



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** H.B. 290 of the 131st G.A.

**Date:** March 16, 2016

**Status:** As Passed by the House

**Sponsor:** Reps. Sprague and Anielski

**Local Impact Statement Procedure Required:** No

**Contents:** To permit a patient with a terminal condition to be treated with a drug, product, or device not approved by the United States Food and Drug Administration

### State Fiscal Highlights

- The bill specifies that only a licensed terminal distributor of dangerous drugs or a registered wholesale distributor of dangerous drugs can distribute an investigational drug or product. There could be a minimal increase in costs to the State of Ohio Board of Pharmacy if additional entities would need licensure and oversight by the Board.

### Local Fiscal Highlights

- The bill permits a treating physician to use an investigational drug, product, or device that is still in clinical trials and has not been approved for general use by the United States Food and Drug Administration to treat an eligible patient suffering from a terminal condition. There could be a cost to public hospitals if a hospital elects to acquire and provide this medication, product, or device to a patient with a terminal condition. Costs to public hospitals would depend on whether the patient's insurance would cover the medication, product, or device.

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## Detailed Fiscal Analysis

The bill permits a treating physician to use an investigational drug, product, or device that is still in clinical trials and has not been approved for general use by the United States Food and Drug Administration to treat an eligible patient suffering from a terminal condition. In addition, the bill requires a treating physician providing an investigational drug, product, or device to secure the patient's informed consent. The bill provides qualified immunity to a physician who recommends or treats an eligible patient with an investigational drug, product, or device as authorized by the bill. According to the Ohio Hospital Association, there could be a cost to public hospitals if a hospital elects to acquire and provide this medication, product, or device to a patient with a terminal condition. Costs to public hospitals would depend on whether the patient's insurance would cover the medication, product, or device.

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