

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**H. B. No. 628**

**Representative Brent**

**Cosponsors: Representatives Lepore-Hagan, Howse, Crawley**

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**A BILL**

To enact section 3701.035 of the Revised Code 1  
regarding hand hygiene education for patients 2  
and residents of health care facilities. 3

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

**Section 1.** That section 3701.035 of the Revised Code be 4  
enacted to read as follows: 5

**Sec. 3701.035.** (A) As used in this section, "health care 6  
facility" means all of the following: 7

(1) A hospital, as defined in section 3727.01 of the 8  
Revised Code; 9

(2) A nursing home, as defined in section 3721.01 of the 10  
Revised Code; 11

(3) A residential care facility, as defined in section 12  
3721.01 of the Revised Code; 13

(4) Any other type of health care facility that the 14  
director of health determines should be subject to the 15  
requirements of this section. 16

(B) The department of health shall establish and provide 17  
to all health care facilities educational materials and 18  
guidelines regarding patient and resident hand hygiene for the 19  
patients and residents of health care facilities. The 20  
educational materials and guidelines shall include appropriate 21  
hand-hygiene procedures that patients and residents are 22  
encouraged to practice while at a health care facility. The 23  
department shall design the educational materials and guidelines 24  
in a manner that makes them convenient, accessible, culturally 25  
appropriate, and tailored to different groups of patients and 26  
residents. To fulfill this requirement, the department shall do 27  
all of the following: 28

(1) Establish different educational materials and 29  
guidelines for different groups of patients and residents, 30  
including all of the following groups: 31

(a) Patients and residents of different types of health 32  
care facilities; 33

(b) Patients and residents who speak different languages; 34

(c) Individuals with functional and sensory limitations. 35

(2) Write the educational materials and guidelines in a 36  
manner easily understood by individuals with not more than a 37  
fourth grade education; 38

(3) Style the educational materials and guidelines in an 39  
appropriate, visible font. 40

(C) (1) Except as provided in division (C) (2) of this 41  
section, each health care facility shall make available to its 42  
patients and residents all of the following: 43

(a) The educational materials and guidelines regarding 44

patient and resident hand hygiene that the department provides 45  
the facility under this section; 46

(b) Appropriate hand hygiene products and wash facilities 47  
that enable the patients and residents to carry out the hand- 48  
hygiene procedures included in the educational materials and 49  
guidelines at the following times: 50

(i) At meal times; 51

(ii) When entering and exiting an area of the facility 52  
where patient care is provided; 53

(iii) Before and after touching a wound or medical device; 54

(iv) After coughing or sneezing; 55

(v) After urinating or a bowel movement, regardless of 56  
whether done using a bathroom, urinal, bed pan, bedside commode, 57  
or other device. 58

(c) In the case of its patients and residents who have a 59  
physical or mental health condition that interferes with their 60  
ability to carry out on their own the hand hygiene procedures 61  
included in the educational materials and guidelines, health 62  
care staff who will assist the patient or resident in carrying 63  
out the procedures. 64

(2) A health care facility is not required to comply with 65  
divisions (C) (1) (a) and (b) of this section for the following 66  
patients or residents: 67

(a) Those who are incapacitated; 68

(b) Those who are initially admitted to an emergency 69  
department. 70

(D) The director of health shall adopt rules as necessary 71

to implement this section. The rules shall be adopted in 72

accordance with Chapter 119. of the Revised Code. 73