

As Introduced

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H. B. No. 144

Representatives Click, Lorenz

Cosponsors: Representatives Williams, Deeter, Thomas, D., Fischer, Mohamed, Odioso

To amend sections 3304.23 and 5502.08 of the
Revised Code to expand the communication
disability database to include any person with a
disability, to expand access to that database
through countywide 9-1-1 systems, and to name
this act "Keith's Law".

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

Section 1. That sections 3304.23 and 5502.08 of the
Revised Code be amended to read as follows:

Sec. 3304.23. (A) As used in this section:

(1) "Clinical nurse specialist" and "certified nurse
practitioner" have the same meanings as in section 4723.01 of
the Revised Code.

(2) ~~"Communication disability" means a human condition
involving an impairment in the human's ability to receive, send,
process, or comprehend concepts or verbal, nonverbal, or graphic
symbol systems that may result in a primary disability or may be
secondary to other disabilities.~~

~~(3) "Disability that can impair communication" means a~~

~~human condition with symptoms that can impair the human's~~ 19
~~ability to receive, send, process, or comprehend concepts or~~ 20
~~verbal, nonverbal, or graphic symbol systems~~ 21
an intellectual 21
impairment, a hearing impairment (including deafness), a speech 22
or language impairment, a visual impairment (including 23
blindness), a serious emotional disturbance, an orthopedic 24
impairment, autism, traumatic brain injury, a serious health 25
impairment, a specific learning impairment (including dyslexia), 26
deaf-blindness, or a mental health condition with symptoms that 27
make it difficult for a person to do certain activities or to 28
interact with others. 29

~~(4)~~(3) "Guardian" has the same meaning as in section 30
2111.01 of the Revised Code. 31

~~(5)~~(4) "Physician" means a person licensed to practice 32
medicine or surgery or osteopathic medicine and surgery under 33
Chapter 4731. of the Revised Code. 34

~~(6)~~(5) "Psychiatrist" has the same meaning as in section 35
5122.01 of the Revised Code. 36

~~(7)~~(6) "Psychologist" has the same meaning as in section 37
4732.01 of the Revised Code. 38

(B) The opportunities for Ohioans with disabilities agency 39
shall develop a verification form for a person diagnosed with a 40
~~communication disability or a disability that can impair~~ 41
~~communication~~ to be submitted voluntarily to the department of 42
public safety so that the person may be included in the database 43
established under section 5502.08 of the Revised Code. The same 44
form shall be used to indicate that the person wishes to be 45
removed from the database in accordance with division (F) of 46
section 5502.08 of the Revised Code. 47

(C) The form shall include the following information: 48

(1) The name of the person diagnosed with a ~~communication~~ 49
~~disability or a disability that can impair communication;~~ 50

(2) The name of the person completing the form on behalf 51
of the person diagnosed with a ~~communication~~ disability or a 52
~~disability that can impair communication,~~ if applicable; 53

(3) The relationship between the person completing the 54
form and the person diagnosed with a ~~communication~~ disability or 55
~~a disability that can impair communication,~~ if applicable; 56

(4) The residential address of the individual in division 57
(C) (1) or (2) of this section; 58

(5) The telephone number of the individual in division (C) 59
(1) or (2) of this section; 60

~~(4)~~ (6) The driver's license number or state identification 61
card number issued to the person diagnosed with a ~~communication~~ 62
~~disability or a disability that can impair communication,~~ if 63
that person has such a number; 64

~~(5)~~ (7) The license plate number of each vehicle owned, 65
operated, or regularly occupied by the person diagnosed with a 66
~~communication~~ disability or a ~~disability that can impair~~ 67
~~communication~~ or registered in that person's name; 68

~~(6)~~ (8) A certification that the person has been diagnosed 69
with a ~~communication~~ disability or a ~~disability that can impair~~ 70
~~communication,~~ signed by a psychiatrist or other physician, a 71
psychologist, a clinical nurse specialist, or a certified nurse 72
practitioner; 73

~~(7)~~ (9) The name, business address, business telephone 74
number, and professional license number of the professional 75

making the certification described in division (C) (6) of this 76
section; 77

~~(8)~~ (10) The signature of the person diagnosed with a 78
~~communication disability or a disability that can impair~~ 79
~~communication~~ or the signature of the person completing the form 80
on behalf of such a person; 81

~~(9)~~ (11) A place where the person diagnosed with a 82
~~communication disability or a disability that can impair~~ 83
~~communication~~ or the person completing the form on behalf of 84
such a person may indicate the desire to be removed from the 85
database. 86

(D) Any of the following persons may complete the 87
verification form: 88

(1) Any person diagnosed with a ~~communication disability~~ 89
~~or a disability that can impair communication~~ who is eighteen 90
years of age or older; 91

(2) The parent or parents of a minor child diagnosed with 92
a ~~communication disability or a disability that can impair~~ 93
~~communication~~; 94

(3) The guardian of a person diagnosed with a 95
~~communication disability or a disability that can impair~~ 96
~~communication~~, regardless of the age of the person. 97

~~(F)~~ (E) (1) The opportunities for Ohioans with disabilities 98
agency, the department of developmental disabilities, and the 99
department of public safety shall make the verification form 100
electronically available on each of their respective web sites. 101

(2) The opportunities for Ohioans with disabilities agency 102
and the department of developmental disabilities shall conduct 103

public outreach concerning the existence of the database created 104
under section 5502.08 of the Revised Code and include 105
information regarding the database on their respective web 106
sites. 107

Sec. 5502.08. (A) As used in this section: 108

(1) ~~"Communication disability" has the same meaning as in~~ 109
~~section 3304.23 of the Revised Code.~~ 110

~~(2) "Disability that can impair communication" has the~~ 111
same meaning as in section 3304.23 of the Revised Code. 112

~~(3)~~ (2) "Emergency medical service personnel" and 113
"firefighter" have the same meanings as in section 4765.01 of 114
the Revised Code. 115

(3) "Guardian" has the same meaning as in section 2111.01 116
of the Revised Code. 117

(4) "Ward" has the same meaning as in section 2111.01 of 118
the Revised Code. 119

(B) The department of public safety shall establish and 120
maintain a database of persons who register under this section 121
as being diagnosed with a ~~communication disability or a~~ 122
~~disability that can impair communication.~~ 123

(C) Any person diagnosed with a ~~communication disability~~ 124
~~or a disability that can impair communication~~ who is eighteen 125
years of age or older may register with the department for 126
inclusion in the database by submitting a completed verification 127
form established by the opportunities for Ohioans with 128
disabilities agency under section 3304.23 of the Revised Code. 129

(D) Any parent or guardian of a minor child or a ward 130
diagnosed with a ~~communication disability or a disability that~~ 131

~~can impair communication~~ may register the minor child or the 132
ward with the department for inclusion in the database by 133
submitting a completed verification form established by the 134
opportunities for Ohioans with disabilities agency under section 135
3304.23 of the Revised Code. 136

(E) (1) The department shall include in the database 137
information provided on a completed verification form that the 138
department determines is necessary for a law enforcement 139
officer, emergency medical service personnel, or firefighter to 140
identify a person as diagnosed with a ~~communication disability-~~ 141
~~or a disability that can impair communication.~~ The department 142
shall make the database available to state and local law 143
enforcement officers, emergency medical service personnel, and 144
firefighters through ~~the~~ both of the following, as applicable: 145

(a) The law enforcement automated data system; 146

(b) Each countywide 9-1-1 system established under section 147
128.03 of the Revised Code. A countywide 9-1-1 system shall use 148
the database to provide information concerning an individual's 149
disability to local law enforcement officers, emergency medical 150
service personnel, and firefighters, as applicable, that are 151
responding to a 9-1-1 communication concerning that individual. 152

(2) Information in the database is not a public record 153
subject to inspection or copying under section 149.43 of the 154
Revised Code. 155

(F) A person diagnosed with a ~~communication disability or-~~ 156
~~a disability that can impair communication~~ who is included in 157
the database or the parent or guardian of a minor child or a 158
ward diagnosed with a ~~communication disability or a disability-~~ 159
~~that can impair communication~~ who is included in the database 160

may request removal of the person, minor, or ward, as 161
applicable, from the database. The person, parent, or guardian 162
shall do so by completing the verification form with only the 163
information required under divisions (C)(1), (2), (3), ~~(8)~~(10), 164
and ~~(9)~~(11) of section 3304.23 of the Revised Code, as 165
applicable, and submitting the form to the department. Upon 166
receipt of a properly completed verification form requesting the 167
removal of a person with a ~~communication disability or a~~ 168
~~disability that can impair communication~~ from the database, the 169
department shall immediately remove that person from the 170
database. 171

Section 2. That existing sections 3304.23 and 5502.08 of 172
the Revised Code are hereby repealed. 173

Section 3. This act shall be known as Keith's Law. 174