

Sub. H.B. 166
LSC 133 0001-4
DOHCD2

_____ moved to amend as follows:

In line 127 of the title, after "3727.49," insert "3738.01, 1
3738.02, 3738.03, 3738.04, 3738.05, 3738.06, 3738.07, 3738.08, 2
3738.09," 3

In line 285, after "3727.49, insert "3738.01, 3738.02, 4
3738.03, 3738.04, 3738.05, 3738.06, 3738.07, 3738.08, 3738.09," 5

In line 2458, delete everything after "(16)" 6

In line 2459, delete "3738.01 of the Revised Code, meetings" 7
and insert "Meetings" 8

In line 2460, after "board" insert "established under section 9
3738.01 of the Revised Code" 10

After line 28377, insert: 11

"Sec. 3738.01. (A) As used in this section and sections 12
3738.02 to 3738.09 of the Revised Code, "pregnancy-associated 13
death" means the death of a woman while pregnant or anytime within 14
one year of pregnancy regardless of cause. 15

(B) There is hereby established in the department of health a 16
pregnancy-associated mortality review (PAMR) board to identify and 17
review all pregnancy-associated deaths statewide for the purpose 18

of reducing the incidence of those deaths.

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Sec. 3738.02. The PAMR board may not conduct a review of a pregnancy-associated death while an investigation of the death or prosecution of a person for causing the death is pending unless the prosecuting attorney agrees to allow the review. The law enforcement agency conducting the criminal investigation, on the conclusion of the investigation, and the prosecuting attorney prosecuting the case, on the conclusion of the prosecution, shall notify the chairperson of the PAMR board of the conclusion.

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Sec. 3738.03. All of the following apply with respect to the PAMR board:

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(A) The director of health shall appoint the board's members. In doing so, the director shall make a good faith effort to select members who represent all regions of the state and multiple areas of expertise and constituencies concerned with the care of pregnant and postpartum women.

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(B) The board, by a majority vote of a quorum of its members, shall select an individual to serve as its chairperson. The board may replace a chairperson in the same manner.

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(C) An appointed member shall hold office until a successor is appointed. The director of health shall fill a vacancy as soon as practicable.

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(D) A member shall not receive any compensation for, and shall not be paid for any expenses incurred pursuant to, fulfilling the member's duties on the board.

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(E) The board shall meet at the call of the board's chairperson as often as the chairperson determines necessary for timely completion of pregnancy-associated death reviews. The

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reviews shall be conducted in accordance with rules adopted under section 3738.09 of the Revised Code.

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(F) The department of health shall provide meeting space, staff services, and other technical assistance required by the board in carrying out its duties.

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Sec. 3738.04. The PAMR board shall seek to reduce the incidence of pregnancy-associated deaths in this state by doing all of the following:

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(A) Promoting cooperation, collaboration, and communication between all groups, professions, agencies, and entities that serve pregnant and postpartum women and families;

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(B) Recommending and developing plans for implementing service and program changes, as well as changes to the groups, professions, agencies, and entities that serve pregnant and postpartum women and families;

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(C) Providing the department of health with aggregate data, trends, and patterns regarding pregnancy-associated deaths using data and other relevant information specified in rules adopted under section 3738.09 of the Revised Code;

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(D) Developing effective interventions to reduce the mortality of pregnant and postpartum women.

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Sec. 3738.05. (A) Notwithstanding section 3701.243 and any other section of the Revised Code pertaining to confidentiality, and except as provided in division (B) of this section, an individual, government entity, agency that provides services specifically to individuals or families, law enforcement agency, health care provider, or other public or private entity that provided services to a woman whose death is being reviewed by the

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PAMR board shall submit to the board a copy of any record it possesses that the board requests. In addition, such an individual or entity may make available to the board additional information, documents, or reports that could be useful to the board's investigation.

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(B) No person, government entity, law enforcement agency, or prosecuting attorney shall provide any information regarding a pregnancy-associated death while an investigation of the death or prosecution of a person for causing the death is pending unless the prosecuting attorney agrees to allow the review.

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(C) A family member of the deceased may decline to participate in an interview as part of the review process. In that case, the review shall continue without the family member's participation.

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Sec. 3738.06. (A) Any record, document, report, or other information presented to the PAMR board, as well as all statements made by board members during board meetings, all work products of the board, and data submitted to the department of health by the board, other than the triennial reports described in section 3738.08 of the Revised Code, are confidential and not a public record under section 149.43 of the Revised Code. Such materials shall be used by the board and department only in the exercise of the proper functions of the board and department.

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(B) No person shall permit or encourage the unauthorized dissemination of confidential information described in division (A) of this section.

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(C) Whoever violates division (B) of this section is guilty of a misdemeanor of the second degree.

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Sec. 3738.07. (A) An individual or public or private entity providing records, documents, reports, or other information to the PAMR board is immune from any civil liability for injury, death, or loss to person or property that otherwise might be incurred or imposed as a result of providing the records, documents, reports, or information to the board. 103
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(B) Each board member is immune from any civil liability for injury, death, or loss to person or property that might otherwise be incurred or imposed as a result of the member's participation on the board. 109
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Sec. 3738.08. (A) The PAMR board shall prepare a triennial report that does all of the following: 113
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(1) Summarizes the board's findings from the reviews completed in the immediately preceding two calendar years, including any trends or patterns identified by the board; 115
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(2) Makes recommendations on how pregnancy-associated deaths may be prevented, including changes that should be made to policies and laws; 118
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(3) Includes any other information related to pregnancy-associated mortality the board considers useful. 121
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(B) A report shall not contain individually identifiable information regarding any woman whose death was reviewed by the board. 123
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(C) The board shall submit a copy of each report to the director of health, the general assembly, and the governor. The copy to the general assembly shall be submitted in accordance with section 101.68 of the Revised Code. The initial report shall be submitted not later than March 1, 2020, with subsequent reports 126
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submitted not later than March 1 every two years thereafter. 131

The director shall make a copy of each report available on 132
the department of health's web site. 133

(D) Reports prepared under this section are public records 134
under section 149.43 of the Revised Code. 135

Sec. 3738.09. The director of health shall adopt rules that 136
are necessary for the implementation of sections 3738.01 to 137
3738.08 of the Revised Code, including rules that do all of the 138
following: 139

(A) Establish a procedure for the PAMR board to follow in 140
conducting pregnancy-associated death reviews; 141

(B) Specify the data and other relevant information the board 142
must use when conducting pregnancy-associated death reviews; 143

(C) Establish guidelines for the board to follow to prevent 144
an unauthorized dissemination of confidential information in 145
violation of division (B) of section 3738.06 of the Revised Code. 146

The rules shall be adopted in accordance with Chapter 119. of 147
the Revised Code." 148

The motion was _____ agreed to.

SYNOPSIS

Pregnancy-Associated Mortality Review (PAMR) Board 149

R.C. 3738.01 to 3738.09 (primary); R.C. 121.22 150

Requires the Department of Health to establish a 151
Pregnancy-Associated Mortality Review (PAMR) Board to identify and 152

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| review all pregnancy-associated deaths in Ohio for the purpose of | 153 |
| reducing the incidence of those deaths. | 154 |
| Restores Executive provisions concerning the responsibilities | 155 |
| and operations of the PAMR board. | 156 |