



OHIO LEGISLATIVE SERVICE COMMISSION

Robert Meeker

Fiscal Note & Local Impact Statement

Bill: H.B. 559 of the 131st G.A.

Date: December 6, 2016

Status: As Introduced

Sponsor: Rep. Cupp

Local Impact Statement Procedure Required: No

Contents: Health care immunities, Medical Malpractice Law

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- Courts of common pleas may see some form of operational savings resulting from a decrease in judicial dockets and the workload of court personnel. The impact on courts is not expected to be significant, and, therefore, the potential magnitude of the ongoing savings effect will be no more than minimal.

Detailed Fiscal Analysis

Health care immunities

The bill grants civil immunity to certain specified healthcare professionals (and hospitals) who: (1) provide emergency medical services, first-aid treatment, or other emergency professional care during or resulting from a disaster of mass hazard, or (2) fail to discharge a patient whom the professional believes to have a mental condition that threatens the safety of the patient or others, or discharge a patient whom the professional does not believe has a mental condition that threatens the safety of the patient or others.

These health care immunities make it even less likely that a person will file a civil action against a healthcare professional or one of Ohio's 18 public hospitals related to a disaster, mass hazard, or patient discharge, or if an action is filed, for that person to prevail. There will be no discernible fiscal effect on the courts with jurisdiction over such matters, most likely courts of common pleas.

Medical Malpractice Law

The bill defines the admissibility of certain documents as evidence in a civil action based on a medical claim, specifies the manner of sending a notice when such an action is filed, requires that certain documents remain confidential, establishes a 180-day discovery period for additional claims to be added to an action, and requires a plaintiff in a medical claims case to establish that the defendant was the direct and proximate cause of injury if damages are to be awarded. These provisions are not expected to have a fiscal impact on the courts of common pleas with jurisdiction over such matters.

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