

Sub. S. B. No. 31
As Passed by the Senate

_____ moved to amend as follows:

In line 1 of the title, after "5913.01" insert "and to enact sections 107.22 and 3701.25" 1
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In line 2 of the title, delete "to include" and insert "regarding contact tracing and regarding including" 3
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In line 7, after "5913.01" insert "be amended and sections 107.22 and 3701.25" 5
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In line 8, delete "amended" and insert "enacted" 7

After line 8, insert: 8

"Sec. 107.22. If one or more infections of a contagious disease are observed in this state, the governor shall be subject to the following conditions when adopting or issuing an order regarding efforts to trace and monitor contacts of individuals infected with the contagious disease: 9
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(A) The order shall not require an individual to comply with the tracing and monitoring efforts. 14
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(B) The order shall require the acquisition of written consent from each individual contacted for participation in the 16
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tracing and monitoring efforts before the next step in the 18
process may proceed. 19

(C) The order shall not establish or authorize penalties 20
for an individual's refusal to participate in the tracing and 21
monitoring process, including withholding medical treatment from 22
the individual based on the refusal. 23

(D) The order shall acknowledge all of the following: 24

(1) That participation in the tracing and monitoring 25
efforts is voluntary; 26

(2) That any record created during the tracing and 27
monitoring process is not a public record under section 149.43 28
of the Revised Code; 29

(3) That disclosure of protected health information by a 30
covered entity, as defined in section 3798.01 of the Revised 31
Code, during the tracing and monitoring process is subject to 32
section 3798.04 of the Revised Code; 33

(4) That disclosure of protected health information by the 34
director of health, the department of health, a board of health 35
of a city or general health district, or a person or government 36
entity under contract with any of the foregoing is subject to 37
section 3701.17 of the Revised Code." 38

After line 896, insert: 39

"Sec. 3701.25. (A) As used in this section: 40

(1) "Board of health" means the board of health of a city 41
or general health district or the authority having the duties of 42
a board of health under section 3709.05 of the Revised Code. 43

(2) "Department" or "division" have the same meanings as 44

in section 121.01 of the Revised Code. 45

(B) If a department, division, board of health, or a 46
person or government entity under contract with any of the 47
foregoing, including a health care facility, engages in efforts 48
to trace and monitor the contacts of individuals infected with a 49
contagious disease, all of the following apply: 50

(1) No individual shall be required to comply with tracing 51
and monitoring efforts. 52

(2) Each individual contacted for participation in tracing 53
and monitoring efforts must provide written consent before the 54
next step in the process may proceed. 55

(3) No penalty shall be imposed on an individual for 56
refusing to participate in the tracing and monitoring process, 57
including withholding medical treatment from the individual 58
based on the refusal. 59

(4) Any record created during the tracing and monitoring 60
process is not a public record under section 149.43 of the 61
Revised Code. The department, division, board of health, or 62
person or government entity under contract with any of the 63
foregoing is subject to section 3701.17 of the Revised Code with 64
respect to the disclosure of protected health information 65
collected during the tracing and monitoring process." 66

The motion was _____ agreed to.

SYNOPSIS 67

Contact tracing 68

R.C. 107.22 and 3701.25	69
Prohibits the Governor from issuing an order requiring an individual to participate in contact tracing.	70 71
Prohibits the Department of Health, another state agency, a local board of health, or any other person or government entity under contract with the foregoing, from requiring an individual to participate in contact tracing.	72 73 74 75
Requires written consent to participate in contact tracing.	76 77
Prohibits any penalties, including withholding medical treatment, from being imposed on an individual who refuses to participate in contact tracing efforts.	78 79 80
Specifies that any record created during the contact tracing process is not a public record and that disclosure of protected health information collected during the process is subject to existing state law restrictions consistent with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule.	81 82 83 84 85 86