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H.B. 254
134th General Assembly

Fiscal Note & Local Impact Statement

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Version: As Reported by Senate Judiciary

Primary Sponsors: Reps. Boggs and Abrams

Local Impact Statement Procedure Required: No

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Highlights

- Counties that choose to establish domestic violence fatality review boards would experience administrative and information technology costs to do so.
- The Ohio Department of Health will experience costs to promulgate rules and possibly provide technical assistance to any established boards regarding board guidelines.

Detailed Analysis

The bill authorizes the board of county commissioners of a single county or the boards of county commissioners of two or more counties jointly to establish a county or regional board to review domestic violence deaths of individuals over 18 years of age. A county that already has a review board performing these functions in place may appoint that body as its domestic violence fatality review board. The membership of a domestic violence review board, if established, will consist of 11 members. Members are not compensated for serving on the board nor do they receive reimbursements for expenses incurred, unless compensation or reimbursement is received as part of the member's regular employment.

The bill specifies the purpose of the domestic violence fatality review boards is to decrease domestic violence deaths by doing, among other things, the following: maintaining a comprehensive database of all deaths by domestic violence that occur in the county or region served by the review board and recommending and developing plans that may prevent domestic violence deaths. The bill also outlines the information that is to be collected by any established board. Each review board must establish a system for collecting and maintaining information. In an effort to ensure confidentiality, each board must maintain all records in a secure location, develop security measures to prevent unauthorized access to records containing information that could reasonably identify any person, and develop a system for storing, processing, indexing,

retrieving, and destroying information obtained in the course of reviewing a death. The bill specifies that information presented to the board and statements made to the board are confidential and exempt from the Public Records Law. However, a domestic violence fatality review board may share information and otherwise collaborate with a child fatality review board in the same county or region if the person whose death is being reviewed as a domestic violence fatality is a child. The bill also specifies that individuals or entities providing information are immune from civil liability.

Lastly, by April 1 of each year, a board's chairperson must prepare and submit to the Ohio Department of Health (ODH) a report for the previous calendar year, which also must include recommendations for actions that might prevent other deaths and may include any other information the review board determines should be included.

Fiscal impact

The establishment of a domestic violence fatality review board is permissive. Thus, any costs related to a board would only be incurred if a county or counties chose to establish one. If a county or counties chose to establish a board, there would be administrative and information technology costs. The information technology costs would include costs to create and maintain a database. Database costs vary depending on a number of factors such as the size of the database, how many users will be able to access the database at the same time, and security functions. Additionally, if such a board was established, other public entities could realize some minimal costs to provide specified information.

Rule promulgation

The bill also requires ODH to adopt rules establishing a procedure for county or regional domestic violence fatality review boards to follow in conducting a review of a death by domestic violence, including establishing guidelines to follow in compiling statistics for annual reports, creating the database, and reporting data to ODH. These rules are exempt from the regulatory restriction requirements in existing law.

Fiscal impact

ODH will experience minimal administrative costs to promulgate rules. Since the rules focus on establishing guidelines for boards to follow, it is possible that ODH could incur some costs to provide any technical assistance. In addition, ODH will receive copies of annual reports issued by the board, so there could be administrative costs if ODH analyzes board data.