



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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S.B. 102

132nd General Assembly
(As Introduced)

Sens. Yuko, Brown, Tavares

BILL SUMMARY

- Requires a nursing home operator to report an outbreak of clostridium difficile (C. diff.) in the nursing home to the appropriate local health commissioner not later than 48 hours after the outbreak occurs.
 - Requires a nursing home operator to submit an annual report regarding C. diff. outbreaks in the nursing home that contains information specified by the Director of Health in rules.
 - Specifies that a nursing home operator that fails to comply with either requirement is subject to a \$100 fine for the first offense, and a fine of \$500 for each subsequent offense.
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CONTENT AND OPERATION

Reports of Clostridium difficile outbreaks in nursing homes

Requirement

The bill requires the operator of a nursing home to report to the health commissioner of the jurisdiction in which the nursing home is located when an outbreak of clostridium difficile (C. diff.) occurs in the nursing home. The Director of Health must specify what is meant by an "outbreak" in rules the bill requires (see "**Rules**," below.)¹

¹ R.C. 3707.061(A)(2).

The report must be made not later than 48 hours after the outbreak occurs.² In addition, protected health information in the report may be released only in accordance with current law³ governing the release of such information. ("Protected health information" is information in any form, including oral, written, electronic, visual, pictorial, or physical, that describes an individual's past, present, or future physical or mental health status or condition, receipt of treatment or care, or purchase of health products, if (1) the information reveals the identity of the individual who is the subject of the information or (2) the information could be used to reveal the identity of the individual who is the subject of the information, either by using the information alone or with other information that is available to predictable recipients of the information.⁴) Information that does not identify an individual may be released in summary, statistical, or aggregate form.⁵

Annual report

The bill requires each nursing home operator to submit an annual report to the Director of Health regarding C. diff. outbreaks in the operator's nursing home during the year the report covers. The report must include the type of information, and be presented in the format, specified in rules the Director of Health must adopt under the bill (see "**Rules**," below).⁶

Penalties

A nursing home operator who fails to comply with the bill's C. diff. reporting requirement is subject to a fine of \$100 for the first offense, and \$500 for each subsequent offense.⁷

Rules

The Director of Health must adopt rules governing the annual reports that are required by the bill, including a rule that defines the term "outbreak."⁸

² R.C. 3707.061(B).

³ R.C. 3701.17, not in the bill.

⁴ R.C. 3701.17(A)(2), not in the bill.

⁵ R.C. 3707.061(C).

⁶ R.C. 3721.026.

⁷ R.C. 3707.99(C) and 3721.99(A).

⁸ R.C. 3721.04(B).



Background – clostridium difficile (C. diff.)

Clostridium difficile (C. diff.) is a bacterium that causes inflammation of the colon, known as colitis. People who have other illnesses or conditions requiring prolonged use of antibiotics and the elderly are at greater risk of acquiring this disease. The bacteria are found in the feces. People can become infected if they touch items or surfaces that are contaminated with feces and then touch their mouth or mucous membranes. Healthcare workers can spread the bacteria to patients or contaminate surfaces through hand contact.⁹

HISTORY

ACTION	DATE
Introduced	03-15-17

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⁹ U.S. Centers for Disease Control and Prevention, *Clostridium difficile Infection Information for Patients*, available at <https://www.cdc.gov/hai/organisms/cdiff/cdiff-patient.html>.

