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S.B. 234*
135th General Assembly

Bill Analysis

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Version: As Reported by House Public Health Policy

Primary Sponsor: Sen. Gavarone

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SUMMARY

Food Allergy Awareness Month and Lupus Awareness Month

- Designates May as Food Allergy Awareness Month and as Lupus Awareness Month.

Law enforcement agencies and epinephrine autoinjectors

- Authorizes a law enforcement agency or other entity served by peace officers to acquire and maintain epinephrine autoinjectors.
- Permits an employee or agent of such an agency or entity to administer epinephrine, using an autoinjector, to an individual believed in good faith to be experiencing anaphylaxis, but only if the employee or agent is designated by the agency or entity and satisfies certain training requirements.

National Suicide Lifeline telephone number

- Requires schools and higher education institutions to include the National Suicide and Crisis Lifeline telephone number, 988, on student identification cards, student planners, and electronic portals.
- Clarifies that this requirement is limited to those the school provides or issues after the act's effective date and that the school may continue to use identification cards and planners that were printed before the act's effective date.

* This analysis was prepared before the report of the House Public Health Policy Committee appeared in the House Journal. Note that the legislative history may be incomplete.

Information on declarations for mental health treatment

- Requires institutions of higher education to provide information about declarations for mental health treatment as part of the institution's student orientation, onboarding, or transfer materials and programs.

DETAILED ANALYSIS

Food Allergy Awareness Month and Lupus Awareness Month

The bill designates May as Food Allergy Awareness Month and as Lupus Awareness Month.¹

Law enforcement agencies and epinephrine autoinjectors

The bill authorizes a law enforcement agency or other entity served by peace officers to do both of the following:

- Acquire and maintain a supply of epinephrine autoinjectors;
- Permit its designated employees or agents, which may include peace officers, who meet certain training requirements to administer epinephrine using an autoinjector to an individual believed in good faith to be experiencing anaphylaxis or to provide, for immediate administration, an epinephrine autoinjector to an individual believed in good faith to be experiencing anaphylaxis or to the individual's parent, guardian, or caregiver.²

In granting this authority, the bill includes law enforcement agencies and other entities served by peace officers in the existing law authorizing *qualified entities* to (1) acquire and maintain supplies of epinephrine autoinjectors and (2) designate certain trained individuals, in cases of anaphylaxis, to administer epinephrine using autoinjectors and to provide epinephrine autoinjectors to others.³

For purposes of the bill, a law enforcement agency or other entity is limited to an agency or entity described in the bill's definition of peace officer.⁴

Note on qualified entities

The bill revises the definition of *qualified entity*, which under current law specifically excludes several types of schools, to clarify that those schools are otherwise authorized under separate statutory law to procure epinephrine autoinjectors and use them in emergency situations.⁵

¹ R.C. 5.2539 and 5.56.

² R.C. 3728.01. See also R.C. 109.71, 3728.03, 3728.04, and 3728.05, not in the bill.

³ R.C. 3728.01(D)(2).

⁴ R.C. 3728.01. See also R.C. 109.71.

⁵ R.C. 3728.01(D)(1). See also R.C. 3313.7110, 3313.7111, 3314.143, 3326.28, and 3328.29, not in the bill.

Types of peace officers

Under the bill, a **peace officer** means any of the following individuals whose primary duties are to preserve the peace, protect life and property, and enforce state and local laws: a sheriff, deputy sheriff, marshal, deputy marshal, member of the organized police department of a township or municipal corporation, member of a township police district or joint police district force, member of a police force employed by a metropolitan housing authority, or township constable who is commissioned and employed as a peace officer by a political subdivision or metropolitan housing authority.⁶

A **peace officer** also includes any of 24 other types of individuals, including the following: a member of a campus police department; a member of a regional transit authority police force; a State Fire Marshal law enforcement officer; a gaming agent; an employee of the State Board of Pharmacy designated by its Executive Director to investigate violations of Ohio's drug laws; a police officer employed by a railroad company, bank, or hospital and appointed and commissioned by the Secretary of State; employees of the Ohio Department of Taxation engaged in the enforcement of Ohio's tax law and designated by the Tax Commissioner; an undercover drug agent; and enforcement agents of the Ohio Department of Public Safety designated by the Director of Public Safety.⁷

Anaphylaxis training - background

Under current law unchanged by the bill, the anaphylaxis training required for individuals designated by qualified entities to administer epinephrine may be (1) provided by individuals, organizations, or classes approved by the Department of Health or (2) conducted by nationally recognized organizations with experience in providing training in emergency health care to individuals who are not health care professionals.

The required training may be completed in person or online and must address all of the following topics:

- Ways of recognizing the signs and symptoms of severe allergic reactions, including anaphylaxis;
- Standards and procedures for administration of epinephrine and storage of epinephrine autoinjectors;
- Emergency follow-up procedures.⁸

National Suicide Lifeline telephone number

The bill requires schools and higher education institutions to include the National Suicide and Crisis Lifeline telephone number, 988, or its successor, on certain items and electronic portals. More specifically, each city, local, and exempted village school district and chartered

⁶ R.C. 109.71(A)(1), not in the bill.

⁷ R.C. 109.71(A), not in the bill.

⁸ R.C. 3728.04, not in the bill.

nonpublic school serving any of grades nine through twelve must include the telephone number on all of the following, if provided or used by the school:

- Each student identification card issued after the bill’s effective date;
- Each planner issued to a student after the bill’s effective date;
- Any electronic portal administered by the district or school that may be accessed by students.⁹

Each state institution of higher education and each private college must include the telephone number on each student identification card issued after the bill’s effective date and on any electronic portal administered by the state institution or private college that may be accessed by the students, if provided or used by the institution or college.¹⁰

The bill also clarifies that each of these schools may issue or provide student identification cards or planners that do not include the telephone number if the items were *printed* before the bill’s effective date.¹¹ This applies even if the card or planner is *issued* after the bill’s effective date.

Finally, the bill makes conforming changes in existing law regarding certain schools to reflect this new requirement, as described below:

R.C. Section	Description
R.C. 3313.03(A)(11)(d)	Specifies provisions that must be included in each contract entered into between a sponsor and the governing authority of a community school (often referred to as a “charter school”), which includes a provision that the school must comply with the bill’s requirement.
R.C. 3326.11	Requires each science, technology, engineering, and mathematics school and its governing body to comply with the bill’s requirement.
R.C. 3328.24	Requires each college preparatory boarding school and its board of trustees to comply with the bill’s requirement.

Information on declarations for mental health treatment

The bill requires each institution of higher education to provide new students and the students’ parents or guardians information about declarations for mental health treatment as part of the state institution’s student orientation, onboarding, or transfer materials and

⁹ R.C. 3313.473.

¹⁰ R.C. 3345.37(D) and 3345.371.

¹¹ Section 3.

programs. Under existing law, an adult (declarant) who has the capacity to consent to mental health treatment decisions may execute a declaration governing the use or continuation, or the withholding or withdrawal, of mental health treatment. The declarant may designate a person to act as a proxy to make decisions regarding mental health treatment pursuant to the declaration. A state institution must provide information on how to access and execute a declaration and considerations to determine whether a declaration would be beneficial to a student. The bill also requires the Chancellor of Higher Education, in collaboration with the Director of Mental Health and Addiction Services, to create a standard information sheet that institutions may use to convey this information.¹²

HISTORY

Action	Date
Introduced	03-05-24
Reported, S. Health	06-26-24
Passed Senate (31-0)	06-26-24
Reported, H. Public Health Policy	---

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¹² R.C. 3345.87; R.C. 2135.02, not in the bill.