

**As Passed by the House**

**136th General Assembly**

**Regular Session**

**2025-2026**

**Am. H. B. No. 593**

**Representative Deeter**

**Cosponsors: Representatives Craig, Lampton, Hall, D., Abdullahi, Abrams, Barhorst, Brennan, Brent, Brewer, Brownlee, Bryant Bailey, Cockley, Daniels, Ghanbari, Glassburn, Grim, Gross, Isaacsohn, John, Johnson, Lawson-Rowe, Lett, Manning, Mathews, A., Oelslager, Piccolantonio, Richardson, Robb Blasdel, Robinson, Russo, Schmidt, Sigrist, Sims, Somani, Swearingen, Sweeney, Thomas, C., Tims, White, A., White, E., Williams, Willis, Young**

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To amend section 3902.02 and to enact sections 1  
3966.01, 3966.02, 3966.03, 3966.04, 3966.05, 2  
3966.06, 3966.07, 3966.08, 3966.09, 3966.10, 3  
3966.11, and 3966.12 of the Revised Code 4  
regarding paid family leave insurance. 5

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

**Section 1.** That section 3902.02 be amended and sections 6  
3966.01, 3966.02, 3966.03, 3966.04, 3966.05, 3966.06, 3966.07, 7  
3966.08, 3966.09, 3966.10, 3966.11, and 3966.12 of the Revised 8  
Code be enacted to read as follows: 9

**Sec. 3902.02.** As used in sections 3902.01 to 3902.08 of 10  
the Revised Code: 11

(A) "Policy" or "policy form" means any policy, contract, 12  
plan or agreement of life insurance and annuities, credit life 13  
insurance and credit disability insurance, paid family leave 14  
insurance, and sickness and accident insurance, and subscriber 15  
policies, contracts, certificates, and agreements of health 16

insuring corporations, delivered or issued for delivery in this 17  
state by any company subject to sections 3902.01 to 3902.08 of 18  
the Revised Code; any certificate, contract or policy issued by 19  
a fraternal benefit society; any certificate issued pursuant to 20  
a group insurance policy delivered or issued for delivery in 21  
this state; and any evidence of coverage issued by a health 22  
insuring corporation. 23

(B) "Company" or "insurer" means any entity authorized to 24  
do the business of life insurance and annuities, paid family 25  
leave insurance, sickness and accident insurance, credit life 26  
insurance, or credit disability insurance; a fraternal benefit 27  
society; and a health insuring corporation. 28

(C) "Paid family leave insurance" has the same meaning as 29  
in section 3966.01 of the Revised Code. 30

**Sec. 3966.01.** As used in this chapter: 31

(A) "Armed forces of the United States" has the same 32  
meaning as in section 145.30 of the Revised Code. 33

(B) "Child" means a person who meets both of the 34  
following: 35

(1) Is either of the following: 36

(a) Under eighteen years of age; 37

(b) Is eighteen years of age or older and incapable of 38  
self-care because of a mental or physical disability; 39

(2) Is any of the following with regard to a person 40  
covered under a policy of paid family leave insurance: 41

(a) A biological, adopted, or foster son or daughter; 42

(b) A stepson or stepdaughter; 43

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| <u>(c) A legal ward;</u>   | 44                         |
| <u>(d) A son or daughter of a domestic partner;</u>  | 45                         |
| <u>(e) A son or daughter of a person to whom the person covered under the policy stands in loco parentis.</u>  | 46<br>47                   |
| <u>(C) "Continuing supervision by a health care provider" includes a period of incapacity that is permanent or long term due to a condition for which treatment may not be effective and where the person afflicted by the condition need not be receiving active treatment by a health care provider.</u> | 48<br>49<br>50<br>51<br>52 |
| <u>(D) "Family leave" is any leave taken by an employee from work for reasons enumerated in section 3966.05 of the Revised Code.</u>   | 53<br>54<br>55             |
| <u>(E) "Family member" includes a child, spouse, or parent as defined in this section, or any other person defined as a "family member" in a policy of paid family leave insurance.</u>  | 56<br>57<br>58             |
| <u>(F) "Health care provider" has the same meaning as in section 3701.74 of the Revised Code.</u>  | 59<br>60                   |
| <u>(G) "Paid family leave insurance" means an insurance policy issued to an employer related to a benefit program provided to an employee to pay for a percentage or portion of the employee's income loss due to any of the following:</u>  | 61<br>62<br>63<br>64       |
| <u>(1) The birth of a child or adoption of a child by the employee;</u>  | 65<br>66                   |
| <u>(2) Placement of a child with the employee for foster care;</u>   | 67<br>68                   |
| <u>(3) Care of a family member of the employee who has a serious health condition;</u>   | 69<br>70                   |

(4) Circumstances arising out of the fact that the 71  
employee's family member who is a service member is on active 72  
duty or has been notified of an impending call or order to 73  
active duty. 74

(H) "Parent" means a biological, foster, or adoptive 75  
parent, a stepparent, a legal guardian, or other person who 76  
stands in loco parentis to a child. 77

(I) "Serious health condition" means an illness, injury, 78  
impairment, or physical or mental condition, including 79  
transplantation preparation and recovery from surgery related to 80  
organ or tissue donation, that involves inpatient care in a 81  
hospital, hospice, or residential health care facility, 82  
continuing treatment, or continuing supervision by a health care 83  
provider, as defined in a policy of paid family leave insurance. 84

**Sec. 3966.02.** (A) The purpose of this chapter is to create 85  
a new line of insurance, known as paid family leave insurance, 86  
under which any insurer licensed to engage in the business of 87  
disability income insurance or life insurance in this state may 88  
issue policies covering against risk related to paid family 89  
leave. 90

(B) Insurers offering paid family leave insurance and paid 91  
family leave policies are subject to all other applicable laws, 92  
except that the specific provisions of this chapter supersede 93  
any conflicting general provisions of law that would otherwise 94  
apply. 95

**Sec. 3966.03.** Paid family leave insurance coverage may 96  
include any of the following: 97

(A) Participation in providing care, including physical or 98  
psychological care, for a family member of the employee made 99

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| <u>necessary by a serious health condition of the family member;</u>      | 100 |
| <u>(B) Bonding with the employee's child during the first</u>             | 101 |
| <u>twelve months after the child's birth, or the first twelve</u>         | 102 |
| <u>months after the placement of the child for adoption or foster</u>     | 103 |
| <u>care with the employee;</u>  | 104 |
| <u>(C) Addressing a qualifying exigency as interpreted under</u>          | 105 |
| <u>the "Family and Medical Leave Act," 29 U.S.C. 2612(a) (1) (e), and</u> | 106 |
| <u>related regulations, arising out of the fact that the spouse,</u>      | 107 |
| <u>child, or parent of the employee is on active duty, or has been</u>    | 108 |
| <u>notified of an impending call or order to active duty, in the</u>      | 109 |
| <u>armed forces of the United States;</u>                                 | 110 |
| <u>(D) Caring for a family service member injured in the line</u>         | 111 |
| <u>of duty;</u>   | 112 |
| <u>(E) Taking other leave to provide care for a family member</u>         | 113 |
| <u>or other family leave as specified in the policy of paid family</u>    | 114 |
| <u>leave insurance.</u>   | 115 |
| <u><b>Sec. 3966.04.</b> A policy of paid family leave insurance</u>       | 116 |
| <u>shall set forth all details and requirements with regard to</u>        | 117 |
| <u>coverage for each form of family leave covered under the policy.</u>   | 118 |
| <u><b>Sec. 3966.05.</b> (A) A policy of paid family leave insurance</u>   | 119 |
| <u>shall set forth the length of family leave benefits available</u>      | 120 |
| <u>for each form of family leave covered under the policy.</u>            | 121 |
| <u>(B) The length of family leave benefits provided in a</u>              | 122 |
| <u>policy of paid family leave insurance shall not be less than two</u>   | 123 |
| <u>weeks during a period of fifty-two consecutive calendar weeks.</u>     | 124 |
| <u>(C) Fifty-two consecutive calendar weeks may be calculated</u>         | 125 |
| <u>by any of the following methods:</u>                                   | 126 |
| <u>(1) A calendar year;</u>   | 127 |

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| <u>(2) Any fixed period starting on a particular date such as</u>              | 128 |
| <u>the effective or anniversary date of a policy of paid family</u>            | 129 |
| <u>leave insurance;</u>  | 130 |
| <u>(3) The period measured forward from the employee's first</u>               | 131 |
| <u>day of family leave;</u>  | 132 |
| <u>(4) A rolling period measured by looking back from the</u>                  | 133 |
| <u>employee's first day of family leave;</u>                                   | 134 |
| <u>(5) Any other method that is specified in the policy of</u>                 | 135 |
| <u>paid family leave insurance.</u>  | 136 |
| <b><u>Sec. 3966.06.</u></b> (A) <u>If a policy of paid family leave</u>        | 137 |
| <u>insurance imposes a waiting period before benefits will be paid,</u>        | 138 |
| <u>the policy must set forth the terms and conditions of the</u>               | 139 |
| <u>waiting period.</u>   | 140 |
| <u>(B) The terms and conditions of the waiting period may</u>                  | 141 |
| <u>include all of the following:</u>   | 142 |
| <u>(1) Whether the waiting period runs over a consecutive</u>                  | 143 |
| <u>calendar day period;</u>  | 144 |
| <u>(2) Whether the waiting period is included when</u>                         | 145 |
| <u>determining the availability of the annual allotment of family</u>          | 146 |
| <u>leave benefits or if it is excluded when determining the</u>                | 147 |
| <u>availability of the annual allotment of family leave benefits;</u>          | 148 |
| <u>(3) Whether the waiting period must be met only once per</u>                | 149 |
| <u>benefit year or must be met for each separate claim for</u>                 | 150 |
| <u>benefits;</u>   | 151 |
| <u>(4) Whether the employee may work or receive paid time off</u>              | 152 |
| <u>or other compensation by the employer during the waiting period.</u>        | 153 |
| <b><u>Sec. 3966.07.</u></b> (A) <u>A policy of paid family leave insurance</u> | 154 |

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| <u>must set forth all of the following:</u>  | 155                      |
| <u>(1) The amount of benefits that will be paid for covered family leave reasons;</u>  | 156<br>157               |
| <u>(2) The wages or other income upon which the amount of family leave benefits will be based;</u>   | 158<br>159               |
| <u>(3) How benefits based on the wages or other income will be calculated.</u>   | 160<br>161               |
| <u>(B) If paid family leave benefits are subject to offsets for wages or other income received or for which the insured may be eligible, the policy shall set forth both of the following:</u>                         | 162<br>163<br>164        |
| <u>(1) All the wages or other income that may be offset;</u>   | 165                      |
| <u>(2) The circumstances under which the wages or other income may be offset.</u>  | 166<br>167               |
| <u>Sec. 3966.08. (A) Eligibility for benefits under a policy of paid family leave insurance may be limited, excluded, or reduced, but any limitations, exclusions, or reductions shall be set forth in the policy.</u> | 168<br>169<br>170<br>171 |
| <u>(B) Permissible limitations, exclusions, or reductions may include any of the following:</u>  | 172<br>173               |
| <u>(1) Any period of family leave wherein any required notice or medical certification required under the policy has not been provided;</u>  | 174<br>175<br>176        |
| <u>(2) Any family leave related to a serious health condition or other harm to a family member brought about by the willful intention of the employee;</u>   | 177<br>178<br>179        |
| <u>(3) Any period of family leave during which the employee performed work for remuneration or profit;</u>   | 180<br>181               |

(4) Any period of family leave for which the employee is 182  
eligible to receive from the employee's employer, or from a fund 183  
to which the employer has contributed, remuneration or 184  
maintenance; 185

(5) Any period of family leave in which the employee is 186  
eligible to receive benefits under any other statutory or 187  
employer-sponsored program, including unemployment insurance 188  
benefits, worker's compensation benefits, statutory disability 189  
benefits, statutory paid leave benefits, or any paid time off 190  
under an employer's paid leave policy; 191

(6) Any period of family leave commencing before the 192  
employee becomes eligible for family leave benefits under the 193  
policy; 194

(7) Any period of family leave where more than one person 195  
seeks family leave for the same family member. 196

**Sec. 3966.09.** (A) Except as provided in division (B) of 197  
this section, benefits provided under a policy of paid family 198  
leave insurance shall be paid periodically and promptly. 199

(B) An insurer is not required to comply with division (A) 200  
of this section with regard to a period of family leave 201  
contested for any of the reasons prescribed in section 3966.08 202  
of the Revised Code while the matter is being resolved. 203

(C) If a contested period of family leave is determined to 204  
be eligible for benefits under a policy of paid family leave 205  
insurance, the insurer shall comply with division (A) of this 206  
section as soon as is practicable after the matter has been 207  
resolved. 208

**Sec. 3966.10.** (A) Policies of paid family leave insurance 209  
may provide coverage for paid family leave benefits or may 210

provide paid family leave benefits as an amendment or rider to a 211  
policy of disability income or life insurance in accordance with 212  
the requirements of this chapter and any applicable chapter of 213  
the Revised Code. 214

(B) Premiums for policies or riders providing paid family 215  
leave benefits in accordance with the residential state 216  
supplement program for disabled individuals provided for under 217  
section 5119.41 of the Revised Code or with life insurance 218  
policies issued under Chapter 3915. of the Revised Code shall be 219  
calculated in accordance with this chapter and all applicable 220  
sections governing insurance in the Revised Code. 221

**Sec. 3966.11.** Purchase of paid family leave insurance for 222  
employees is voluntary. Nothing in this chapter shall be 223  
construed as requiring employers to purchase paid family leave 224  
insurance for their workers. 225

**Sec. 3966.12.** The superintendent of insurance may adopt 226  
rules as necessary in accordance with Chapter 119. of the 227  
Revised Code for the purposes of administering and enforcing 228  
this chapter. 229

**Section 2.** That existing section 3902.02 of the Revised 230  
Code is hereby repealed. 231