

Local Fiscal Highlights

- No direct fiscal effect upon local government.

Detailed Fiscal Analysis

This bill repeals the scheduled repeal of various sections of the Revised Code enacted in Am. Sub. H.B. 218 of the 121st General Assembly, as amended by Am. Sub. H.B. 612 of the 122nd General Assembly. The substitute version of the bill adds the provisions currently in place for retired doctors to retired dentists.

Department of Health

The bill will maintain the requirement that nonprofit shelters and health care facilities register with the Department of Health (DOH) on January 1 of each year, and also keep records of persons who received diagnosis, care, or treatment at the facility. The bill's immunity provisions would only apply to registered shelters or facilities. Since this section will not be repealed under this bill, the Department will continue with the minimal expenses of complying with this provision of the Revised Code.

State Medical Board

The State Medical Board (MED), under the section of the Revised Code currently set to repeal on November 15, 2000, may issue volunteer certificates to retired physicians that were formerly licensed in Ohio. Under the volunteer certificate, a physician may only provide medical services, without compensation, in a nonprofit shelter or health care facility for indigent or uninsured individuals. The Board is not allowed to charge a fee for issuing or renewing this certificate. According to MED, the Board has issued one volunteer certificate since the original effective date of ORC 4731.295 of November 15, 1995.

Dental Board

The Dental Board (DEN), under the section 4715.42 of the Revised Code as contained in the bill, may issue volunteer certificates to retired doctors that were formerly licensed in Ohio or another state in this country. Under the volunteer certificate, a dentist may only provide dental services, without compensation, in a nonprofit shelter or health care facility for indigent or uninsured individuals. The Board is not allowed to charge a fee for issuing or renewing this certificate. Given the experience of the Medical Board, this is not likely to make much change in the expenses of the Dental Board

Qualified Immunity

The bill would maintain qualified immunity from civil liability to certain healthcare personnel, nonprofit shelters or healthcare facilities when providing certain free medical services to indigent or uninsured persons. The immunity does not apply to personnel or facilities acting outside of the scope of authority. Also, willful or wanton misconduct, through action or omission, would cause the individual or institution to lose this immunity.

Since the original bill's effective date, November 15, 1995, the State Medical Board has issued one volunteer certificate to a physician, and the Department of Health has registered 68 nonprofit shelters and healthcare facilities. Some of the facilities opened only under the protection offered by Am. Sub. H.B. 218. Originally, the potential existed that the provision of this immunity could slightly reduce court-related costs. However, the number of cases preempted or avoided by this provision appears to have been so few as to not have had any appreciable fiscal effect upon local government.

□ *LBO staff: Jeffrey M. Rosa, Budget/Policy Analyst*

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