



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

S.B. 154
136th General Assembly

Bill Analysis

Version: As Introduced

Primary Sponsor: Sen. Ingram

Emma Carroll, Research Analyst

SUMMARY

- Expands (to include residential care facilities) the types of long-term care facilities where an electronic monitoring device may be installed in a resident's room under certain conditions.
- Expands who may authorize an electronic monitoring device in a resident's room from only a guardian or attorney-in-fact to include any sponsor a resident designates.
- Permits the resident of a long-term care facility or the resident's designated sponsor or attorney-in-fact to select the electronic monitoring device.
- Prohibits a long-term care facility from banning the use of electronic monitoring devices with two-way audio and video communication abilities.
- Permits a long-term care facility to charge a fee for electronic monitoring device installation or internet connection.

DETAILED ANALYSIS

Electronic monitoring in long-term care facilities

Current law permits a long-term care facility resident or the resident's guardian or attorney-in-fact to authorize the installation and use of an electronic monitoring device in the resident's room under certain conditions.¹ An "electronic monitoring device" is a surveillance instrument with a fixed position video camera, an audio recording device, or a combination thereof, that is installed in a resident's room and broadcasts or records activities or sounds occurring in the room. Currently, a long-term care facility is defined as either a nursing home or

¹ R.C. 3721.61(A).

a facility (or part of a facility) that is Medicare- or Medicaid-certified as a skilled nursing facility or nursing facility.²

The bill expands the definition of “long-term care facility” to include residential care facilities as locations where an electronic monitoring device may be installed. Residential care facilities provide either (1) accommodations for 17 or more unrelated individuals and supervision and personal care services for three or more of those individuals who are dependent on the services of others by reason of age or physical or mental impairment, or (2) accommodations for three or more unrelated individuals, supervision and personal care services for at least three of those individuals who are dependent on the services of others by reason of age or physical or mental impairment, and skilled nursing care to at least one of those individuals.³ Residential care facilities are commonly referred to as assisted living facilities.

Designated sponsor

Instead of permitting only a resident or a resident’s guardian or attorney-in-fact to authorize the installation and use of an electronic monitoring device in a resident’s room as provided in current law, the bill allows authorization by a resident or a resident’s **designated sponsor** or attorney-in-fact. A designated sponsor is an adult relative, friend, or guardian of a resident who has an interest or responsibility in the resident’s welfare.⁴

Type of electronic monitoring device

The bill permits the resident or resident’s designated sponsor or attorney-in-fact to select the electronic monitoring device that is used.⁵ A long-term care facility may not prohibit the installation of a device that has two-way audio and video communication abilities.⁶

Fees

The bill permits long-term care facilities to establish fees to account for costs associated with the installation and use of electronic monitoring devices in residents’ rooms. A long-term care facility may charge a fee of up to \$50 for the installation of the device. A facility may also charge up to \$2 per month to provide an internet connection for the installation and use of the device.⁷

² R.C. 3721.60; see R.C. 3721.21(A)(6), not in the bill.

³ R.C. 3721.60(D); see R.C. 3721.01(A)(7), not in the bill.

⁴ R.C. 3721.60(B), conforming changes in R.C. 3721.61, 3721.62, 3721.63, 3721.65, and 3721.66; see R.C. 3721.10(D), not in the bill.

⁵ R.C. 3721.61(A) and 3721.63(D).

⁶ R.C. 3721.65(A).

⁷ R.C. 3721.61(C).

HISTORY

Action	Date
Introduced	03-05-25
