDY WEEKES

- ✓ first elected to Legislative Assembly of Saskatchewan in 1999
- ✓ elected speaker in November 2020
- ✓ previously served as minister responsible for Rural and Remote Health, deputy house leader, government whip and government caucus chair
- ✓ has diploma in agriculture from University of Saskatchewan
- ✓ he and his wife, Cindy, have three children

"Saskatchewan and the [U.S.] Midwest have close ties, including family ties and personal relationships, as well as economies that are intertwined in many ways."

**Q** Why is the nonpartisan nature of the speaker's position critical to the functioning of the Legislative Assembly?

**A** It is important for the person serving as speaker to build and keep the trust of members. In Saskatchewan, question period lasts 25 minutes every day that the Legislative Assembly meets. This is time set aside for the opposition to ask questions of government ministers, including the premier. The speaker must be an impartial referee during debates.

**Q** What kind of adjustments has the Legislative Assembly had to make in operations as a result of the COVID-19 pandemic?

**A** Last spring, we were supposed to meet from March to May, but we had an abbreviated session in March and then adjourned until June. Both parties agreed to shorten the session and the building was closed to public access. We had minimal staff on the floor, physical distancing of chairs in the Assembly, and voting was by tally sheet rather than by roll call. Members were in the building, but mostly stayed in our offices.

When we came back in late November following the election, there were more modifications to the chamber and procedures. A normal sitting in the fall would be 25 days, but we only sat for eight days, and orientation for new members was done virtually, rather than in person.

**Q** What are examples of the health and safety protocols put in place in the chamber?

**A** The setup of desks in the chamber was changed so that there were single rows of desks rather than having two desks together. Plexiglass was put up and masks were required to be worn at all times in the building, except when members were in their own offices. Members also wore masks while speaking, even though they were behind plexiglass and socially distanced. Members could come in to vote and immediately leave, and proxy votes were allowed as well. We also reconfigured committee rooms to allow for social distancing.

**Q** Looking more broadly at the pandemic's impact, how has it affected the province in areas such as health and the economy?

**A** Like other jurisdictions, Saskatchewan has had to deal with the economic fallout of the pandemic and restrictions that governments have had to impose to protect its citizens and stop the spread of COVID-19. The Saskatchewan Government has walked a fine line between keeping much of the economy open and operating while asking its citizens to follow restrictions based on science and data. The increasing rate of vaccinations along with continued restrictions will defeat the virus. The future looks very promising.

**Q** Saskatchewan is a member of CSG's Midwestern Legislative Conference (MLC), along with 11 member states and three affiliate provinces. How would you describe your province's relationship with the Midwest?

**A** Saskatchewan and the Midwest (and U.S.) have close ties, including family ties and personal relationships, as well as economies that are intertwined in many ways. Our province has a very important trading relationship with the MLC states. A large portion of our exports go to the U.S., and especially the Midwest. Minnesota receives the largest portion of our exports (11 percent) after China, and Illinois is our third largest export market. Just over half the province's imports come from just five states: North Dakota, Illinois, Texas, Iowa and Indiana.

**Q** How do you think members of the Legislative Assembly of Saskatchewan benefit from the province's membership in the MLC?

**A** We value the exchange between members coming to Saskatchewan and our members going to the U.S. [through a legislative exchange program of the MLC's Midwest-Canada Relations Committee]. It is very helpful for all of us to understand how the legislative systems work. We also have the chance to meet legislators from other jurisdictions at meetings. So we know that we are just a phone call or email away from another [legislator] who can help resolve a cross-border problem.



# FIRST PERSON: HOW AND WHY I CONTINUE PUSH FOR COMPREHENSIVE, STATE-LEVEL DYSLEXIA LEGISLATION

Legislative proposals include universal screening tool, multi-tiered system of support



by Michigan Sen. Jim Runestad  
(SenJRunestad@senate.michigan.gov)

*Iganmie tyrnig to rade in a wrlod wehre  
lal yuro wrsod aer jmbled.*

If you are a “normal” reader, the sentence you just read makes no sense. But for the estimated 108,000 to 217,000 children in Michigan with dyslexia, it is how the sentence “Imagine trying to read in a world where all your words are jumbled” might look.

Growing up as a student with dyslexia, I know how difficult it can be when this disorder is not properly addressed. And as a former educator, I can also testify how much better it can be for students to get the proper training and instruction when dealing with dyslexia.

Several decades after I graduated from high school, my home state of Michigan still does not have a comprehensive strategy to address dyslexia. I have heard from countless parents, teachers, students and administrators that there is simply not enough help for those with this disability.

This has contributed, at least in part, to the fact that approximately one in three Michigan fourth-graders do not have adequate reading skills. In order to improve childhood literacy and open new opportunities for students at all levels, there needs to be a much more focused approach to not only screening for dyslexia, but to supporting those dealing with it.

## EARLIER THE HELP, THE BETTER

Dyslexia is a learning disability characterized by difficulties with accurate or fluent word recognition and by poor decoding abilities. The disorder is the most common learning disability that affects reading and writing.

Science shows us that good reading skills are the basis for future academic or professional success. Study after study also indicates how important it is to intervene early on.

Researchers have found that it is easier to help struggling readers in kindergarten and first grade than later on, and that struggling readers need help “early and often.” The sooner they get the help, the better off they will be.

But while more than two-thirds of states already have programs in place to identify children who show signs of dyslexia, Michigan law barely mentions dyslexia at all.

In the year 2021, having no statewide strategy to screen and treat dyslexia is simply unacceptable.

That is why I, along with several of my Republican and Democratic colleagues in the Michigan Senate, introduced legislation last year that would finally do something to fix that. Michigan Senate Bills 1172–1175 would have provided much-needed steps to address dyslexia early on in a student’s schooling.

Under the legislation, educators would have been adequately trained to understand dyslexia, to identify students who are struggling with learning the code, and to teach these students to break the code. A five-member advisory committee of individuals

who understand the struggle firsthand would have employed their experiences and knowledge to develop a dyslexia resource guide.

Other bills in the legislative package would have required school districts to screen children each year from kindergarten through third grade for reading difficulties using a universal screening assessment. If the assessment indicated that a child was experiencing difficulty learning to decode, the school district would have to provide a multi-tiered system of support.

Legislation would also have required our state’s teacher-preparation institutions to offer instruction on the characteristics of dyslexia, the consequences of dyslexia, evidence-based interventions, and methods to develop a classroom infrastructure that meets the needs of these students.

The Michigan Department of Education would have provided schools with “instructional methods and curriculum resources” that work for students with dyslexia by the 2023–24 school year.

All in all, this package of bills would have offered the first comprehensive statewide strategy to help students struggling with dyslexia.

It is a strategy that is long overdue.

In developing the bills, we worked with experts in the field, including Lauren A. Katz, one of the founders of the Literacy, Language, and Learning Institute in Ann Arbor, Mich. Dr. Katz said the legislation has far-reaching potential.

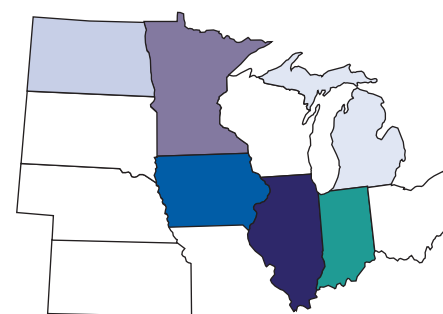
“Michigan children, no matter where they live or how much money their parents have, will receive instruction and intervention that is grounded in cognitive science,” Katz said of the bills. “And they will receive this instruction and intervention early — during a critical window of time, before negative consequences have kicked in.”

Nikolai Vitti, superintendent of the Detroit Public Schools Community District, said in a statement that “these proposed bills are the most promising K-12 reform-minded legislation I have seen since being superintendent in Detroit.” Vitti is another advocate, like me, who has personally experienced dyslexia.

## BIPARTISAN SUPPORT FOR BILLS

In a time of great disunity in our country, this bipartisan dyslexia legislation shows that folks from both sides of the aisle can still come together for the good of those we represent.

## DYSLEXIA-RELATED REQUIREMENTS IN MIDWEST\*



Screening of students, pre-service and in-service training for teachers, interventions for students

Screening of students, pre-service and in-service training for teachers

Screening of students, in-service training for teachers, interventions for students

Pre-service training for teachers and interventions for students

Screening of and interventions for students

\* Other Midwestern states have dyslexia-related laws, but no requirements as described above. Michigan’s law is not specific to dyslexia but does include language that could help identify students with this learning disorder and provide interventions.

Source: National Center on Improving Literacy

While we may not agree on everything, we can at least agree on the need to give every student the opportunities they deserve. Together we can make a real difference for the most vulnerable.

I have made it my mission to work with whomever I can to stand up for the forgotten. And if there is anyone who needs to be remembered, empowered and emboldened in our school systems, it is students with dyslexia.

While we missed a great opportunity to pass meaningful reform last year, I will be reintroducing this legislation again this term, because these students need help now.

There is a long way to go to get dyslexia reforms passed, at least in our state. But I am optimistic that we will get it done.

With support from parents who want the best education for their kids, teachers who want to learn how to better serve students and leaders who are willing to make a difference, there is nothing we can’t accomplish.

Michigan Sen. Jim Runestad was first elected to the state Senate in November 2018 after serving two terms in the House. He is a 2016 graduate of CSG Midwest’s Bowhay Institute for Legislative Leadership Development (BILLD).



Michigan Sen. Jim Runestad grew up as a student with dyslexia. He is now hoping to pass legislation to help current and future students in his home state dealing with this disorder.

## SUBMISSIONS WELCOME

This page is designed to be a forum for legislators and constitutional officers. The opinions expressed on this page do not reflect those of The Council of State Governments or the Midwestern Legislative Conference. Responses to any FirstPerson article are welcome, as are pieces written on other topics. For more information, contact Tim Anderson at 630.925.1922 or [tanderson@csg.org](mailto:tanderson@csg.org).



CSG CONTINUES TO LEAD WAY IN HELPING STATES EVALUATE, IMPROVE THEIR JUVENILE JUSTICE SYSTEMS

Over the next year, The Council of State Governments’ Justice Center will conduct an unprecedented 50-state analysis of state juvenile court policies and rules. The goal of this new project is to ensure juvenile court judges are positioned to make informed, effective decisions that are in the best interest of youths in the system and the broader community.

The CSG Justice Center and its partner organization in this project, the National Council on Juvenile and Family Court Judges, will examine how judges who handle youth delinquency cases are selected, rotated, as well as how well their decisions are informed by research and best practices. The analysis will draw on interviews, focus groups, and surveys with judicial officials and administrative staff across the country, as well as a review of pertinent state statutes and court rules.



Findings and recommendations from this first-of-its-kind analysis will be released in spring 2022.

The CSG Justice Center’s mission is to develop research-driven strategies that increase public safety and strengthen communities. One of its areas of emphasis is helping state and local jurisdictions align their juvenile justice policies and practices with what research shows works to reduce recidivism and improve outcomes. Starting last fall, for example, CSG began working with Indiana leaders on an Improving Outcomes for Youth initiative, which is helping the state identify policies and practices to protect public safety, reduce racial and ethnic disparities, and improve outcomes for youths in contact with the juvenile justice system.

In March, based on an analysis of laws and practices in 12 states (including Illinois, Iowa and Ohio), the Justice Center released “Reducing Structural Barriers to School and Work for People with Juvenile Records.” This new policy toolkit includes examples of education and employment barriers that people with juvenile records face as a result of state laws, as well as public and private hiring and admissions practices. The study includes four policy recommendations related to the confidentiality, disclosure and clearance of juvenile records. It can be found at [csgjusticecenter.org](https://csgjusticecenter.org).

CSG MIDWEST HOLDING VIRTUAL VISITS WITH MIDWEST’S LEGISLATORS

CSG Midwest continues to hold one-on-one virtual meetings with legislators from across the Midwest. The purpose of these visits is to introduce or update members on the various products, services and opportunities available to them through The Council of State Governments. CSG’s Midwestern Legislative Conference includes all legislators from 11 Midwestern states and the Canadian province of Saskatchewan. Three provinces are affiliate members of the MLC. Please contact CSG Midwest’s liaison for each jurisdiction to set up a virtual visit:

- **Illinois** and **Minnesota**: Mitch Arvidson, [marvidson@csg.org](mailto:marvidson@csg.org)
- **Indiana** and **Iowa**: Ilene Grossman, [igrossman@csg.org](mailto:igrossman@csg.org)
- **Kansas** and **Michigan**: Laura Kliewer, [lkiewer@csg.org](mailto:lkiewer@csg.org)
- **Nebraska**: Tim Anderson, [tanderson@csg.org](mailto:tanderson@csg.org)
- **North Dakota** and **Ohio**: Laura Tomaka, [ltomaka@csg.org](mailto:ltomaka@csg.org)
- **Saskatchewan, Alberta, Manitoba** and **Ontario**: Ilene Grossman, [igrossman@csg.org](mailto:igrossman@csg.org); and Mike McCabe, [mmccabe@csg.org](mailto:mmccabe@csg.org)
- **South Dakota** and **Wisconsin**: Jon Davis, [jdavis@csg.org](mailto:jdavis@csg.org)

REGISTER NOW FOR THE PREMIER MEETING OF MIDWEST’S STATE, PROVINCIAL LEGISLATORS

The family-friendly Midwestern Legislative Conference Annual Meeting is the only event of its kind designed by and for legislators from the Midwest’s states and provinces.

Led by Senate Majority Leader Gary Cammack, this year’s chair of the MLC, the South Dakota Legislature is serving as hosts of this year’s event. It will be held July 11-14 in Rapid City — South Dakota’s ‘gateway to Mount Rushmore.’

The 75th Annual Meeting of the MLC will offer a mix of informative sessions with leading policy experts, site visits, highly renowned speakers and special evening events (see agenda below). Daytime activities also will be available for attendees’ guests of all ages. Registration can be completed at [csgmidwest.org](https://csgmidwest.org). It must be completed by June 4. Here is a meeting preview.

FEATURED SESSIONS

- As part of Sen. Cammack’s MLC Chair’s Initiative, a plenary session will be held on innovative strategies that encourage the sustainable use and management of our region’s greatest natural resource — the lands we live on.
- Led by acclaimed futurist Ben Hammersley, meeting attendees will explore the challenges and opportunities that lie ahead for state and provincial governments in the Midwest. This will focus in part on education and health policies, as well as trends likely to shape the region’s economy and the future of work.

*Please note: The Midwestern Legislative Conference encourages all attendees at the MLC’s 75th Annual Meeting in Rapid City, South Dakota, to familiarize themselves with all COVID-19-related guidance provided by the Centers for Disease Control and Prevention (CDC) and by the appropriate state, provincial and local public health authorities in the areas to and from which they will be traveling in order to attend the conference. Compliance with such guidance, and with any on-site health and safety protocols recommended by the MLC to help ensure the safety of all event participants, is strongly encouraged by the MLC but will ultimately remain the responsibility of individual attendees.*



WORKSHOP FOR LEGISLATORS

During an interactive workshop on the meeting’s final day, participants will explore the new science of stress management and learn how to apply it to their work inside and outside the legislature. This workshop will be led by a former Iowa state legislator: J. Scott Raecker, now director of The Robert D. and Billie Ray Center at Drake University.

POLICY-FOCUSED COMMITTEES

Each of the MLC’s seven committees of state and provincial legislators will host policy sessions for all attendees. These committees cover policies related to agriculture and natural resources, budgets, criminal justice, economic development and trade policy, education and health care.

Preliminary Schedule for 2021 MLC Annual Meeting			
SATURDAY, JULY 10	5 to 6 p.m.	12 to 2 p.m.	2 to 3:30 p.m.
1:30 to 8 p.m. MLC Agriculture & Natural Resources Committee Tour: A Black Hills Excursion (casual attire; separate pre-registration required)	» BILLD Alumni Reception (invitation only) » Newcomers Reception 6 to 9 p.m. Opening Night Reception at Reptile Gardens	Luncheon and Featured Presentation 2:15 to 3:45 p.m. Featured Presentation 3:45 to 11:15 p.m. Family Night at Crazy Horse and Mount Rushmore Memorials (casual attire)	MLC Committee-Sponsored Sessions 3:45 to 5 p.m. MLC Committee-Sponsored Sessions 5:45 to 6:45 p.m. Kansas MLC 2022 Reception at The Monument
SUNDAY, JULY 11	MONDAY, JULY 12	TUESDAY, JULY 13	7 to 10:30 p.m.
9 a.m. to 6 p.m. Meeting Registration and Information Desk 10 to 11:30 a.m. Concurrent Sessions of MLC Policy Committees 11:30 a.m. to 3 p.m. MLC Executive Committee Meeting (lunch provided) 12 to 1:30 p.m. MLC Policy Committees’ Lunch 3 to 4:30 p.m. Concurrent Sessions of MLC Policy Committees 4:30 to 5 p.m. Newcomers Orientation	7:30 to 8:45 a.m. » Breakfast » Breakfast Table Topic Discussions » BILLD Steering Committee Business Session/ Breakfast 9 to 10:30 a.m. Opening and Keynote Session » Welcoming Remarks » Keynote Address on The Post-Pandemic Midwest, Featuring Futurist, Journalist and Technologist Ben Hammersley 10:45 a.m. to 12 p.m. Post-Pandemic Midwest: Policy Ideas and Opportunities for States and Provinces	7:30 to 8:45 a.m. » Breakfast » Breakfast Table Topic Discussions » BILLD Breakfast (invitation only) » MLC Resolutions Committee 9 to 10:15 a.m. Plenary Session: MLC Chair’s Initiative on Innovations in Land Conservation 10:30 to 11:45 a.m. Plenary Session 11:45 a.m. to 1:45 p.m. Luncheon and Featured Presentation	State Dinner at The Monument
			WEDNESDAY, JULY 14
			8:30 to 10 a.m. Meeting Registration and Information Desk 8:30 to 10 a.m. Breakfast and MLC Business Session 10 a.m. to 12 p.m. Closing Professional Development Workshop: on Managing Legislative Stress, Led by J. Scott Raecker, Director of The Robert D. and Billie Ray Center at Drake University

The Council of State Governments was founded in 1933 as a national, nonpartisan organization to assist and advance state government. The headquarters office, in Lexington, Ky., is responsible for a variety of national programs and services, including research, reference publications, innovations transfer, suggested state legislation and interstate consulting services. The Midwestern Office supports several groups of state officials, including the Midwestern Legislative Conference, an association of all legislators representing 11 states (Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin) and the Canadian province of Saskatchewan. The provinces of Alberta, Manitoba and Ontario are MLC affiliate members.



BILLD ALUMNI NOTES

In March, **former Indiana Rep. Holli Sullivan** (BILLD class of 2015) was appointed Indiana secretary of state by Gov. Eric Holcomb. Sullivan replaces **former Sen. Connie Lawson** (BILLD class of 1999), who retired as secretary of state after nine years in the position. Sullivan will complete the final two years of Lawson’s most recent term, which began in 2019.



Sullivan was first elected to the Indiana House in 2014. She served as 2021 chair of the BILLD Steering Committee prior to leaving the Indiana General Assembly. She also served as co-vice chair of the Steering Committee from 2019 to 2020.

In March, **Ohio Sen. Hearcel Craig** (BILLD class of 2015) was elected assistant minority whip. Craig joined his caucus’s leadership team after **Sen. Cecil Thomas**, also a member of the 2015 BILLD class, stepped down as assistant minority leader to focus on his run for mayor of Cincinnati.



Craig was elected to the Ohio Senate in 2019 after serving two terms in the House of Representatives. In addition to being a graduate of the Bowhay Institute, Craig was vice chair of the Midwestern Legislative Conference’s Education Committee in 2019-2020.

In February, **Michigan Rep. Mary Whiteford** (BILLD class of 2015) was appointed chair of the House Adoption and Foster Care Task Force.

“I am looking forward to listening to experts, families and children who have experienced flaws in the adoption and foster care system firsthand,” Whiteford said in a statement about her appointment. “They know the realities better than anyone and their stories will help shape our recommendations into actual legislation.”



The bipartisan panel has been charged with making recommendations for legislative, administrative and judicial reforms to improve the state’s adoption efforts and foster care system.

Please submit Alumni News to Laura Tomaka, CSG Midwest program manager for BILLD. She can be reached at [ltomaka@csg.org](mailto:ltomaka@csg.org).

SPONSORING BILLD

The Bowhay Institute is made possible by funding from corporate and foundation sponsors who believe in the importance of providing legislators with the tools necessary to improve their leadership and policymaking skills.

BILLD offers a range of sponsorship levels and widely recognizes its partners during the five-day Institute and through a variety of BILLD publications throughout the year. Please contact Laura Tomaka ([ltomaka@csg.org](mailto:ltomaka@csg.org)) or visit the CSG Midwest website for sponsor information.

MAY 14 APPLICATION DEADLINE FOR THE 2021 BILLD PROGRAM IS QUICKLY APPROACHING

The application deadline for the Midwestern Legislative Conference’s 2021 Bowhay Institute for Legislative Leadership Development (BILLD) is coming up soon: May 14. The five-day training program will be held Oct. 1-5, in partnership with the Center for the Study of Politics and Governance at the University of Minnesota’s Humphrey School of Public Affairs. Midwestern legislators interested in applying for a fellowship should be in their first four years of service. Thirty-nine fellowships will be awarded for the 2021 program by the BILLD Steering Committee, a group of state and provincial legislators from the MLC’s member jurisdictions. Fellowships cover the cost of lodging and meals associated with attending the program, and partial travel stipends are available to help offset the cost of travel to and from Minneapolis. The BILLD curriculum includes sessions and interactive workshops on leadership and legislative skills development, policy analysis and policymaking strategies. Faculty for the institute include a mix of academic scholars, professional development experts and legislative leaders from the Midwest. Applications are available at [csgmidwest.org](http://csgmidwest.org) or by contacting CSG Midwest’s program manager for BILLD, Laura Tomaka, at [ltomaka@csg.org](mailto:ltomaka@csg.org) or 630-925-1922.

26th Annual BILLD Program

- October 1-5, 2021
- Minneapolis, Minnesota
- BILLD Fellowships cover the cost of tuition, meals and lodging
- Each Fellow is eligible for a partial travel stipend to help offset the cost of transportation to and from Minneapolis
- Application Deadline: May 14, 2021



BILLD EXPERIENCE IN THE WORDS OF GRADUATES

“It is more than just a conference. It’s a program where you grow and that will make you challenge yourself.”

*Rep. Tory Marie Arnberger, Kansas, BILLD Class of 2019*

“The best opportunity you will ever have to meet peers from other states and gain valuable insights into better serving the public.”

*Sen. Brad Bekkedahl, North Dakota Class of 2017*

“An extraordinary opportunity for professional and leadership development and worth every minute of time and energy invested.”

*MPP Rima Berns-McGown, Ontario BILLD Class of 2019*

“A game-changing experience for your political career.”

*Sen. Jeff Edler, Iowa, BILLD Class of 2017*

“It’s a wonderful opportunity to take a break from the daily craziness of the job to focus on the big picture of what it means to be a legislator.”

*Rep. Ann Williams, Illinois BILLD Class of 2012*

“BILLD is an opportunity for making meaningful connections and to exchange best practices to support your legislature.”

*Rep. Ruth Richardson, Minnesota Class of 2019*

“Life-changing — the best leadership program I have attended.”

*Sen. Dinah Sykes, Kansas, BILLD Class of 2017*

Through the Bowhay Institute for Legislative Leadership Development, or BILLD, CSG Midwest provides annual training on leadership and professional development for newer state and provincial legislators from this region. This page provides information related to the BILLD program, leadership development and legislative leadership. CSG’s Midwestern Legislative Conference BILLD Steering Committee — a bipartisan group of state and provincial legislators from the Midwest — oversees the program, including the annual selection of BILLD Fellows.

# STATELINE MIDWEST

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## CSG EVENTS

### CSG Midwestern Legislative Conference Virtual Events for Legislators

Visit [csgmidwest.org](http://csgmidwest.org) to find dates of upcoming webinars and view recordings of past webinars on public policy, professional development and leadership training.



MLC

### CSG University: Virtual Sessions

Visit [csg.org](http://csg.org) to find dates of upcoming sessions covering various topics on public policy and legislating.



### Midwestern Legislative Conference Annual Meeting

July 11-14, 2021 | Rapid City, South Dakota

Contact: Cindy Andrews ~ [candrews@csg.org](mailto:candrews@csg.org)  
630.925.1922 | [csgmidwest.org](http://csgmidwest.org)



### Bowhay Institute for Legislative Leadership Development

October 1-5, 2021 | Minneapolis, Minnesota

Contact: Laura Tomaka ~ [ltomaka@csg.org](mailto:ltomaka@csg.org)  
630.925.1922 | [csgmidwest.org](http://csgmidwest.org)



BILLD

### Great Lakes-St. Lawrence Legislative Caucus Annual Meeting

September 24-25, 2021 | Québec City, QC

Contact: Mike McCabe ~ [mmccabe@csg.org](mailto:mmccabe@csg.org)  
630.925.1922 | [greatlakeslegislators.org](http://greatlakeslegislators.org)



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