Fiscal Note & Local Impact Statement

122 nd General Assembly of Ohio

BILL: **H.B. 354** DATE: **May 21, 1997**

STATUS: **As Introduced** SPONSOR: **Rep. Terwilleger**

LOCAL IMPACT STATEMENT REQUIRED: **No — Minimal cost**

CONTENTS: **"Do not resuscitate" (DNR) identifications, orders and protocols**

State Fiscal Highlights

STATE FUND	FY 1997	FY 1998	FUTURE YEARS
General Revenue Fund – Department of Health			
Revenues	-0-	- 0 -	- 0 -
Expenditures	Minimal increase	-0-	-0-

- The adoption of rules should have a one-time minimal fiscal effect on the Department of Health.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 1997	FY 1998	FUTURE YEARS
Counties			
Revenues	Potential minimal gain	Potential minimal gain	Potential minimal gain
Expenditures	Potential minimal increase	Potential minimal increase	Potential minimal increase

- Any costs associated with prosecution, adjudication and incarceration would be paid by the county and any fine revenue would also go to the county. While it cannot be predicted, it is assumed that relatively few people would "willfully" violate the bill's provisions; therefore any costs associated with violations is expected to be minimal.

Detailed Fiscal Analysis

The bill makes changes to existing law and adds numerous provisions regarding "do not resuscitate" (DNR) identification methods, orders and protocols. The bill also establishes civil and criminal immunity, as well as immunity from professional discipline for specified health care personnel.

Department of Health

The Department of Health (DOH) is required to adopt rules to establish a protocol for withholding CPR from a patient who has made such a request and to approve one or more standard forms of DNR identification (defined as an identification card, form, necklace or bracelet) to be used in Ohio. To help with these tasks, the department is required to establish an advisory committee, which includes representatives from specified health care groups. No reimbursment is indicated for the committee; therefore, there is no fiscal effect from this provision. The adoption of rules should have a one-time minimal fiscal effect on the department.

Immunity/Prohibitions and Penalties

The bill provides for civil and criminal immunity, as well as immunity from professional discipline, to various specified health care personnel.

Violators of the bill's provisions are guilty of third degree misdemeanor, punishable by a maximum of 60 days in jail and a fine of no more than $500. Any costs associated with prosecution, adjudication and incarceration will be paid by the county in which the violation occurred and any fine revenue will go to the county. While it cannot be predicted, it is assumed that relatively few people would "willfully" violate the bill's provisions; therefore any costs associated with violations is expected to be minimal.

❑ *LBO staff: Barbara Petering, Senior Analyst*

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