



www.lsc.ohio.gov

OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

H.B. 40
133rd General Assembly

Fiscal Note & Local Impact Statement

[Click here for H.B. 40's Bill Analysis](#)

Version: As Introduced

Primary Sponsors: Reps. West and Galonski

Local Impact Statement Procedure Required: Yes

Jacquelyn Schroeder, Budget Analyst

Highlights

- Public hospitals would likely experience an increase in costs to provide additional testing for pregnant women under certain circumstances specified in the bill.
- The Medicaid Program and state and local government health plans may experience an increase in costs if bundled payments for labor and delivery are increased as a result of the bill; they may also incur costs related to additional testing required during pregnancy.
- The Ohio Department of Health (ODH) may experience a minimal increase in costs to adopt necessary rules.

Detailed Analysis

HIV, syphilis, and gonorrhea testing

The bill requires a licensed health care professional who provides prenatal care during a woman's pregnancy to test the woman for HIV, syphilis, and gonorrhea at specified points in time during the pregnancy, unless the woman refuses. In the case of HIV, under the bill, testing must be performed when first examining the woman. (Current law requires syphilis and gonorrhea testing when first examining a pregnant woman.) With respect to all three infections, the bill may require testing during the third trimester or at delivery if certain circumstances are present and the woman does not refuse the testing.

In the event of a positive HIV test result, the health care professional is required to provide post-test counseling, which must be done in accordance with existing law governing counseling for positive HIV test results.

The bill also authorizes the Director of the Ohio Department of Health (ODH) to adopt rules as the Director considers appropriate to implement the bill.

Fiscal effect

The bill would require additional testing and possibly patient counseling to be conducted for pregnant women under certain circumstances. This would likely increase costs for public hospitals. Hospitals receive a bundled payment for care provided to newborns after a delivery from insurance companies and from Medicaid. According to the Ohio Hospital Association, lab testing costs are included in the bundled payment for labor and delivery; hospitals would likely absorb the additional testing costs unless the bundled payment was adjusted. However, if the bundled payment is increased, costs to the Medicaid Program and state and local government health plans could increase, while some public hospital costs could be offset. There could also be some costs for public health plans related to any testing during the pregnancy that is required by the bill.

Additionally, ODH may experience a minimal increase in costs related to rule promulgation if necessary.