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for a healthier Ohio*

**Statement
of the
Ohio State Medical Association
to the
Senate Health, Human Services, and Medicaid Committee**

**Proponent Testimony
HB 145 - Establish confidential program to treat impaired practitioners**

Presented by Tim Maglione, Senior Director, Government Relations Group

December 5, 2017

Chair Burke and members of the Senate Health, Human Services, and Medicaid Committee, my name is Tim Maglione and I am the Senior Director of Government Relations for the Ohio State Medical Association (OSMA). With 12,000 members, the OSMA is the state's largest professional organization representing Ohio physicians, medical residents and medical students.

The OSMA appreciates the opportunity to express our enthusiastic support for HB 145.

HB 145 requires the State Medical Board to establish a confidential program known as "One-Bite" for the treatment of impaired practitioners. It allows a practitioner who has not previously participated in One-Bite or been sanctioned by the Board for impairment due to drugs, alcohol, or other substances to avoid discipline, if specified conditions are met, including completing treatment.

The bill also requires the Board to contract with one organization to conduct the One-Bite program and perform monitoring services related to the program. This legislation also sets specific eligibility requirements for the program, including the types of practitioners to whom it will be available. A practitioner can participate if:

- The practitioner is unable to practice according to acceptable and prevailing standards of care because of habitual or excessive use or abuse of drugs, alcohol, or other substances that impair ability to practice;

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- The practitioner has not participated previously in the One-Bite program; and,
- Unless the Board has referred the practitioner to the program, the practitioner has not been sanctioned previously by the Board for impairment.

The OSMA and various other state and local advocacy groups worked together with the State Medical Board to develop the provisions of this proposal. Confidential access to a state physician's health program that provides high-quality addiction treatment allows a physician or other qualifying practitioner to get treatment earlier, ideally before their work potentially begins to be compromised, or patients are put at risk.

Most U.S. states offer a confidential system of intervention, treatment, and monitoring much like the One-Bite program to their physicians. A physician is just as likely as an individual from the general population to develop a substance abuse disorder. Having a secure program like One-Bite in place gives our physicians as well as physicians from other states applying for Ohio licensure the chance to receive treatment for the medical condition of addiction, and to be fairly monitored, rather than immediately punished for it. This keeps Ohio's physicians healthier and better able to serve their patients.

This legislation is the result of months of discussion on how best to provide Ohio physicians with this valuable one-time opportunity to seek treatment for substance abuse-related impairment. It is imperative that our practitioners be offered this powerful chance to access treatment without fear of repercussion or negative career implications through reporting to the Medical Board. The OSMA believes that HB 145 does just that – and puts the practitioner on the path to recovery.

The OSMA appreciates the efforts by Representatives Huffman and Sprague, as well as the collaborative work of the Medical Board and other physician advocacy organizations on this legislation. The consensus reached in this legislation crafts a meaningful, impactful program for Ohio physicians to seek substance abuse treatment, while maintaining their protection and anonymity on a first-time basis in their time of great need.

The Ohio State Medical Association (OSMA) is part of a coalition effort with a number of other organizations that are supporting the bill.

This legislative proposal is a priority issue for the OSMA and we would greatly appreciate your support of HB 145.

Chair Burke, that concludes my testimony and I would be happy to entertain any questions the committee may have.