

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 281

Representative Williams

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A BILL

To enact sections 3722.15 and 5119.335 of the  
Revised Code regarding hospitals and the  
enforcement of federal immigration law.

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

**Section 1.** That sections 3722.15 and 5119.335 of the  
Revised Code be enacted to read as follows:

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**Sec. 3722.15.** (A) As used in this section:

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(1) "Medicaid provider" has the same meaning as in section  
5164.01 of the Revised Code.

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(2) "State agency" means any organized agency, board,  
body, commission, department, institution, office, or other  
entity established by the laws of the state for the exercise of  
any function of state government.

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(B) Each hospital licensed under this chapter shall permit  
any of the following individuals to enter the one or more  
buildings in which the main hospital and, if applicable, any of  
its remote locations are located for the purpose of enforcing  
federal immigration law:

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(1) Any agent or officer of the United States department

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<u>of homeland security or its successor department;</u>	19
<u>(2) Any other federal law enforcement officer;</u>	20
<u>(3) Any state or local law enforcement officer who is</u>	21
<u>assisting a person described in division (B) (1) or (2) of this</u>	22
<u>section in the enforcement of federal immigration law.</u>	23
<u>(C) Subject to division (E) of this section, each hospital</u>	24
<u>shall permit an individual described in division (B) of this</u>	25
<u>section to enter the hospital's one or more buildings to perform</u>	26
<u>any of the following activities and shall require each hospital</u>	27
<u>employee or contractor to facilitate the individual's access for</u>	28
<u>those activities:</u>	29
<u>(1) Arresting any individual pursuant to a lawful judicial</u>	30
<u>or administrative warrant;</u>	31
<u>(2) Interviewing any individual;</u>	32
<u>(3) Collecting information or evidence.</u>	33
<u>(D) Subject to division (E) of this section, a hospital</u>	34
<u>employee or contractor shall provide to an individual described</u>	35
<u>in division (B) of this section any information or evidence that</u>	36
<u>the hospital possesses, but only to the extent permitted by</u>	37
<u>federal or state law.</u>	38
<u>(E) Before an individual is granted access as described in</u>	39
<u>division (C) of this section or provided information or evidence</u>	40
<u>as described in division (D) of this section, the individual</u>	41
<u>shall do both of the following:</u>	42
<u>(1) Demonstrate to a hospital employee or contractor that</u>	43
<u>the individual is an individual described in division (B) of</u>	44
<u>this section;</u>	45

(2) Demonstrate to a hospital employee or contractor that 46  
the individual seeks access or information or evidence only for 47  
the purpose of enforcing federal immigration law. 48

(F) The governing board of each hospital shall adopt a 49  
written policy establishing standards and procedures to be 50  
followed by hospital employees and contractors when complying 51  
with the requirements of this section. When adopting such a 52  
policy, the governing board may designate one or more of the 53  
hospital's employees or contractors to be responsible for 54  
determining if the conditions described in division (E) of this 55  
section have been met. 56

(G) This section does not require any individual to take 57  
any action that the individual has a right not to take under the 58  
Fifth or Sixth Amendment to the United States Constitution or 59  
under Ohio Constitution, Article I, Section 10. 60

(H) An individual described in division (B) of this 61  
section who is denied access to one or more buildings of a 62  
hospital or information or evidence that a hospital possesses 63  
may report that denial to the director of health. On receipt of 64  
such a report, the director shall investigate the matter to 65  
determine if the hospital that is the subject of the report 66  
violated this section. 67

(I) In the event the director determines, either through 68  
an investigation or otherwise, that a hospital licensed under 69  
this chapter violated this section, both of the following apply: 70

(1) For a hospital that has been awarded a grant by a 71  
state agency, the agency shall not further distribute any grant 72  
funds to the hospital. 73

(2) For a hospital that is a medicaid provider, the 74

department of medicaid shall suspend the hospital's provider 75  
agreement pursuant to section 5164.37 of the Revised Code. 76

This division does not prevent the director of health from 77  
imposing on the hospital any of the penalties described in 78  
division (B) of section 3722.07 of the Revised Code. 79

**Sec. 5119.335. (A) As used in this section:** 80

(1) "Hospital" means a hospital that receives persons with 81  
mental illnesses and is licensed under this chapter. 82

(2) "Medicaid provider" has the same meaning as in section 83  
5164.01 of the Revised Code. 84

(3) "State agency" means any organized agency, board, 85  
body, commission, department, institution, office, or other 86  
entity established by the laws of the state for the exercise of 87  
any function of state government. 88

(B) Each hospital shall permit any of the following 89  
individuals to enter the one or more buildings in which the main 90  
hospital and, if applicable, any of its remote locations are 91  
located for the purpose of enforcing federal immigration law: 92

(1) Any agent or officer of the United States department 93  
of homeland security or its successor department; 94

(2) Any other federal law enforcement officer; 95

(3) Any state or local law enforcement officer who is 96  
assisting a person described in division (B) (1) or (2) of this 97  
section in the enforcement of federal immigration law. 98

(C) Subject to division (E) of this section, each hospital 99  
shall permit an individual described in division (B) of this 100  
section to enter the hospital's one or more buildings to perform 101

any of the following activities and shall require each hospital 102  
employee or contractor to facilitate the individual's access for 103  
those activities: 104

(1) Arresting any individual pursuant to a lawful judicial 105  
or administrative warrant; 106

(2) Interviewing any individual; 107

(3) Collecting information or evidence. 108

(D) Subject to division (E) of this section, a hospital 109  
employee or contractor shall provide to an individual described 110  
in division (B) of this section any information or evidence that 111  
the hospital possesses, but only to the extent permitted by 112  
federal or state law. 113

(E) Before an individual is granted access as described in 114  
division (C) of this section or provided information or evidence 115  
as described in division (D) of this section, the individual 116  
shall do both of the following: 117

(1) Demonstrate to a hospital employee or contractor that 118  
the individual is an individual described in division (B) of 119  
this section; 120

(2) Demonstrate to a hospital employee or contractor that 121  
the individual seeks access or information or evidence only for 122  
the purpose of enforcing federal immigration law. 123

(F) Each hospital shall adopt a written policy 124  
establishing standards and procedures to be followed by hospital 125  
employees and contractors when complying with the requirements 126  
of this section. When adopting such a policy, the hospital may 127  
designate one or more of the hospital's employees or contractors 128  
to determine if the conditions described in division (E) of this 129

section have been met. 130

(G) This section does not require any individual to take 131  
any action that the individual has a right not to take under the 132  
Fifth or Sixth Amendment to the United States Constitution or 133  
under Ohio Constitution, Article I, Section 10. 134

(H) An individual described in division (B) of this 135  
section who is denied access to one or more buildings of a 136  
hospital or information or evidence that a hospital possesses 137  
may report that denial to the department of mental health and 138  
addiction services. On receipt of such a report, the department 139  
shall investigate the matter to determine if the hospital that 140  
is the subject of the report violated this section. 141

(I) In the event the department determines, either through 142  
an investigation or otherwise, that a hospital licensed under 143  
this chapter violated this section, both of the following apply: 144

(1) For a hospital that has been awarded a grant by a 145  
state agency, the agency shall not further distribute any grant 146  
funds to the hospital. 147

(2) For a hospital that is a medicaid provider, the 148  
department of medicaid shall suspend the hospital's provider 149  
agreement pursuant to section 5164.37 of the Revised Code. 150

This division does not prevent the department from 151  
imposing on the hospital any of the penalties described in 152  
section 5119.33 of the Revised Code. 153