



Sponsor Testimony

Representative Dave Greenspan

House Bill 453

Chairman Coley, Vice Chair Uecker, Ranking Member Schiavoni, and members of the Senate Government Oversight and Reform Committee, thank you for the opportunity to present House Bill 453 today. This bill, simply put, requires that all rights and interests in intellectual property discovered or developed by employees or other entities using charter county hospital facilities are the property of that charter county hospital.

Currently, charter county hospitals such as MetroHealth in Cleveland, do not enjoy any protections in statute for inventions, discovery or patents that are created on their premises. House Bill 453 is designed to remedy this by providing charter county hospitals identical protections that state universities and colleges, including those affiliated with hospitals such as The Ohio State University Medical Center and The University of Toledo Medical Center currently enjoy under Section 3345.14 of the Revised Code.

This bill ensures that if an invention or discovery is to be made at MetroHealth then the hospital and the citizens of Cuyahoga County are able to reap the benefits of the investment they have made and the resources they afforded to its development. In other words, this bill is designed to protect against an employee or contractor utilizing public resources for private gain.

To be clear, if an employee of the health system were to make a discovery or invention at a charter county hospital, this bill is not designed to eliminate their ability to profit from their good work. Instead, this bill establishes the rules of the road for how a board of county hospital trustees of a charter county hospital may negotiate with them, while making clear that the charter county hospital is the owner of said property. This is no different than what non-profit hospitals and research enterprises currently arrange with their employees. As such, this bill gives a board of trustees at a charter county hospital the explicit permission to determine how best to manage any intellectual property including the ability to license or sell said property.

Finally, this bill would provide clear authority for the board of county hospital trustees of a charter county hospital to put in place safeguards for the management of conflicts of interest to ensure the proper stewardship of public resources.

Thank you for the opportunity to speak to both the need for and the merits of this legislation. I am happy to answer any questions you may have at this time.