

____. B. _____

Topic: Newborn safety incubators

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_____ moved to amend as follows:

In line _____ of the title, after "_____" insert "2101.16,"

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In line _____ of the title, after "_____" insert

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"2151.3515, 2151.3516, 2151.3517, 2151.3518, 2151.3519, 2151.3521,
2151.3523, 2151.3524, 2151.3525, 2151.3526, 2151.3527, 2151.3529,
2151.3530,"

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In line _____ of the title, after "_____" insert "2151.3516

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(2151.3517), 2151.3517 (2151.3518), 2151.3518 (2151.3519),

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2151.3519 (2151.3521), 2151.3520 (2151.3522), 2151.3521

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(2151.3523), 2151.3522 (2151.3524), 2151.3523 (2151.3525),

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2151.3524 (2151.3526), 2151.3525 (2151.3528), 2151.3526

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(2151.3529), 2151.3527 (2151.3530), 2151.3528 (2151.3531),

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2151.3529 (2151.3534), 2151.3530 (2151.3535),"

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In line _____ of the title, after "_____" insert

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"2151.3516,"

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In line _____ of the title, after "_____" insert

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"2151.3532,"

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In line _____ of the title, after "_____" insert ", and to

18

make changes to the law permitting controlled desertion of a child

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not older than thirty days"

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In line _____, after "_____" insert "2101.16,"

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In line _____, after "_____" insert "2151.3515, 2151.3516,

22

2151.3517, 2151.3518, 2151.3519, 2151.3521, 2151.3523, 2151.3524, 23
 2151.3525, 2151.3526, 2151.3527, 2151.3529, 2151.3530," 24

In line _____ of the title, after "_____" insert "2151.3516 25
 (2151.3517), 2151.3517 (2151.3518), 2151.3518 (2151.3519), 26
 2151.3519 (2151.3521), 2151.3520 (2151.3522), 2151.3521 27
 (2151.3523), 2151.3522 (2151.3524), 2151.3523 (2151.3525), 28
 2151.3524 (2151.3526), 2151.3525 (2151.3528), 2151.3526 29
 (2151.3529), 2151.3527 (2151.3530), 2151.3528 (2151.3531), 30
 2151.3529 (2151.3534), 2151.3530 (2151.3535)," 31

In line _____, after "_____" insert "2151.3516," 32

In line _____, after "_____" insert "2151.3532," 33

Between lines _____ and _____, insert: 34

"**Sec. 2101.16.** (A) Except as provided in section 2101.164 of 35
 the Revised Code, the fees enumerated in this division shall be 36
 charged and collected, if possible, by the probate judge and shall 37
 be in full for all services rendered in the respective 38
 proceedings: 39

(1) Account, in addition to advertising charges 40

..... \$ 12.00 41

Waivers and proof of notice of hearing on account, 42
 per page, minimum one dollar

..... \$ 1.00 43

(2) Account of distribution, in addition to advertising 44
 charges

..... \$ 7.00 45

(3) Adoption of child, petition for 46

..... \$ 50.00 47

(4) Alter or cancel contract for sale or purchase of real 48
 property, complaint to

.....	\$ 20.00	49
(5) Application and order not otherwise provided for in this section or by rule adopted pursuant to division (E) of this section		50
.....	\$ 5.00	51
(6) Appropriation suit, per day, hearing in		52
.....	\$ 20.00	53
(7) Birth, application for registration of		54
.....	\$ 7.00	55
(8) Birth record, application to correct		56
.....	\$ 5.00	57
(9) Bond, application for new or additional		58
.....	\$ 5.00	59
(10) Bond, application for release of surety or reduction of		60
.....	\$ 5.00	61
(11) Bond, receipt for securities deposited in lieu of		62
.....	\$ 5.00	63
(12) Certified copy of journal entry, record, or proceeding, per page, minimum fee one dollar		64
.....	\$ 1.00	65
(13) Citation and issuing citation, application for		66
.....	\$ 5.00	67
(14) Change of name, petition for		68
.....	\$ 20.00	69
(15) Claim, application of administrator or executor for allowance of administrator's or executor's own		70
.....	\$ 10.00	71
(16) Claim, application to compromise or settle		72
.....	\$ 10.00	73
(17) Claim, authority to present		74

.....	\$ 10.00	75
(18) Commissioner, appointment of		76
.....	\$ 5.00	77
(19) Compensation for extraordinary services and attorney's fees for fiduciary, application for		78
.....	\$ 5.00	79
(20) Competency, application to procure adjudication of		80
.....	\$ 20.00	81
(21) Complete contract, application to		82
.....	\$ 10.00	83
(22) Concealment of assets, citation for		84
.....	\$ 10.00	85
(23) Construction of will, complaint for		86
.....	\$ 20.00	87
(24) Continue decedent's business, application to		88
.....	\$ 10.00	89
Monthly reports of operation		90
.....	\$ 5.00	91
(25) Declaratory judgment, complaint for		92
.....	\$ 20.00	93
(26) Deposit of will		94
.....	\$ 5.00	95
(27) Designation of heir		96
.....	\$ 20.00	97
(28) Distribution in kind, application, assent, and order for		98
.....	\$ 5.00	99
(29) Distribution under section 2109.36 of the Revised Code, application for an order of		100
.....	\$ 7.00	101
(30) Docketing and indexing proceedings, including the		102

filing and noting of all necessary documents, maximum fee, fifteen dollars	\$ 15.00	103
(31) Exceptions to any proceeding named in this section, contest of appointment or	\$ 10.00	104
(32) Election of surviving partner to purchase assets of partnership, proceedings relating to	\$ 10.00	106
(33) Election of surviving spouse under will	\$ 5.00	108
(34) Fiduciary, including an assignee or trustee of an insolvent debtor or any guardian or conservator accountable to the probate court, appointment of	\$ 35.00	110
(35) Foreign will, application to record	\$ 10.00	112
Record of foreign will, additional, per page	\$ 1.00	114
(36) Forms when supplied by the probate court, not to exceed	\$ 10.00	115
(37) Heirship, complaint to determine	\$ 20.00	116
(38) Injunction proceedings	\$ 20.00	118
(39) Improve real property, petition to	\$ 20.00	119
(40) Inventory with appraisalment	\$ 10.00	120
(41) Inventory without appraisalment		121

.....	\$ 7.00	127
(42) Investment or expenditure of funds, application for		128
.....	\$ 10.00	129
(43) Invest in real property, application to		130
.....	\$ 10.00	131
(44) Lease for oil, gas, coal, or other mineral, petition		132
to		
.....	\$ 20.00	133
(45) Lease or lease and improve real property, petition to		134
.....	\$ 20.00	135
(46) Marriage license		136
.....	\$ 10.00	137
Certified abstract of each marriage		138
.....	\$ 2.00	139
(47) Minor or incompetent person, etc., disposal of estate		140
under twenty-five thousand dollars of		
.....	\$ 10.00	141
(48) Mortgage or mortgage and repair or improve real		142
property, complaint to		
.....	\$ 20.00	143
(49) Newly discovered assets, report of		144
.....	\$ 7.00	145
(50) Nonresident executor or administrator to bar		146
creditors' claims, proceedings by		
.....	\$ 20.00	147
(51) Power of attorney or revocation of power, bonding		148
company		
.....	\$ 10.00	149
(52) Presumption of death, petition to establish		150
.....	\$ 20.00	151
(53) Probating will		152

.....	\$ 15.00	153
Proof of notice to beneficiaries		154
.....	\$ 5.00	155
(54) Purchase personal property, application of surviving spouse to		156
.....	\$ 10.00	157
(55) Purchase real property at appraised value, petition of surviving spouse to		158
.....	\$ 20.00	159
(56) Receipts in addition to advertising charges, application and order to record		160
.....	\$ 5.00	161
Record of those receipts, additional, per page		162
.....	\$ 1.00	163
(57) Record in excess of fifteen hundred words in any proceeding in the probate court, per page		164
.....	\$ 1.00	165
(58) Release of estate by mortgagee or other lienholder		166
.....	\$ 5.00	167
(59) Relieving an estate from administration under section 2113.03 of the Revised Code or granting an order for a summary release from administration under section 2113.031 of the Revised Code		168
.....	\$ 60.00	169
(60) Removal of fiduciary, application for		170
.....	\$ 10.00	171
(61) Requalification of executor or administrator		172
.....	\$ 10.00	173
(62) Resignation of fiduciary		174
.....	\$ 5.00	175
(63) Sale bill, public sale of personal property		176

.....	\$ 10.00	177
(64) Sale of personal property and report, application for		178
.....	\$ 10.00	179
(65) Sale of real property, petition for		180
.....	\$ 25.00	181
(66) Terminate guardianship, petition to		182
.....	\$ 10.00	183
(67) Transfer of real property, application, entry, and certificate for		184
.....	\$ 7.00	185
(68) Unclaimed money, application to invest		186
.....	\$ 7.00	187
(69) Vacate approval of account or order of distribution, motion to		188
.....	\$ 10.00	189
(70) Writ of execution		190
.....	\$ 5.00	191
(71) Writ of possession		192
.....	\$ 5.00	193
(72) Wrongful death, application and settlement of claim for		194
.....	\$ 20.00	195
(73) Year's allowance, petition to review		196
.....	\$ 7.00	197
(74) Guardian's report, filing and review of		198
.....	\$ 5.00	199
(75) Mentally ill person subject to court order, filing of affidavit and proceedings for		200
.....	\$ 25.00	201
(B)(1) In relation to an application for the appointment of a guardian or the review of a report of a guardian under section		202 203

2111.49 of the Revised Code, the probate court, pursuant to court order or in accordance with a court rule, may direct that the applicant or the estate pay any or all of the expenses of an investigation conducted pursuant to section 2111.041 or division (A)(2) of section 2111.49 of the Revised Code. If the investigation is conducted by a public employee or investigator who is paid by the county, the fees for the investigation shall be paid into the county treasury. If the court finds that an alleged incompetent or a ward is indigent, the court may waive the costs, fees, and expenses of an investigation.

(2) In relation to the appointment or functioning of a guardian for a minor or the guardianship of a minor, the probate court may direct that the applicant or the estate pay any or all of the expenses of an investigation conducted pursuant to section 2111.042 of the Revised Code. If the investigation is conducted by a public employee or investigator who is paid by the county, the fees for the investigation shall be paid into the county treasury. If the court finds that the guardian or applicant is indigent, the court may waive the costs, fees, and expenses of an investigation.

(3) In relation to the filing of an affidavit of mental illness for a mentally ill person subject to court order, the court may waive the fee under division (A)(75) of this section if the court finds that the affiant is indigent or for good cause shown.

(C) Thirty dollars of the thirty-five-dollar fee collected pursuant to division (A)(34) of this section and twenty dollars of the sixty-dollar fee collected pursuant to division (A)(59) of this section shall be deposited by the county treasurer in the indigent guardianship fund created pursuant to section 2111.51 of the Revised Code.

(D) The fees of witnesses, jurors, sheriffs, coroners, and constables for services rendered in the probate court or by order of the probate judge shall be the same as provided for similar services in the court of common pleas.

(E) The probate court, by rule, may require an advance deposit for costs, not to exceed one hundred twenty-five dollars, at the time application is made for an appointment as executor or administrator or at the time a will is presented for probate.

(F)(1) Thirty dollars of the fifty-dollar fee collected pursuant to division (A)(3) of this section shall be deposited into the "putative father registry fund," which is hereby created in the state treasury. The department of job and family services shall use the money in the fund to fund the department's costs of performing its duties related to the putative father registry established under section 3107.062 of the Revised Code.

(2) If the department determines that money in the putative father registry fund is more than is needed for its duties related to the putative father registry, the department may use the surplus moneys in the fund as permitted in division (C) of section ~~2151.3529~~ 2151.3534, division (B) of section 2151.3530, or section 5103.155 of the Revised Code.

Sec. 2151.3515. As used in sections 2151.3515 to ~~2151.3530~~ 2151.3535 of the Revised Code:

(A) ~~"Deserted child" means a child whose parent has voluntarily delivered the child to an emergency medical service worker, peace officer, or hospital employee without expressing an intent to return for the child.~~

~~(B)~~ "Emergency medical service organization," "emergency medical technician-basic," "emergency medical

technician-intermediate," "first responder," and "paramedic" have 263
the same meanings as in section 4765.01 of the Revised Code. 264

~~(C)~~(B) "Emergency medical service worker" means a first 265
responder, emergency medical technician-basic, emergency medical 266
technician-intermediate, or paramedic. 267

~~(D)~~(C) "Hospital" has the same meaning as in section 3727.01 268
of the Revised Code. 269

~~(E)~~(D) "Hospital employee" means any of the following 270
persons: 271

(1) A physician who has been granted privileges to practice 272
at the hospital; 273

(2) A nurse, physician assistant, or nursing assistant 274
employed by the hospital; 275

(3) An authorized person employed by the hospital who is 276
acting under the direction of a physician described in division 277
(E)(1) of this section. 278

~~(F)~~(E) "Law enforcement agency" means an organization or 279
entity made up of peace officers. 280

~~(G)~~(F) "Nurse" means a person who is licensed under Chapter 281
4723. of the Revised Code to practice as a registered nurse or 282
licensed practical nurse. 283

~~(H)~~(G) "Nursing assistant" means a person designated by a 284
hospital as a nurse aide or nursing assistant whose job is to aid 285
nurses, physicians, and physician assistants in the performance of 286
their duties. 287

~~(I)~~(H) "Peace officer" means a sheriff, deputy sheriff, 288
constable, police officer of a township or joint police district, 289
marshal, deputy marshal, municipal police officer, or a state 290

highway patrol trooper. 291

~~(J)~~(I) "Physician" means an individual authorized under 292
Chapter 4731. of the Revised Code to practice medicine and 293
surgery, osteopathic medicine and surgery, or podiatric medicine 294
and surgery. 295

~~(K)~~(J) "Physician assistant" means an individual who holds a 296
current, valid license to practice as a physician assistant issued 297
under Chapter 4730. of the Revised Code. 298

Sec. 2151.3516. A parent may voluntarily deliver his or her 299
child who is not older than thirty days, without intent to return 300
for the child, to a person specified in section 2151.3517 of the 301
Revised Code or a newborn safety incubator provided by an entity 302
described in that section that meets the requirements of section 303
2151.3532 of the Revised Code. 304

Sec. 2151.3516 2151.3517. The following entities or persons, 305
while acting in an official capacity on behalf of any of the 306
entities, shall take possession of a child ~~who is thirty days old~~ 307
~~or younger if that child's parent has voluntarily delivered the~~ 308
~~child to that person without the parent expressing an intent to~~ 309
~~return for the child.~~ delivered in accordance with section 310
2151.3516 of the Revised Code: 311

(A) A ~~peace officer on behalf of the~~ law enforcement agency 312
~~that employs the~~ or a peace officer employed by the agency; 313

(B) A ~~hospital employee on behalf of the hospital that has~~ or 314
a person granted the ~~person~~ privilege to practice at, or employed 315
by, the hospital ~~or that employs the person;~~ 316

(C) An ~~emergency medical service worker on behalf of the~~ 317
emergency medical service organization ~~that employs the worker or~~ 318

~~for which the worker provides~~ or an emergency medical service 319
~~worker employed by or providing~~ services to the organization. 320

Sec. ~~2151.3517~~ 2151.3518. (A) On taking possession of a child 321
pursuant to section ~~2151.3516~~ 2151.3517 of the Revised Code, a law 322
enforcement agency, hospital, or emergency medical service 323
organization shall do all the following: 324

(1) Perform any act necessary to protect the child's health 325
or safety; 326

(2) Notify the public children services agency of the county 327
in which the agency, hospital, or organization is located that the 328
child has been taken into possession; 329

(3) If possible, make available to the parent who delivered 330
the child forms developed under section ~~2151.3529~~ 2151.3534 of the 331
Revised Code that are designed to gather medical information 332
concerning the child and the child's parents; 333

(4) If possible, make available to the parent who delivered 334
the child written materials developed under section ~~2151.3529~~ 335
2151.3534 of the Revised Code that describe services available to 336
assist parents and newborns; 337

(5) If the child has suffered a physical or mental wound, 338
injury, disability, or condition of a nature that reasonably 339
indicates abuse or neglect of the child, attempt to identify and 340
pursue the person who delivered the child. 341

(B) An emergency medical service worker who takes possession 342
of a child shall, in addition to any act performed under division 343
(A)(1) of this section, perform any medical service the worker is 344
authorized to perform that is necessary to protect the physical 345
health or safety of the child. 346

Sec. ~~2151.3518~~ 2151.3519. On receipt of a notice given 347
pursuant to section ~~2151.3517~~ 2151.3518 of the Revised Code that 348
an emergency medical service organization, a law enforcement 349
agency, or hospital has taken possession of a child and in 350
accordance with rules of the department of job and family 351
services, a public children services agency shall do all of the 352
following: 353

(A) Consider the child to be in need of public care and 354
protective services; 355

(B) Accept and take emergency temporary custody of the child; 356

(C) Provide temporary emergency care for the child, without 357
agreement or commitment; 358

(D) Make an investigation concerning the child; 359

(E) File a motion with the juvenile court of the county in 360
which the agency is located requesting that the court grant 361
temporary custody of the child to the agency or to a private child 362
placing agency; 363

(F) Provide any care for the child that the public children 364
services agency considers to be in the best interest of the child, 365
including placing the child in shelter care; 366

(G) Provide any care and perform any duties that are required 367
of public children services agencies under section 5153.16 of the 368
Revised Code; 369

(H) Prepare and keep written records of the investigation of 370
the child, of the care and treatment afforded the child, and any 371
other records required by the department of job and family 372
services. 373

Sec. ~~2151.3519~~ 2151.3521. When a public children services 374
 agency files a motion pursuant to division (E) of section 375
~~2151.3518~~ 2151.3519 of the Revised Code, the juvenile court shall 376
 hold an emergency hearing as soon as possible to determine whether 377
 the child ~~is a deserted child~~ was delivered in accordance with 378
section 2151.3516 of the Revised Code. The court ~~is required to~~ 379
shall give notice to the parents of the child ~~only if the court~~ 380
~~has knowledge of the names of the parents~~ in accordance with Rule 381
16 of the Rules of Juvenile Procedure. If the court determines at 382
 the initial hearing or at any other hearing that a child ~~is a~~ 383
~~deserted child~~ was delivered in accordance with section 2151.3516 384
of the Revised Code, the court shall adjudicate the child a 385
 deserted child and enter its findings in the record of the case. 386

Sec. ~~2151.3520~~ 2151.3522. If a juvenile court adjudicates a 387
 child a deserted child, the court shall commit the child to the 388
 temporary custody of a public children services agency or a 389
 private child placing agency. The court shall consider the order 390
 committing the child to the temporary custody of the agency to be 391
 an order of disposition issued under division (A)(2) of section 392
 2151.353 of the Revised Code with respect to a child adjudicated a 393
 neglected child. 394

Sec. ~~2151.3521~~ 2151.3523. A court that issues an order 395
 pursuant to section ~~2151.3520~~ 2151.3522 of the Revised Code shall 396
 treat the child who is the subject of the order the same as a 397
 child adjudicated a neglected child when performing duties under 398
 Chapter 2151. of the Revised Code with respect to the child, 399
 except that there is a rebuttable presumption that it is not in 400
 the child's best interest to return the child to the natural 401
 parents. 402

Sec. ~~2151.3522~~ 2151.3524. A public children services agency 403
 or private child placing agency that receives temporary custody of 404
 a child adjudicated a deserted child shall prepare case plans, 405
 conduct investigations, conduct periodic administrative reviews of 406
 case plans, and provide services for the deserted child as if the 407
 child were adjudicated a neglected child and shall follow the same 408
 procedures under this chapter in performing those functions as if 409
 the deserted child was a neglected child. 410

Sec. ~~2151.3523~~ 2151.3525. (A) A parent does not commit a 411
 criminal offense under the laws of this state and shall not be 412
 subject to criminal prosecution in this state for the act of 413
 voluntarily delivering a child under section 2151.3516 of the 414
 Revised Code. 415

(B) A person who delivers or attempts to deliver a child who 416
 has suffered any physical or mental wound, injury, disability, or 417
 condition of a nature that reasonably indicates abuse or neglect 418
 of the child is not immune from civil or criminal liability for 419
 abuse or neglect. 420

(C) A person or ~~governmental~~ entity that takes possession of 421
 a child pursuant to section ~~2151.3516~~ 2151.3517 of the Revised 422
 Code or takes emergency temporary custody of and provides 423
 temporary emergency care for a child pursuant to section ~~2151.3518~~ 424
2151.3519 of the Revised Code is immune from any civil liability 425
 that might otherwise be incurred or imposed as a result of these 426
 actions, unless the person or entity has acted in bad faith or 427
 with malicious purpose. The immunity provided by this division 428
 does not apply if the person or ~~governmental~~ entity has immunity 429
 from civil liability under section 9.86, 2744.02, or 2744.03 of 430
 the Revised Code for the action in question. 431

(D) A person or ~~governmental~~ entity that takes possession of 432
 a child pursuant to section ~~2151.3516~~ 2151.3517 of the Revised 433
 Code or takes emergency temporary custody of and provides 434
 temporary emergency care for a child pursuant to section ~~2151.3518~~ 435
2151.3519 of the Revised Code is immune from any criminal 436
 liability that might otherwise be incurred or imposed as a result 437
 of these actions, unless the person or entity has acted in bad 438
 faith or with malicious purpose. 439

(E) Divisions (C) and (D) of this section do not create a new 440
 cause of action or substantive legal right against a person or 441
~~governmental~~ entity, and do not affect any immunities from civil 442
 liability or defenses established by another section of the 443
 Revised Code or available at common law, to which a person or 444
 governmental entity may be entitled under circumstances not 445
 covered by this section. 446

Sec. ~~2151.3524~~ 2151.3526. (A) A parent who voluntarily 447
 delivers a child under section 2151.3516 of the Revised Code has 448
 the absolute right to remain anonymous. The anonymity of a parent 449
 who voluntarily delivers a child does not affect any duty imposed 450
 under sections ~~2151.3516~~ 2151.3517 or ~~2151.3517~~ 2151.3518 of the 451
 Revised Code. A parent who voluntarily delivers a child may leave 452
 the place at which the parent delivers the child at any time after 453
 the delivery of the child. 454

(B) Notwithstanding division (A) of this section, a parent 455
 who delivers or attempts to deliver a child who has suffered any 456
 physical or mental wound, injury, disability, or condition of a 457
 nature that reasonably indicates abuse or neglect of the child 458
 does not have the right to remain anonymous and may be subject to 459
 arrest pursuant to Chapter 2935. of the Revised Code. 460

Sec. ~~2151.3525~~ 2151.3528. A parent who voluntarily delivers a 461
 child under section 2151.3516 of the Revised Code may complete all 462
 or any part of the medical information forms ~~the parent receives~~ 463
made available under division (A)(3) of section ~~2151.3517~~ 464
2151.3518 of the Revised Code. The parent may deliver the fully or 465
 partially completed forms at the same time as delivering the child 466
 or at a later time. The parent is not required to complete all or 467
 any part of the forms. 468

Sec. ~~2151.3526~~ 2151.3529. A parent who voluntarily delivers a 469
 child under section 2151.3516 of the Revised Code may refuse to 470
 accept the materials made available under division (A)(4) of 471
 section ~~2151.3517~~ 2151.3518 of the Revised Code. 472

Sec. ~~2151.3527~~ 2151.3530. (A) No person described in section 473
~~2151.3516~~ 2151.3517 of the Revised Code and no other person 474
employed by an entity described in that section shall do the 475
 following with respect to a parent who voluntarily delivers a 476
 child under that section: 477

(1) Coerce or otherwise try to force the parent into 478
 revealing the identity of the child's parents; 479

(2) Pursue or follow the parent after the parent leaves the 480
 place at which the child was delivered; 481

(3) Coerce or otherwise try to force the parent not to desert 482
 the child; 483

(4) Coerce or otherwise try to force the parent to complete 484
 all or any part of the medical information forms ~~received~~ made 485
available under division (A)(3) of section ~~2151.3517~~ 2151.3518 of 486
 the Revised Code; 487

(5) Coerce or otherwise try to force the parent to accept the materials made available under division (A)(4) of section ~~2151.3517~~ 2151.3518 of the Revised Code.

(B) Divisions (A)(1) and (2) of this section do not apply with respect to a person who delivers or attempts to deliver a child who has suffered any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child.

Sec. ~~2151.3528~~ 2151.3531. If a child is adjudicated a deserted child and a person indicates to the court that the person is the parent of the child and that the person seeks to be reunited with the child, the court that adjudicated the child shall require the person, at the person's expense, to submit to a DNA test to verify that the person is a parent of the child.

Sec. 2151.3532. Not later than one hundred eighty days after the effective date of this section, the director of the department of health shall adopt rules in accordance with Chapter 119. of the Revised Code governing newborn safety incubators provided by entities described in section 2151.3517 of the Revised Code. The rules shall provide for all of the following:

(A) Sanitation standards;

(B) Procedures to provide emergency care for a child delivered to an incubator;

(C) Manufacturing and manufacturer standards;

(D) Design and function requirements that include the following:

(1) Take into account installation at a law enforcement

<u>agency, a hospital, or an emergency medical service organization;</u>	515
<u>(2) Allow a child to be placed anonymously from outside the facility;</u>	516
<u>(3) Lock the incubator after a child is placed in it so that a person outside the facility is unable to access the child;</u>	517
<u>(4) Provide a controlled environment for the care and protection of the child;</u>	518
<u>(5) Provides notification to a centralized location in the facility within thirty seconds of a child being placed in the incubator;</u>	519
<u>(6) Trigger a 9-1-1 call if a facility does not respond within a reasonable amount of time after a child is placed in the facility's incubator.</u>	520
<u>(E) Operating policies, supervision, and maintenance requirements for an incubator, including requirements that only a peace officer, emergency medical service worker, or hospital employee supervise the incubator and take custody of a child placed in it;</u>	521
<u>(F) Qualifications for persons to install incubators;</u>	522
<u>(G) Procedures and forms for the registration of qualified incubator installers;</u>	523
<u>(H) Costs for registering and regulating incubators and fees to cover those costs;</u>	524
<u>(I) Creating and posting signs to be placed near or on incubators to provide information about using them;</u>	525
<u>(J) Enforcement of and remedies for violations for failure to comply with the requirements governing incubators;</u>	526
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(K) Any other requirement the department considers necessary 542
to ensure the safety and welfare of a child placed in an 543
incubator. 544

Sec. ~~2151.3529~~ 2151.3534. (A) The director of job and family 545
 services shall promulgate forms designed to gather pertinent 546
 medical information concerning a deserted child and the child's 547
 parents. The forms shall clearly and unambiguously state on each 548
 page that the information requested is to facilitate medical care 549
 for the child, that the forms may be fully or partially completed 550
 or left blank, that completing the forms or parts of the forms is 551
 completely voluntary, and that no adverse legal consequence will 552
 result from failure to complete any part of the forms. 553

(B) The director shall promulgate written materials to be 554
~~given~~ made available to the parents of a child delivered pursuant 555
 to section 2151.3516 of the Revised Code. The materials shall 556
 describe services available to assist parents and newborns and 557
 shall include information directly relevant to situations that 558
 might cause parents to desert a child and information on the 559
 procedures for a person to follow in order to reunite with a child 560
 the person delivered under section 2151.3516 of the Revised Code, 561
 including notice that the person will be required to submit to a 562
 DNA test, at that person's expense, to prove that the person is 563
 the parent of the child. 564

(C) If the department of job and family services determines 565
 that money in the putative father registry fund created under 566
 section 2101.16 of the Revised Code is more than is needed for its 567
 duties related to the putative father registry, the department may 568
 use surplus moneys in the fund for costs related to the 569
 development and publication of forms and materials promulgated 570
 pursuant to divisions (A) and (B) of this section. 571

Sec. ~~2151.3530~~ 2151.3535. (A) The director of job and family services shall distribute the medical information forms and written materials promulgated under section ~~2151.3529~~ 2151.3534 of the Revised Code to entities permitted to receive a deserted child, to public children services agencies, and to other public or private agencies that, in the discretion of the director, are best able to disseminate the forms and materials to the persons who are most in need of the forms and materials.

The department of job and family services shall develop an educational plan, in collaboration with the Ohio family and children first cabinet council, for informing at-risk populations who are most likely to voluntarily deliver a child under section 2151.3516 of the Revised Code concerning the provisions of sections 2151.3516 to ~~2151.3530~~ 2151.3535 of the Revised Code.

(B) If the department of job and family services determines that money in the putative father registry fund created under section 2101.16 of the Revised Code is more than is needed to perform its duties related to the putative father registry, the department may use surplus moneys in the fund for costs related to the distribution of forms and materials pursuant to this section."

Between lines _____ and _____, insert:

"Section ____. Section 2101.16 of the Revised Code is presented in this act as a composite of the section as amended by both Sub. S.B. 23 and Am. Sub. S.B. 43 of the 130th General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section

as presented in this act." 601

In line _____, after "_____" insert "2101.16," 602

In line _____, after "_____" insert "2151.3515, 2151.3516, 603
2151.3517, 2151.3518, 2151.3519, 2151.3520, 2151.3521, 2151.3522, 604
2151.3523, 2151.3524, 2151.3525, 2151.3526, 2151.3527, 2151.3528, 605
2151.3529, 2151.3530," 606

The motion was _____ agreed to.