

As Introduced

**134th General Assembly
Regular Session
2021-2022**

S. B. No. 153

Senator Hoagland

A BILL

To amend section 5902.09 of the Revised Code to
expand the Electroencephalogram Transcranial
Magnetic Stimulation Pilot Program and to make
an appropriation. 1
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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 5902.09 of the Revised Code be
amended to read as follows: 5
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Sec. 5902.09. (A) As used in this section, ~~"AMVETS" means~~
~~the American Veterans of World War II (AMVETS), Department of~~
~~Ohio.;~~ 7
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"Electroencephalogram (EEG) combined transcranial magnetic
stimulation" means treatment in which transcranial magnetic
stimulation (TMS) frequency pulses are tuned to the patient's
physiology and biometric data, at the time of each treatment,
using a pre- and post-TMS EEG. 10
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"First responder" has the meaning defined in section
2903.01 of the Revised Code. 15
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"Law enforcement officer" has the meaning defined in
section 9.69 of the Revised Code. 17
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(B) The directors of veterans services and mental health 19
and addiction services shall establish a pilot program to make 20
electroencephalogram (EEG) combined transcranial magnetic 21
stimulation available for veterans, first responders, and law 22
enforcement officers with substance use disorders ~~or,~~ mental 23
illness, sleep disorders, traumatic brain injuries, post 24
traumatic stress disorder and accompanying comorbidities, as 25
well as concussions or other brain trauma, and shall operate the 26
program for three years. The program shall be operated in 27
conjunction with a supplier selected under this section. 28

(C) The directors by mutual agreement shall choose a 29
location for the pilot program and for up to ten branch sites, 30
and shall enter into a contract for the purchase of services 31
related to the pilot program. A branch site may be a mobile unit 32
if the directors determine that mobile units are necessary to 33
expand access to care. The contract shall include provisions 34
requiring the supplier to create, implement, operate, and 35
evaluate outcomes of the pilot program, ~~to choose a location for~~ 36
~~the pilot program,~~ to expend payments received from the state as 37
needed for purposes of the program, and to report quarterly 38
regarding the pilot program to the president of the senate and 39
to the standing committee of the senate that generally considers 40
legislation regarding veterans affairs. 41

(D) There is the electroencephalogram (EEG) combined 42
transcranial magnetic stimulation fund in the state treasury. It 43
shall consist of moneys appropriated to it by the general 44
assembly. The directors, with the approval of the controlling 45
board, may authorize a disbursement from the fund for services 46
rendered under the contract. 47

(E) One or both of the directors shall adopt rules under 48

Chapter 119. of the Revised Code as necessary to administer this 49
section, including ~~a~~ all of the following: 50

(1) A rule requiring adherence to United States food and 51
drug administration regulations governing the conduct of 52
clinical practice and clinical trials; 53

(2) A rule requiring that a peer-to-peer support network 54
be established and made available by the supplier to any 55
individual receiving treatment under the program; 56

(3) A rule establishing the program protocol will be to 57
use adapted stimulation frequency and intensity modulation based 58
on a daily EEG and motor threshold testing as well as clinical 59
symptoms and signs, and biometrics; 60

(4) A rule requiring that each individual who receives 61
treatment under the program also must receive pre- and post- 62
neurophysiological monitoring, with EEG and autonomic nervous 63
systems assessments, daily checklists of symptoms of alcohol, 64
opioid, or other substance use, and weekly medical counseling 65
and wellness programming, and also must participate in the peer- 66
to-peer support network established by the supplier; 67

(5) A rule requiring that clinical protocols and outcomes 68
are ~~must be~~ collected and reported quarterly in a report 69
provided by the supplier. ~~The~~ to the directors of veterans 70
services and mental health and addiction services; 71

(6) A rule requiring that the report ~~shall also~~ required 72
by this section include a thorough accounting of the use and 73
expenditure of all funds received from the state under this 74
section. 75

(F) Contracts entered into under this section are subject 76
to section 9.231 and Chapter 125. of the Revised Code. 77

Section 2. That existing section 5902.09 of the Revised Code is hereby repealed. 78
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Section 3. All items in this act are hereby appropriated as designated out of any moneys in the state treasury to the credit of the designated fund. For all operating appropriations made in this act, those in the first column are for fiscal year 2022 and those in the second column are for fiscal year 2023. The operating appropriations made in this act are in addition to any other operating appropriations made for the FY 2022-FY 2023 biennium. 80
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Section 4. 88

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A	MHA DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES				
B	General Revenue Fund				
C	GRF	336515	Transcranial Magnetic Stimulation Program	\$6,000,000	\$6,000,000
D	TOTAL GRF General Revenue Fund			\$6,000,000	\$6,000,000
E	TOTAL ALL BUDGET FUND GROUPS			\$6,000,000	\$6,000,000

TRANSCRANIAL MAGNETIC STIMULATION PROGRAM 90

The foregoing appropriation item 336515, Transcranial Magnetic Stimulation Program, shall be used to expand the Electroencephalogram (EEG) Combined Transcranial Magnetic Stimulation Pilot Program established in section 5902.09 of the 91
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Revised Code. Funds shall be used to serve up to three hundred 95
additional veterans and up to three hundred additional first 96
responders and law enforcement officers through the Pilot 97
Program. 98

Section 5. Within the limits set forth in this act, the 99
Director of Budget and Management shall establish accounts 100
indicating the source and amount of funds for each appropriation 101
made in this act, and shall determine the form and manner in 102
which appropriation accounts shall be maintained. Expenditures 103
from operating appropriations contained in this act shall be 104
accounted for as though made in the main operating 105
appropriations act of the 134th General Assembly. The operating 106
appropriations made in this act are subject to all provisions of 107
the main operating appropriations act of the 134th General 108
Assembly that are generally applicable to such appropriations. 109