



*Synopsis of Senate Committee Amendments**

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Legislative Service Commission

Sub. H.B. 327

124th General Assembly
(S. Judiciary on Criminal Justice)

Removes the provision of the House-passed version of the bill that would have eliminated the major drug offender penalty for the offense of "illegal dispensing of drug samples."

Removes the provisions of the House-passed version of the bill that would have: (1) created a new offense called "absconding from supervision," and (2) prohibited prosecution under the existing offense of "escape" of a person prosecuted for committing that new offense.

In the provision of the House-passed version of the bill that relocates the law regarding the treatment of persons who commit new felonies while on release for a prior felony, reinstates the existing: (1) language that applies the provision to persons on parole as well as to persons on post release control, (2) formula for calculating the maximum prison term that may be imposed for the violation, and (3) prohibition against crediting the prison term imposed for the violation or the new felony against the post release control for the prior felony.

In the provisions of the House-passed version of the bill that require criminal records checks for applicants for a license to practice nursing or a certificate to practice as a dialysis technician: (1) specifies that the provisions apply to applicants for licensing by examination to practice nursing and to applicants for certification as a dialysis technician only if they enter a nursing or dialysis training program on or after June 1, 2003 (the provisions remain applicable to all applicants for licensing by endorsement to practice nursing), (2) conforms procedures for requesting and performing the criminal records checks to existing procedures for Bureau of Criminal Identification and Investigation criminal records checks, (3) eliminates the uncodified law that would have permitted persons enrolled in a prelicensure nursing education program on the bill's effective date to apply for licensure under its provisions but would have exempted them from its mandatory application denial provisions, and (4) specifies that, in general, the

* This synopsis does not address amendments that may have been adopted on the Senate floor.

results of the criminal records checks, and any report containing those results, are not public records under the existing Public Records Law.

Adds to the House-passed version of the bill provisions that:

(1) Extend the duration of a temporary permit to practice nursing issued to a person who applies for licensing by endorsement to the earlier of 180 days after issuance or the date of issuance of a license by endorsement, and provide that such a temporary permit terminates automatically if the criminal records check indicates that the applicant previously has been convicted of, pleaded guilty to, or had a judicial finding of guilt for, any of the offenses that disqualify an applicant for the issuance of a license.

(2) Expand the list of medications that a dialysis technician may administer, when ordered by a licensed health professional authorized to prescribe drugs, to include oxygen when the administration of the oxygen has been delegated to the technician by a registered nurse.

(3) Specify that, of the hours of continuing education required for a dialysis technician who wishes to renew a certificate to practice, at least one hour of the education completed during the relevant period must be directly related to the statutes and rules pertaining to the practice of nursing in Ohio or the practice as a dialysis technician in Ohio.

(4) Expand the offense of "unauthorized use of property" to specifically prohibit knowingly gaining access to, attempting to gain access to, or causing access to be gained to any "cable service" or "cable system" without the consent of, or beyond the scope of the express or implied consent of, the owner of the cable service or cable system or other person authorized to give consent by the owner, and expand a related civil remedy to permit recovery of damages related to conduct in violation of the expanded offense.

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