A BILL

To require the reporting and release of certain COVID-19 testing and related information and to declare an emergency.

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

Section 1. (A) As used in this section, "health care provider" has the same meaning as in section 3701.23 of the Revised Code.

(B) During the period of the emergency declared by Executive Order 2020-01D, issued on March 9, 2020, due to COVID-19:

(1)(a) In addition to reporting the existence of COVID-19 as required by actions taken pursuant to division (B)(5) of section 3701.23 of the Revised Code, boards of health, health authorities or officials, health care providers, and coroners or medical examiners shall promptly report to the Department of Health each COVID-19 test that is administered, along with all of the following:

(i) The date the test was administered;
(ii) The zip code of residence of the individual tested or, if unknown or not located in this state, the zip code of the location where the test was administered;

(iii) Indication of whether the individual tested resides in a congregate setting, such as a nursing home, residential care facility, hospital, or prison and, if so, identification of the congregate setting.

(b) A reporter under division (B)(1)(a) of this section shall promptly update its report to the Department with all of the following:

(i) The results of the test, whether positive or negative, and the date the results were confirmed;

(ii) If the reporter is a hospital, the date of admission to the hospital for the treatment of COVID-19 and the date of discharge or date of death, as applicable;

(iii) Each death resulting from COVID-19, the date of the death, the age of the deceased, and whether the death was attributable solely to COVID-19 or there were additional complication factors, and, if there were, identification of the complication factors.

(c) No person shall knowingly fail to comply with the reporting requirements established under divisions (B)(1)(a) and (b) of this section.

(d) The reports required under divisions (B)(1)(a) and (b) of this section shall be submitted in the manner the Director of Health prescribes.

(e) Information reported under divisions (B)(1)(a) and (b) of this section that is protected health information pursuant to
section 3701.17 of the Revised Code shall be released only in accordance with that section.

(f) Any person who violates division (B)(1)(c) of this section is subject to the same fines and criminal penalties as a person who violates division (C) of section 3701.23 of the Revised Code, as set forth in sections 3701.571 and 3701.99 of the Revised Code.

(2) All of the following apply when the Department of Health releases information related to cases of COVID-19:

(a) Each day's figures must accurately reflect the information reported to the Department as of the date of the release;

(b) The information shall be released in the form of a chart, table, or similar format that includes all of the following, broken down by zip code:

(i) The number of individuals tested for COVID-19 each day;

(ii) The number of positive test results and the date each positive test was confirmed;

(iii) The number of negative test results and the date each negative test was confirmed;

(iv) The total number of individuals who have been hospitalized for COVID-19 as well as the number of current hospitalizations related to COVID-19;

(v) The number of deaths, by date, that are attributable solely to COVID-19, as well as the age ranges for the deceased;

(vi) The number of deaths, by date, that involve
individuals who tested positive for COVID-19 but there were additional complication factors, including identification of those complication factors.

(c) In addition to releasing the information identified in division (B)(2)(b) of this section, the Department shall release COVID-19 infection rates for congregate settings such as nursing homes, residential care facilities, hospitals, and prisons.

(d) The information identified in divisions (B)(2)(b) and (c) of this section shall include only confirmed cases of COVID-19, not cases that are probable or presumed. The Department shall separately release the information identified in divisions (B)(2)(b) and (c) of this section as it relates to probable or presumed cases of COVID-19, and shall include the basis for determining the case to be probable or presumed.

(e) When modeling projections related to COVID-19 are released by the Department, the Department shall release all supporting information and documents, including a margin of error. The Department shall release any adjustments to the modeling projections.

Section 2. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to address urgent needs of the state arising from the COVID-19 outbreak. Therefore, this act shall go into immediate effect.