



Ohio Legislative Service Commission

Bill Analysis

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S.B. 313

131st General Assembly
(As Introduced)

Sens. Lehner, Hite, Manning, Patton, Gardner

BILL SUMMARY

- Requires the Ohio Department of Health (ODH) to set new eligibility requirements for services provided through the Ohio Breast and Cervical Cancer Project.
- Requires ODH to adopt rules specifying the cost sharing limit for each screening and diagnostic service that may be obtained through the Project.
- Makes conforming changes to law governing the Breast and Cervical Cancer Project Income Tax Contribution Fund.

CONTENT AND OPERATION

Ohio Breast and Cervical Cancer Project

Eligibility

The bill requires the Ohio Department of Health (ODH) to set new eligibility requirements for services provided through the Ohio Breast and Cervical Cancer Project. The Project constitutes Ohio's participation in the National Breast and Cervical Cancer Early Detection Program (NBCCEDP), which the bill codifies in the Revised Code (see "**Background**," below). The Project must be administered in accordance with Title XV of the federal Public Health Service Act,¹ as well as ODH's NBCCEDP grant agreement with the U.S. Centers for Disease Control and Prevention.²

¹ 42 United States Code (U.S.C.) 300k *et seq.* Title XV of the federal Public Health Service Act is also known as the Breast and Cervical Cancer Mortality Prevention Act of 1990.

² R.C. 3701.144(B).

The following table compares the Project's current eligibility criteria³ with the eligibility requirements ODH must establish under the bill.

Ohio Breast and Cervical Cancer Project Eligibility

	Current Eligibility Requirements	Eligibility Requirements Under the Bill
Income	Not more than 200% of the federal poverty level (FPL).	Not more than 250% of the FPL.
Health insurance status	Uninsured	Any of the following: <ul style="list-style-type: none"> • Uninsured; • Covered by health insurance that excludes the screening or diagnostic services the woman seeks through the Project; or • Covered by health insurance that imposes cost sharing for the services the woman seeks through the Project that exceeds the limit specified by the Director of Health in rules.
Covered services	<ul style="list-style-type: none"> • Pap tests and clinical breast exams covered for women ages 40 and older. • Mammograms covered for: <ul style="list-style-type: none"> ➤ Any woman age 50 and older; ➤ A woman age 40 to 49 if indicated by a clinical breast exam, family history, or other factors. 	<ul style="list-style-type: none"> • Cervical cancer screening and diagnostic services for women ages 21 to 64. • Breast cancer screening and diagnostic services for: <ul style="list-style-type: none"> ➤ Any woman age 40 and older; ➤ A woman age 25 to 39 who has been determined by a physician to need breast cancer screening and diagnostic services due to the results of a clinical breast examination, the woman's family history, or other factors.

³ Ohio Department of Health, *BCCP Program Eligibility*, available at https://www.odh.ohio.gov/sitecore/content/HealthyOhio/default/cancer/bccp/bc_elig.aspx.

Rules

Under the bill, the Director of Health must adopt rules specifying the cost sharing limit for each screening and diagnostic service that may be obtained through the Project. The bill defines "cost sharing" in the same manner as existing law governing insurance coverage for orally administered cancer medications.⁴ Under that definition, "cost sharing" means the cost to an individual insured under an individual or group health insuring corporation policy, contract, or agreement according to any coverage limit, copayment, coinsurance, deductible, or other out-of-pocket expense requirements imposed by the policy, contract, or agreement.⁵

The Director may adopt other rules as necessary to implement the bill's provisions. All rules must be adopted in accordance with the Administrative Procedure Act (R.C. Chapter 119).⁶

Conforming changes

Under current law not modified by the bill, any person may contribute money to the Breast and Cervical Cancer Project Income Tax Contribution Fund by completing the appropriate space on the person's income tax return form.⁷ The Director of Health must distribute money contributed to the Fund to the Ohio Breast and Cervical Cancer Project. The money is to be used for the provision of breast and cervical cancer screening, diagnostic, and outreach services to uninsured and under-insured women. The bill requires that women who receive these services meet the eligibility requirements established by the bill.⁸

Background

ODH has been operating the Ohio Breast and Cervical Cancer Project since 1994. Currently, it is operated by 11 Regional Enrollment Areas (REAs) that serve multiple counties. Women do not have to travel to an REA to enroll; enrollment typically takes place over the phone or by mail.⁹

⁴ R.C. 3701.144(A).

⁵ See R.C. 3923.85, not in the bill.

⁶ R.C. 3701.144(D).

⁷ R.C. 5747.113(B), not in the bill.

⁸ R.C. 3701.601.

⁹ Ohio Department of Health, *What is the Breast and Cervical Cancer Project?*, available at https://www.odh.ohio.gov/sitecore/content/HealthyOhio/default/cancer/bccp/bcanc1.aspx?sc_lang=en.

The Project's clinical services are available through a large network of medical providers throughout Ohio. Once enrolled, a woman is scheduled for services with area clinical providers by staff at her REA. According to ODH, the Project is committed to serving Ohio women in a convenient, accessible, respectful, and culturally competent manner.¹⁰

HISTORY

ACTION

DATE

Introduced

04-18-16

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¹⁰ Ohio Department of Health, *What is the Breast and Cervical Cancer Project?*, available at <https://www.odh.ohio.gov/sitecore/content/HealthyOhio/default/cancer/bccp/bcanc1.aspx?sc_lang=en>.

