



OHIO LEGISLATIVE SERVICE COMMISSION

Robert Moore

Fiscal Note & Local Impact Statement

Bill: H.B. 273 of the 132nd G.A.

Status: As Introduced

Sponsor: Rep. Gavarone

Local Impact Statement Procedure Required: No

Subject: Prohibit requiring physician to have maintenance of certification

State & Local Fiscal Highlights

- The State Medical Board and the Department of Medicaid could incur a minimal increase in administrative costs if any rule changes are necessary as a result of the bill.
- The departments of Health and Insurance and local courts could realize an increase in administrative costs if any injunctions are sought.

Detailed Fiscal Analysis

Under the bill, the State Medical Board would be prohibited from requiring physicians to secure a maintenance of certification as a condition of issuance or renewal of a license. Currently, the Board does not require a maintenance of certification for licensure, so this would not have an impact on the Board's licensing process. However, the Board reports that there could be a minimal increase in administrative costs to adjust any rules that refer to this certification.

The bill prohibits the Department of Medicaid from requiring physicians to secure a maintenance of certification as a condition of entering into or revalidating a provider agreement with the Department. In addition, a third-party payer cannot require a physician to secure a maintenance of certification in order to contract with or be reimbursed by the payer. The Department of Medicaid states that it may realize a minimal increase in administrative costs to adjust any necessary rules and to possibly inform providers and managed care companies about this provision.

The bill also specifies that a physician cannot be required to secure a maintenance of certification in order to be employed by, contract with, or have privileges at a hospital or health care facility. The Ohio Hospital Association does not anticipate any direct fiscal impacts as a result of the bill.

Lastly, the bill authorizes the Director of the Ohio Department of Health, in the case of a hospital, and the Superintendent of Insurance, in the case of a third-party payer, to ask the court for an order stopping the hospital or payer from requiring a

physician to secure a maintenance of certification. As a result, the departments of Health and Insurance and local courts could realize an increase in administrative costs if any injunctions are sought. The total costs would depend on the number of injunctions sought.

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