



# OHIO LEGISLATIVE SERVICE COMMISSION

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## Fiscal Note & Local Impact Statement

**Bill:** H.B. 332 of the 132nd G.A.

**Status:** As Passed by the Senate

**Sponsor:** Rep. Antani

**Local Impact Statement Procedure Required:** No

**Subject:** Anatomical gifts, transplantation, and discrimination on the basis of a disability; makes an appropriation

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### State & Local Fiscal Highlights

- The bill appropriates \$2.5 million in FY 2019 from the General Revenue Fund within the Department of Medicaid's budget for the Positive Education Program Connections in Cuyahoga County.
- Government-owned hospitals could experience a negligible increase in administrative costs to make any necessary policy changes pursuant to the bill's provisions.
- Local courts of common pleas could experience a minimal increase in court costs and filing fees if any civil actions are brought forward.

### Detailed Fiscal Analysis

#### Discrimination on the basis of a disability

The bill generally prohibits discrimination on the basis of a disability regarding anatomical gifts and transplantations. The bill requires covered entities, including hospitals and licensed health professionals, to make reasonable modifications to their policies and procedures to ensure access to transplantation-related treatment and services for individuals with a disability, except when the entity can demonstrate that the modifications would fundamentally alter the nature of the treatment and services. The bill provides that when it appears that a covered entity has violated or is violating the bill's provisions, the affected individual may commence a civil action for injunctive and other equitable relief against the covered entity. Under the bill, the action is required to be commenced in the court of common pleas of the county in which the violation occurred or is occurring. The bill also prohibits health plan issuers that provide coverage for transplants from denying that coverage based solely on a person's disability.

Government-owned hospitals could experience a negligible increase in administrative costs to make any necessary policy changes pursuant to the bill's provisions. Additionally, county courts of common pleas could realize a minimal increase in administrative costs and filing fees if any actions are filed. However, the number of cases is likely to be small.

The bill could increase insurance costs if any insurers currently deny coverage for transplantation-related treatment and services solely based on a person's disability. The bill would have no impact on the state's health benefit plan because the plan currently provides this coverage to all of its enrollees, including enrollees with a disability. LSC staff could not determine the fiscal impact on local governments due to a lack of information on each government's health plan. If the required coverage is already provided for individuals with disabilities by any given local government's health plan as it is in the state's plan, there would be no fiscal impact on that local government.

### **Positive Education Program Connections**

The bill appropriates \$2.5 million in FY 2019 in new GRF line item 651426 within the Department of Medicaid's budget for the Positive Education Program Connections in Cuyahoga County. The bill specifies that the appropriation must not limit any efforts by state government to implement a statewide program for similarly situated youth.