



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: H.B. 298 of the 130th G.A.

Date: January 28, 2014

Status: As Introduced

Sponsor: Reps. Duffey and Stinziano

Local Impact Statement Procedure Required: No

Contents: Electronic monitoring devices in nursing homes

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- No direct fiscal effect on political subdivisions.

Detailed Fiscal Analysis

The bill permits: (1) a resident of a nursing home to install and use an electronic monitoring device in the resident's room, and (2) the Attorney General to use an electronic monitoring device in investigating an allegation of abuse and neglect against a nursing home resident. Current practice indicates that some nursing home residents and the Attorney General's Medicaid Fraud Control Unit, which investigates allegations of patient abuse and neglect, already utilize electronic monitoring devices. As such, the bill is essentially clarifying and codifying current practice and is not likely to result in additional costs for the state or its political subdivisions.

It is possible however, that the bill's clarification of a nursing home resident's authority to install and use an electronic monitoring device may lead to increased usage of such devices. As a result, evidence of abuse and neglect may be obtained that might otherwise have gone undetected, and charges subsequently filed against the alleged offender(s).¹ This could mean a slight increase in the number of patient abuse and neglect cases handled by municipal and county criminal justice systems.

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¹ The penalty for a violation of the existing patient abuse or neglect prohibition depends upon the circumstances and is as follows: a second degree misdemeanor, a first degree misdemeanor, a fifth degree felony, a fourth degree felony, or a third degree felony.