



OHIO LEGISLATIVE SERVICE COMMISSION

Synopsis of Senate Committee Amendments*

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Sub. H.B. 290

131st General Assembly
(S. Health & Human Services)

Treatment with investigational drugs, products, or devices

Modifies the House-passed provisions regarding treatment of a patient with an investigational drug, product or device, as follows:

(1) Adds the following to the information that must be provided to the patient to secure the patient's informed consent for treatment:

--A statement that there is no proof of efficacy;

--An explanation that any health insurance or government program that covers the individual may not include coverage of any charges by the treating physician or another health care provider for any care or treatment resulting from the patient's use of the investigational drug, product, or device;

--A statement explaining that the drug manufacturer, the pharmacy or other distributor, and the patient's treating physician or administering hospital are not liable for civil damages or subject to criminal prosecution or professional disciplinary action related to providing, distributing, or treating with an investigational drug, product, or device, unless there is willful or wanton misconduct.

(2) Requires the State Medical Board, as soon as practicable after the bill's effective date, to create a template of the form to be used by a treating physician to secure a patient's informed consent.

(3) Specifies that the bill's provisions do not create a new cause of action or substantive legal right against a treating physician or hospital related to a physician's not recommending the use of an investigational drug, product, or device.

* This synopsis does not address amendments that may have been adopted on the Senate Floor.

(4) Provides that an individual is not an eligible patient if a clinical trial is actively being conducted within 100 miles of the individual's residence (unless the individual applied and was denied access to the trial), instead of the House-passed provision that disqualified a patient if a clinical trial was being conducted within the individual's county of residence or an adjoining county.

County home superintendent or administrator

Adds to the bill a provision permitting a board of county commissioners to enter into a contract with an entity that agrees to select a county home superintendent or administrator with the county board's advice and consent.

Specifies that (1) if a county home superintendent or administrator is a public employee, the superintendent or administrator is the county home's appointing authority (with authority to hire and fire employees), and (2) if the superintendent or administrator is not a public employee, the county board is the county home's appointing authority for all public employees of the county home.

Continuing education for volunteer health care services

Adds a provision permitting certain health care professionals to satisfy up to one-third of their continuing education requirements by providing uncompensated health care services to indigent and uninsured persons.