



# OHIO LEGISLATIVE SERVICE COMMISSION

Dan Redmond

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## Fiscal Note & Local Impact Statement

**Bill:** H.B. 338 of the 132nd G.A.

**Status:** As Passed by the Senate

**Sponsor:** Rep. Ginter

**Local Impact Statement Procedure Required:** No

**Subject:** School bus driver medical examinations

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The bill has no direct fiscal effect on the state or political subdivisions. It permits medical professionals listed on the National Registry of Certified Medical Examiners and chiropractors to perform the annual physical examination required under rules adopted by the State Highway Patrol (SHP) for school bus drivers. Additional details are provided below.

Current law requires individuals employed as drivers of school buses or motor vans to have an annual physical examination. The examination is required to comply with rules adopted by the State Board of Education for individuals employed to drive a bus or van that is owned or operated by any school district or educational service center (ESC) or privately owned and operated under contract with any district or ESC. Otherwise, the examination must comply with rules adopted by the SHP.<sup>1</sup> Both the State Board and SHP require these examinations to be performed by persons licensed to practice medicine or osteopathic medicine in Ohio or another state, physician assistants, certified nurse practitioners, clinical nurse specialists, and certified nurse-midwives.

The bill provides additional options to drivers whose examinations are subject to the rules of the SHP by permitting the examinations to also be performed by (1) persons licensed as chiropractors in Ohio or another state and (2) medical professionals listed on the National Registry of Certified Medical Examiners established by the Federal Motor Carrier Safety Administration. School districts and ESCs pay the cost of the physical examinations. While a school district or ESC will need to verify that a medical professional is listed on the National Registry in cases where the professional is qualified under that new option, there appears to be no cost associated with this new duty.

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<sup>1</sup> The provision for examinations of individuals employed to drive buses not owned by a district board or ESC and not under contract with a board or ESC is presumably directed at the privately owned bus that is hired on a casual basis or for a specific event or purpose. See Kimball H. Carey, *Ohio School Law Manual*, § 9.33, page 1049 (Matthew Bender & Co. 2017).