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# OHIO LEGISLATIVE SERVICE COMMISSION

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and Drafting

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S.B. 234  
135<sup>th</sup> General Assembly

## Final Analysis

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**Primary Sponsor:** Sen. Gavarone

**Effective date:** April 9, 2025

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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 designated trained employees or agents of such an agency or entity to administer epinephrine, using an autoinjector, to an individual believed in good faith to be experiencing anaphylaxis.

#### **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.

#### **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.

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## DETAILED ANALYSIS

### Food Allergy Awareness Month and Lupus Awareness Month

The act designates May as Food Allergy Awareness Month and as Lupus Awareness Month.<sup>1</sup>

### Law enforcement agencies and epinephrine autoinjectors

The act 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.<sup>2</sup>

In granting this authority, the act includes law enforcement agencies and other entities served by peace officers as **qualified entities** authorized 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.<sup>3</sup>

A law enforcement agency or other entity is limited to an agency or entity described in the act's definition of peace officer.<sup>4</sup>

#### Note on qualified entities

The act revises the definition of **qualified entity**. Previously, the law excluded from the definition several types of schools. The act clarifies that those schools are otherwise authorized under separate statutory law to procure epinephrine autoinjectors and use them in emergency situations.<sup>5</sup>

#### Types of peace officers

Under the act, 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

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<sup>1</sup> R.C. 5.2539 and 5.56.

<sup>2</sup> R.C. 3728.01. See also R.C. 109.71, 3728.03, 3728.04, and 3728.05, not in the act.

<sup>3</sup> R.C. 3728.01(D)(2).

<sup>4</sup> R.C. 3728.01. See also R.C. 109.71, not in the act.

<sup>5</sup> R.C. 3728.01(D)(1). See also R.C. 3313.7110, 3313.7111, 3314.143, 3326.28, and 3328.29, not in the act.

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.<sup>6</sup>

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.<sup>7</sup>

### **Anaphylaxis training – background**

Under continuing law, 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 the administration of epinephrine and the storage of epinephrine autoinjectors;
- Emergency follow-up procedures.<sup>8</sup>

### **National Suicide Lifeline telephone number**

The act 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, community school, STEM school, and chartered nonpublic school serving any of grades 9 through 12 must include the telephone number on all of the following, if provided or used by the school:

- Each student identification card issued after the act's effective date;
- Each planner issued to a student after the act's effective date;

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<sup>6</sup> R.C. 109.71(A)(1), not in the act.

<sup>7</sup> R.C. 109.71(A), not in the act.

<sup>8</sup> R.C. 3728.04, not in the act.

- Any electronic portal administered by the district or school that students may access.<sup>9</sup>

Each state institution of higher education and each private college must include the telephone number on each student identification card issued after the act's effective date and on any electronic portal it administers that students may access.<sup>10</sup>

The act 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 act's effective date.<sup>11</sup> This applies even if the card or planner is *issued* after the act's effective date.

## Information on declarations for mental health treatment

The act 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 institution's student orientation, onboarding, or transfer materials and programs. Under law retained by the act, 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. Each 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 act 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.<sup>12</sup>

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## 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           | 12-12-24 |
| Passed House (92-2)                         | 12-18-24 |
| Senate concurred in House amendments (30-0) | 12-18-24 |

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<sup>9</sup> R.C. 3313.473, 3314.03(A)(11)(d), 3326.11, and 3328.24.

<sup>10</sup> R.C. 3345.37(D) and 3345.371.

<sup>11</sup> Section 3.

<sup>12</sup> R.C. 3345.87; R.C. 2135.02, not in the act.