
LOCAL GOVERNMENT

Good Samaritan Law

- Removes the requirement that, within 30 days of seeking or obtaining medical assistance, a qualified individual must seek or obtain a screening and receive a referral for treatment from a community addiction services provider.
- Removes the requirement that, upon the request of a prosecuting attorney, a qualified individual must submit documentation verifying that the individual has sought or obtained a screening and received a referral for treatment as described in the preceding dot point.
- Removes the cap on immunity under the Good Samaritan Law.

Drainage Assessment Fund

- Abolishes the Drainage Assessment Fund, which was funded by the General Assembly and which was used to pay each state agency's share of local drainage assessments made under the county ditch laws.
- Eliminates an associated requirement that state agencies include the cost of the state's share of drainage assessments billed by county auditors in budget requests from the fund.

Good Samaritan Law

(R.C. 2925.11)

Requirements

Under the Good Samaritan Law, a qualified individual must not be arrested, charged, prosecuted, convicted, or penalized for a violation of a minor drug possession offense, possessing drug abuse instruments, use or possession of drug paraphernalia, or illegal use or possession of marijuana drug paraphernalia, if all of the following apply:

1. The evidence of the obtaining, possession, or use of the controlled substance or controlled substance analog, drug abuse instruments, or drug paraphernalia that would be the basis of the offense was obtained as a result of the qualified individual seeking medical assistance or experiencing an overdose and needing medical assistance.
2. Within 30 days after seeking or obtaining medical assistance, the qualified individual seeks and obtains a screening and receives a referral for treatment from a community addiction services provider or a properly credentialed addiction treatment professional.
3. The qualified individual who obtains a screening and receives a referral for treatment, upon the request of any prosecuting attorney, submits documentation to the prosecuting attorney that verifies that the qualified individual satisfied the above requirements.

The bill eliminates the requirements in (2) and (3). It also removes the cap on immunity under the Good Samaritan Law. Under current law, no person may be granted immunity more than two times.

Under current law, “qualified individual” means a person who is acting in good faith who seeks or obtains medical assistance for another person who is experiencing a drug overdose, a person who experiences a drug overdose and who seeks medical assistance for that overdose, or a person who is the subject of another person seeking or obtaining medical assistance for that overdose.

Conforming changes

In accordance with the above changes, the bill eliminates the definition of “community addiction services provider” and a reference to compelling a qualified individual to disclose protected health information in a way that conflicts with the requirements of the Health Insurance Portability and Accountability Act of 1996.

Drainage Assessment Fund

(R.C. 6131.43; repealed R.C. 6133.15)

The bill abolishes the Drainage Assessment Fund. The fund was established in the state treasury and funded by the General Assembly. It was used to pay each state agency’s share of local drainage assessments made under the county ditch laws. Correspondingly, the bill eliminates an associated requirement that state agencies include the cost of the state’s share of drainage assessments billed by county auditors in budget requests from the fund.