



## *Synopsis of House Committee Amendments*\*

*Lisa Musielewicz*

*Legislative Service Commission*

### **Sub. S.B. 246**

126th General Assembly  
(H. Health)

The Committee adopted amendments that add all of the following provisions to the As Passed by the Senate version of the bill:

#### **Practice of acupuncture by chiropractors**

- Requires a chiropractor, when submitting an application for a certificate to practice acupuncture from the State Chiropractic Board, to include with the application evidence satisfactory to the Board that the applicant has passed the acupuncture examination administered by the National Board of Chiropractic Examiners or a person that administers the examination on the Board's behalf.
- Prohibits, in general, a chiropractor who holds a certificate to practice acupuncture issued by the State Chiropractic Board from permitting an employee or assistant to (1) insert, stimulate, or remove acupuncture needles, or (2) apply moxibustion.

#### **Drug Repository Program**

- Modifies the Program's immunity from civil liability that is limited to actions that are not in "bad faith" by making the following changes:
  - (1) Grants immunity to persons and government entities that donate drugs to the Program, with no qualifications limiting the immunity being granted.
  - (2) Grants immunity to the pharmacies, hospitals, and nonprofit clinics that accept or dispense drugs under the Program, as well as the health care professionals they employ or otherwise use, unless an action or omission constitutes both "willful" and "wanton" misconduct.
  - (3) Grants immunity to the State Board of Pharmacy and the Director of Health, unless an action or omission constitutes both "willful" and "wanton" misconduct.
- Modifies the Program's immunity from criminal prosecution by specifying that it applies unless an action or omission is not in compliance with Ohio's Pure Food and

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

Drug Law and the rules adopted under it, as opposed to the existing immunity that is limited to actions that are not in "bad faith."

- Eliminates the immunity from professional disciplinary action that applies under the Program.
- Specifies that drugs may be "given" under the Program, as well as donated and specifies that government entities may donate or give drugs under the Program.

**Medical Board's use of private attorneys as temporary hearing examiners**

- Permits the State Medical Board, subject to Controlling Board approval, to enter into a personal service contract with one or more attorneys admitted to the practice of law in Ohio to serve on a temporary basis as hearing examiners. The attorneys the Board may contract with do not have to be classified civil service employees.

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