



OHIO LEGISLATIVE SERVICE COMMISSION

Jacquelyn Schroeder

Fiscal Note & Local Impact Statement

Bill: S.B. 102 of the 132nd G.A.

Status: As Introduced

Sponsor: Sen. Yuko

Local Impact Statement Procedure Required: No

Subject: Clostridium difficile outbreaks

State & Local Fiscal Highlights

- The Ohio Department of Health (ODH) could experience a minimal increase in costs to adopt rules required by the bill and to compile annual reports regarding clostridium difficile outbreaks in nursing homes.
- Local health departments could receive fine revenue if a nursing home operator fails to report required information. Any revenue collected is expected to be minimal.

Detailed Fiscal Analysis

The bill requires a nursing home operator to report an outbreak of clostridium difficile in a nursing home to the appropriate local health commissioner not later than 48 hours after the outbreak occurs. The Director of Health is to specify in rules what is meant by an "outbreak." The bill also requires a nursing home operator to submit an annual report regarding clostridium difficile outbreaks in a nursing home that contains information specified by the Director of Health in rules. Additionally, the bill 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.

The Ohio Department of Health (ODH) may experience a minimal increase in costs to adopt rules required by the bill and to compile the annual reports. It is possible that fine revenue could be collected if nursing home operators fail to report the required information. It appears that fines collected for failing to report an outbreak would be credited to the health fund of the applicable board of health. It is unclear where fines for failing to submit the required annual reports would be deposited.

Per Ohio Administrative Code section 3701-3-02, local health departments currently receive reports about specific diseases such as yellow fever or rabies, as well as reports of outbreaks, unusual incidences, or epidemics of infectious diseases from the following sources: community, foodborne, healthcare-associated, institutional, waterborne, and zoonotic. While clostridium difficile is not individually reportable, if multiple cases in the same healthcare facility (hospital or nursing home) occurred within a defined time period, it would be reportable by the end of the next business day

to the appropriate local health department. So, it appears that local health departments are currently receiving some reports. The bill does not specifically require a local health department to take action after receiving a report of an outbreak. However, according to ODH, a local health department is required to respond to reported outbreaks. ODH assists in cases where the local health department may not have the capacity to respond to the outbreak. In the event of an outbreak, the local health department and ODH work with a facility to go over control practices to prevent further transmission. Thus, it appears that there would be no additional costs to local health departments as a result of the bill unless the definition of "outbreak" resulted in additional reports of clostridium difficile.

SB0102IN.docx/zg