

Am. Sub. H.B. 166
As Passed by the Senate
DOHCD41

_____ moved to amend as follows:

In line 163 of the title, after "3727.461," insert "3727.49," 1

In line 341, after "3727.462," insert "3727.49," 2

After line 41053, insert: 3

"Sec. 3727.49. (A) As used in this section, "freestanding emergency department" means a facility that provides emergency care and is structurally separate and distinct from a hospital, as defined in section 3727.01 of the Revised Code. 4
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(B) A freestanding emergency department shall provide notice that identifies the facility as a freestanding emergency department. The facility shall provide the notice by posting it in either of the following ways: 8
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(1) In a conspicuous place in an area of the facility that is accessible to the public; 12
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(2) On the facility's internet web site. 14

(C) A freestanding emergency department shall use the national provider identifier, as assigned to the freestanding emergency department by the national provider system pursuant to 45 C.F.R. 162.408, on all claims for payment for health care 15
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services or goods. 19

(D) The director of health may apply to the court of common 20
pleas of the county in which a freestanding emergency department 21
is located for a temporary or permanent injunction restraining the 22
freestanding emergency department from failure to comply with this 23
section." 24

The motion was _____ agreed to.

SYNOPSIS

Freestanding emergency departments 25

R.C. 3727.49 26

Regarding House-passed provisions related to freestanding 27
emergency departments (FSEDs): 28

--Requires an FSED to provide notice identifying itself as a 29
freestanding emergency department. (Under the House version, 30
providing such notice is one of two options and FSEDs are also 31
required to provide certain notices regarding participation in 32
provider networks established by health benefit plans.) 33

--Restores House provisions that (1) require an FSED to use 34
its national provider identifier on all claims and (2) permit the 35
Director of Health to seek an injunction to enforce the bill's 36
FSED provisions. 37