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Representative Grendell

Cosponsors: Representatives Wiggam, Romanchuk, Riedel, Roemer, Stein, Keller, Cross, Abrams, Baldrige, Butler, Carruthers, Cupp, Cutrona, DeVitis, Edwards, Fraizer, Ghanbari, Green, Hambley, Hillyer, Holmes, A., Jones, Jordan, Koehler, Lang, Patton, Reineke, Seitz, Smith, T., Stephens, Stoltzfus, Zeltwanger

A BILL

To require the reporting and release of certain 1
COVID-19 testing and related information. 2

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

Section 1. (A) As used in this section, "health care 3
provider" has the same meaning as in section 3701.23 of the 4
Revised Code. 5

(B) During the period of the emergency declared by 6
Executive Order 2020-01D, issued on March 9, 2020, due to COVID- 7
19: 8

(1) (a) In addition to reporting the existence of COVID-19 9
as required by actions taken pursuant to division (B) (5) of 10
section 3701.23 of the Revised Code, boards of health, health 11
authorities or officials, health care providers, and coroners or 12
medical examiners shall promptly report to the Department of 13
Health each COVID-19 test that is administered, along with all 14
of the following: 15

| | |
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| (i) The date the test was administered; | 16 |
| (ii) The zip code of residence of the individual tested | 17 |
| or, if unknown or not located in this state, the zip code of the | 18 |
| location where the test was administered; | 19 |
| (iii) Indication of whether the individual tested resides | 20 |
| in a congregate setting, such as a nursing home, residential | 21 |
| care facility, hospital, or prison and, if so, identification of | 22 |
| the congregate setting. | 23 |
| (b) A reporter under division (B) (1) (a) of this section | 24 |
| shall promptly update its report to the Department with all of | 25 |
| the following, to the extent the information is available to the | 26 |
| reporter: | 27 |
| (i) The results of the test, whether positive or negative, | 28 |
| and the date the results were confirmed; | 29 |
| (ii) If the reporter is a hospital, the date of admission | 30 |
| to the hospital for the treatment of COVID-19 and the date of | 31 |
| discharge or date of death, as applicable; | 32 |
| (iii) Each death resulting from COVID-19, the date of the | 33 |
| death, the age of the deceased, and whether the death was | 34 |
| attributable solely to COVID-19 or there were additional | 35 |
| complication factors, and, if there were, identification of the | 36 |
| complication factors. | 37 |
| (c) The reports required under divisions (B) (1) (a) and (b) | 38 |
| of this section shall be submitted in the manner the Director of | 39 |
| Health prescribes. | 40 |
| (d) Information reported under divisions (B) (1) (a) and (b) | 41 |
| of this section that is protected health information pursuant to | 42 |
| section 3701.17 of the Revised Code shall be released only in | 43 |

accordance with that section. 44

(e) A person who fails to comply with the reporting 45
requirements established under divisions (B)(1)(a) and (b) of 46
this section is not subject to the fines and criminal penalties 47
that a person who violates division (C) of section 3701.23 of 48
the Revised Code is subject to, as set forth in sections 49
3701.571 and 3701.99 of the Revised Code. 50

(2) All of the following apply when the Department of 51
Health releases information related to cases of COVID-19: 52

(a) Each day's figures must accurately reflect the 53
information reported to the Department as of the date of the 54
release; 55

(b) The information shall be released in the form of a 56
chart, table, or similar format that includes all of the 57
following, broken down by zip code: 58

(i) The number of individuals tested for COVID-19 each 59
day; 60

(ii) The number of positive test results and the date each 61
positive test was confirmed; 62

(iii) The number of negative test results and the date 63
each negative test was confirmed; 64

(iv) The total number of individuals who have been 65
hospitalized for COVID-19 as well as the number of current 66
hospitalizations related to COVID-19; 67

(v) The number of deaths, by date, that are attributable 68
solely to COVID-19, as well as the age ranges for the deceased; 69

(vi) The number of deaths, by date, that involve 70

individuals who tested positive for COVID-19 but there were 71
additional complication factors, including identification of 72
those complication factors. 73

(c) In addition to releasing the information identified in 74
division (B) (2) (b) of this section, the Department shall release 75
COVID-19 infection rates for congregate settings such as nursing 76
homes, residential care facilities, hospitals, and prisons. 77

(d) The information identified in divisions (B) (2) (b) and 78
(c) of this section shall include only confirmed cases of COVID- 79
19, not cases that are probable or presumed. The Department 80
shall separately release the information identified in divisions 81
(B) (2) (b) and (c) of this section as it relates to probable or 82
presumed cases of COVID-19, and shall include the basis for 83
determining the case to be probable or presumed. 84

(e) When modeling projections related to COVID-19 are 85
released by the Department, the Department shall release all 86
supporting information and documents, including a margin of 87
error. The Department shall release any adjustments to the 88
modeling projections. 89