OHIO LEGISLATIVE SERVICE COMMISSION

www.lsc.ohio.gov

Office of Research and Drafting

Legislative Budget Office

H.B. 162
(I_136_3600)
136th General Assembly

Fiscal Note & Local Impact Statement

Click here for H.B. 162's Bill Analysis

Version: In Senate Health

Primary Sponsor: Rep. Click

Local Impact Statement Procedure Required: Yes

Jacquelyn Schroeder, Senior Budget Analyst

Highlights

- Government-owned hospitals may experience a minimal increase in costs to provide annual notices to parents or guardians regarding their minor's health care and parental consent.

Detailed Analysis

Parent or guardian access to minor medical records

The bill requires health care providers to ensure a minor's parent or guardian has access to the electronic health records (EHR) of the minor to the fullest extent permitted under federal and state law. The bill requires health care providers to annually inform each minor's parent or guardian (1) of the circumstances in which a minor may receive health care without parent or guardian consent, (2) that records of such care may not be disclosed to the parent or guardian without the minor's authorization, and (3) that a minor's consent for parent or guardian access to the minor's records is valid only for records regarding care provided to the minor patient by the health care provider that obtained the consent. However, this annual requirement does not apply when the provider renders services to the minor patient on an episodic basis or in an emergency department or urgent care center, when it should not be reasonably expected that related medical services will be rendered by the provider to the minor patient in the future. The bill also requires health care providers to give an opportunity to a minor to provide general, ongoing written consent for parent or guardian access to the minor's medical records at the minor's annual well visit.

Government-owned hospitals may experience an increase in costs related to the bill's annual requirement to inform parents about the circumstances in which a minor may receive health care without parental consent and that the records may not be disclosed without the

minor's authorization. Costs will depend on how the information is provided, including whether printing or mailing is necessary, but will likely be minimal.

FNHB0162S1-136/zg