

As Introduced

136th General Assembly

Regular Session

2025-2026

H. B. No. 281

Representative Williams

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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of homeland security or its successor department; 19

(2) Any other federal law enforcement officer; 20

(3) Any state or local law enforcement officer who is 21
assisting a person described in division (B) (1) or (2) of this 22
section in the enforcement of federal immigration law. 23

(C) Subject to division (E) of this section, each hospital 24
shall permit an individual described in division (B) of this 25
section to enter the hospital's one or more buildings to perform 26
any of the following activities and shall require each hospital 27
employee or contractor to facilitate the individual's access for 28
those activities: 29

(1) Arresting any individual pursuant to a lawful judicial 30
or administrative warrant; 31

(2) Interviewing any individual; 32

(3) Collecting information or evidence. 33

(D) Subject to division (E) of this section, a hospital 34
employee or contractor shall provide to an individual described 35
in division (B) of this section any information or evidence that 36
the hospital possesses, but only to the extent permitted by 37
federal or state law. 38

(E) Before an individual is granted access as described in 39
division (C) of this section or provided information or evidence 40
as described in division (D) of this section, the individual 41
shall do both of the following: 42

(1) Demonstrate to a hospital employee or contractor that 43
the individual is an individual described in division (B) of 44
this section; 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