

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**S. B. No. 313**

**Senator Lehner**

**Cosponsors: Senators Hite, Manning, Patton, Gardner**

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**A BILL**

To amend section 3701.601 and to enact section 1  
3701.144 of the Revised Code regarding the 2  
administration of, and eligibility for, the Ohio 3  
Breast and Cervical Cancer Project. 4

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

**Section 1.** That section 3701.601 be amended and section 5  
3701.144 of the Revised Code be enacted to read as follows: 6

**Sec. 3701.144.** (A) As used in this section, "cost sharing" 7  
has the same meaning as in section 3923.85 of the Revised Code. 8

(B) The department of health shall administer the state's 9  
participation in the national breast and cervical cancer early 10  
detection program (NBCCEDP), which shall be known as the Ohio 11  
breast and cervical cancer project. The project shall be 12  
administered in accordance with Title XV of the "Public Health 13  
Service Act," 42 U.S.C. 300k et seq., and the department's 14  
NBCCEDP grant agreement with the United States centers for 15  
disease control and prevention. 16

(C) In administering the project, the department shall set 17  
eligibility requirements for services provided through the 18

<u>project as follows:</u>	19
<u>(1) The woman must have countable family income not</u>	20
<u>exceeding two hundred fifty per cent of the federal poverty</u>	21
<u>line.</u>	22
<u>(2) One of the following must be the case:</u>	23
<u>(a) The woman is not covered by health insurance.</u>	24
<u>(b) The woman is covered by health insurance that does not</u>	25
<u>include the screening or diagnostic services the woman seeks</u>	26
<u>through the project.</u>	27
<u>(c) The woman is covered by health insurance that imposes</u>	28
<u>cost sharing for the screening or diagnostic services the woman</u>	29
<u>seeks through the project that exceeds the limit specified by</u>	30
<u>the director of health in rules adopted under division (D) of</u>	31
<u>this section.</u>	32
<u>(3) In the case of a woman seeking cervical cancer</u>	33
<u>screening and diagnostic services through the project, the woman</u>	34
<u>must be at least twenty-one and less than sixty-five years of</u>	35
<u>age.</u>	36
<u>(4) In the case of a woman seeking breast cancer screening</u>	37
<u>and diagnostic services through the project, either of the</u>	38
<u>following must be the case:</u>	39
<u>(a) The woman is at least forty and less than sixty-five</u>	40
<u>years of age.</u>	41
<u>(b) The woman is at least twenty-five and less than forty</u>	42
<u>years of age and has been determined by a physician to need</u>	43
<u>breast cancer screening and diagnostic services due to the</u>	44
<u>results of a clinical breast examination, the woman's family</u>	45
<u>history, or other factors.</u>	46

(D) The director shall adopt rules for purposes of 47  
division (C) (2) (c) of this section specifying the cost sharing 48  
limit for each screening and diagnostic service that may be 49  
obtained through the project. The director may adopt other rules 50  
as necessary to implement this section. The rules shall be 51  
adopted in accordance with Chapter 119. of the Revised Code. 52

**Sec. 3701.601.** There is hereby created in the state 53  
treasury the breast and cervical cancer project income tax 54  
contribution fund, which shall consist of money contributed to 55  
it under section 5747.113 of the Revised Code and of 56  
contributions made directly to it. Any person may contribute 57  
directly to the fund in addition to or independently of the 58  
income tax refund contribution system established in section 59  
5747.113 of the Revised Code. 60

The director of health shall distribute the contributed 61  
funds to the Ohio breast and cervical cancer project ~~funded by~~ 62  
~~the national breast and cervical cancer early detection program~~ 63  
~~established under the "Breast and Cervical Cancer Mortality~~ 64  
~~Prevention Act of 1990," 104 Stat. 409, 42 U.S.C. 300k et seq.~~ 65  
administered under section 3701.144 of the Revised Code. The 66  
contributed funds shall be used specifically for the provision 67  
of breast and cervical cancer screening, diagnostic, and 68  
outreach services to uninsured and under-insured women who meet 69  
the eligibility requirements specified in that section. The 70  
breast and cervical cancer project, through its regional 71  
agencies, shall first use the contributed funds to pay for 72  
services provided directly by personnel of local departments of 73  
health, federally qualified health centers as defined by section 74  
3701.047 of the Revised Code, or other community health centers. 75  
If contributed funds remain after a regional agency pays for all 76  
screening, diagnostic, and outreach services provided by local 77

departments of health, federally qualified health centers, or 78  
other community health centers, the regional agency may use 79  
contributed funds to pay for services provided by other 80  
providers. 81

**Section 2.** That existing section 3701.601 of the Revised 82  
Code is hereby repealed. 83