

As Introduced

133rd General Assembly

Regular Session

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H. B. No. 81

Representative Perales

**Cosponsors: Representatives Miller, A., O'Brien, Riedel, Romanchuk, Scherer,
Seitz, Weinstein**

A BILL

To amend section 4123.026 of the Revised Code 1
regarding Workers' Compensation coverage of 2
post-exposure medical diagnostic services for a 3
detention facility employee's exposure to 4
another person's blood or bodily fluids. 5

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4123.026 of the Revised Code be 6
amended to read as follows: 7

Sec. 4123.026. (A) The administrator of workers' 8
compensation, ~~or~~a self-insuring public employer for the peace 9
officers, firefighters, and emergency medical workers employed 10
by or volunteering for that self-insuring public employer, or a 11
detention facility that is a self-insuring employer for the 12
facility's employees, including corrections officers, shall pay 13
the costs of conducting post-exposure medical diagnostic 14
services, consistent with the standards of medical care existing 15
at the time of the exposure, to investigate whether an injury or 16
occupational disease was sustained by a peace officer, 17
firefighter, ~~or~~emergency medical worker, or detention facility 18

employee, including a corrections officer, when coming into 19
contact with the blood or other body fluid of another person in 20
the course of and arising out of the peace officer's, 21
firefighter's, ~~or~~ emergency medical worker's, or detention 22
facility employee's employment, or when responding to an 23
inherently dangerous situation in the manner described in, and 24
in accordance with the conditions specified under, division (A) 25
(1) (a) of section 4123.01 of the Revised Code, through any of 26
the following means: 27

(1) Splash or spatter in the eye or mouth, including when 28
received in the course of conducting mouth-to-mouth 29
resuscitation; 30

(2) A puncture in the skin; 31

(3) A cut in the skin or another opening in the skin such 32
as an open sore, wound, lesion, abrasion, or ulcer. 33

(B) As used in this section: 34

(1) "Peace officer" has the same meaning as in section 35
2935.01 of the Revised Code. 36

(2) "Firefighter" means a firefighter, whether paid or 37
volunteer, of a lawfully constituted fire department. 38

(3) "Emergency medical worker" means a first responder, 39
emergency medical technician-basic, emergency medical 40
technician-intermediate, or emergency medical technician- 41
paramedic, certified under Chapter 4765. of the Revised Code, 42
whether paid or volunteer. 43

(4) "Corrections officer" means a person employed by a 44
detention facility as a corrections officer. 45

(5) "Detention facility" means any public or private place 46

used for the confinement of a person charged with or convicted 47
of any crime in this state or another state or under the laws of 48
the United States or alleged or found to be a delinquent child 49
or unruly child in this state or another state or under the laws 50
of the United States. 51

Section 2. That existing section 4123.026 of the Revised 52
Code is hereby repealed. 53