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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 210  
133<sup>rd</sup> General Assembly

## Fiscal Note & Local Impact Statement

[Click here for H.B. 210's Bill Analysis](#)

**Version:** As Passed by the Senate

**Primary Sponsor:** Rep. Carruthers

**Local Impact Statement Procedure Required:** No

Nicholas J. Blaine, Budget Analyst

### Highlights

- Political subdivisions that operate licensed preschool programs or child daycare centers may experience an increase in costs to pay for tuberculosis tests.
- The State Board of Education, Ohio Department of Job and Family Services (ODJFS), and Ohio Department of Health (ODH) will incur a minimal cost to promulgate rules regarding tuberculosis testing.
- ODH may experience a minimal cost if it promulgates rules for the Radiation Control Program under the bill's provisions.
- Government-owned hospitals may experience an increase in costs to develop and approve any treatment guidelines for the practice of radiography and nuclear medicine technology if none currently exist.

### Detailed Analysis

#### Tuberculosis testing

The bill requires licensed preschool programs and child daycare centers to screen certain prospective employees for tuberculosis before employing the individuals. The screening is required if the individual arrived in the U.S. in the preceding five years before the date of application for employment or lived in a country that the World Health Organization identifies as having a high burden for tuberculosis. If an individual tests positive for active tuberculosis, the bill prohibits the employer from employing the person or, if already employed, from allowing the individual to be physically present at the program or center's location unless the person receives treatment and submits evidence of compliance with the treatment regimen. If an individual tests positive for latent tuberculosis, the bill allows the employer to employ the

person as long as the person receives treatment and submits periodic evidence of compliance with the treatment regimen.

Tuberculosis tests vary in cost, but the two-step skin test generally costs less than \$75.<sup>1</sup> Any licensed preschools or child care centers operated by political subdivisions, such as public school districts, may experience additional costs if the entities paid for the initial tests. As a result, the bill may pose a minimal increase in costs. The cost may increase if the program or center is required to pay for additional testing in the event of a positive screening test. However, it is possible the prospective employee or employee would be required to pay for the test if it is required. In that case, the bill will not increase costs to any publically operated programs or centers. Additionally, some preschool programs that operated within school districts may already have policies related to tuberculosis testing; for those districts, the bill may pose no additional cost. Finally, for individuals that are subject to screenings and employed by the public entity, it is likely that insurance would cover the costs if coverage is provided to the employee.

## **Rulemaking**

The bill requires the State Board of Education, in collaboration with the Ohio Department of Job and Family Services (ODJFS) and Ohio Department of Health (ODH) to adopt rules to implement certain provisions of the bill. The Board, ODJFS, and ODH may also separately adopt rules as needed. Adopting rules will pose a minimal administrative cost.

## **Release of information**

The bill requires, to the extent permitted by federal law, ODJFS to provide information about a public assistance recipient in an emergency to ODH or a local board of health when authorization for the release cannot be obtained in a timely manner. The bill outlines the conditions that would warrant the release and requires ODJFS to immediately notify the recipient of the release. This provision will pose an administrative cost to ODJFS.

## **Radiation Control Program rules**

The bill specifies that the Director of Health, when adopting rules for the Radiation Control Program, use the Conference of Radiation Control Program Director's "Suggested State Regulations for Control of Radiation." However, the bill authorizes the Director to deviate from this regulation if the Director determines that doing so is warranted and does not pose a health, environmental, or safety risk. ODH may experience a minimal increase in costs if it chooses to make any rule changes as a result of this change.

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<sup>1</sup> Walgreens and CVS clinics offer wellness tests, which include tuberculin skin tests. Walgreens charges \$53 and CVS pharmacy charges \$74. These costs include charges related to the test and test reading. The price varies from other organizations that offer tests but is generally under \$75. In addition, some local health departments may provide tuberculosis screenings at a reduced rate or possibly free of charge to residents. If someone has the blood assay test done, costs could increase. <https://www.walgreens.com/topic/healthcare-clinic/price-menu.jsp> and <https://www.cvs.com/minute-clinic/services/price-lists>.

## **Radiography and nuclear medicine treatment guidelines**

The bill also requires that a radiographer and a nuclear medicine technologist practice in a manner that is consistent with a definitive set of treatment guidelines approved by the clinical leadership of the institution where the radiographer or technologist practices. Government-owned hospitals may experience an increase in costs to develop and approve any treatment guidelines if none are currently in place.

## **Documentation of orders in patient medical records**

In addition, the bill specifies that one of the activities radiographers and nuclear medicine technologists are licensed to perform is to document orders for contrast and radio-pharmaceuticals, respectively, in patient medical records.

## **Mobile dental facilities**

H.B. 203 of the 133<sup>rd</sup> General Assembly<sup>2</sup> requires a mobile dental facility operator to provide specified information to patients, the State Dental Board, and treatment venues. The bill specifies that these requirements do not apply to a mobile dental facility that is under the control or management of any of the following, when the only services provided by the facility are the placement of pit and fissure sealants and the application of fluoride varnish: (1) a program operated through a school district board of education or the governing board of an educational service center, (2) a local board of health, or (3) any other public or private entity that is under contract with ODH and recognized by the State Dental Board. As a result, any anticipated notification costs for associated entities will not be realized.

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<sup>2</sup> H.B. 203 of the 133<sup>rd</sup> General Assembly has an effective date of December 16, 2020.