

As Introduced

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H. B. No. 758

Representatives Sweeney, Manning

**Cosponsors: Representatives Thomas, D., White, A., Deeter, Ray, Abrams,
Piccolantonio, Sigrist, Lett, Glassburn, Russo, Sims, Rader, Synenberg**

To amend sections 3304.23, 4507.06, 4507.13,	1
4507.51, and 4507.52 and to enact sections	2
313.133, 3701.1311, 3705.081, 3902.65, and	3
5164.11 of the Revised Code regarding sudden	4
unexpected death in epilepsy and to allow a	5
person with epilepsy to enroll in the Disability	6
Database and have an epilepsy designation on the	7
person's driver's license or state ID.	8

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

Section 1. That sections 3304.23, 4507.06, 4507.13,	9
4507.51, and 4507.52 be amended and sections 313.133, 3701.1311,	10
3705.081, 3902.65, and 5164.11 of the Revised Code be enacted to	11
read as follows:	12

<u>Sec. 313.133. (A) As used in this section, "sudden</u>	13
<u>unexpected death in epilepsy" has the same meaning as in section</u>	14
<u>3701.1311 of the Revised Code.</u>	15

<u>(B) If the coroner, deputy coroner, or pathologist is</u>	16
<u>informed that an individual who is the subject of an autopsy had</u>	17
<u>epilepsy or a history of seizures, the autopsy shall include an</u>	18
<u>investigation and determination as to whether the individual</u>	19

suffered a sudden unexpected death in epilepsy. 20

(C) If the coroner, deputy coroner, or pathologist 21
determines that an individual did suffer a sudden unexpected 22
death in epilepsy, the coroner, deputy coroner, or pathologist 23
shall do both of the following: 24

(1) Ensure that the information is included on the 25
individual's death certificate; 26

(2) Report the information to a relevant state or national 27
sudden unexpected death in epilepsy registry. 28

Sec. 3304.23. (A) As used in this section: 29

(1) "Clinical nurse specialist" and "certified nurse 30
practitioner" have the same meanings as in section 4723.01 of 31
the Revised Code. 32

(2) "Disability" means an intellectual impairment, a 33
hearing impairment (including deafness), a speech or language 34
impairment, a visual impairment (including blindness), a serious 35
emotional disturbance, an orthopedic impairment, autism, _ 36
epilepsy, traumatic brain injury, a serious health impairment, a 37
specific learning impairment (including dyslexia), deaf- 38
blindness, or a mental health condition with symptoms that make 39
it difficult for a person to do certain activities or to 40
interact with others. 41

(3) "Guardian" has the same meaning as in section 2111.01 42
of the Revised Code. 43

(4) "Physician" means a person licensed to practice 44
medicine or surgery or osteopathic medicine and surgery under 45
Chapter 4731. of the Revised Code. 46

(5) "Psychiatrist" has the same meaning as in section 47

5122.01 of the Revised Code. 48

(6) "Psychologist" has the same meaning as in section 49
4732.01 of the Revised Code. 50

(B) The opportunities for Ohioans with disabilities agency 51
shall develop a verification form for a person diagnosed with a 52
disability to be submitted voluntarily to the department of 53
public safety so that the person may be included in the database 54
established under section 5502.08 of the Revised Code. The same 55
form shall be used to indicate that the person wishes to be 56
removed from the database in accordance with division (F) of 57
section 5502.08 of the Revised Code. 58

(C) The form shall include the following information: 59

(1) The name of the person diagnosed with a disability; 60

(2) The name of the person completing the form on behalf 61
of the person diagnosed with a disability, if applicable; 62

(3) The relationship between the person completing the 63
form and the person diagnosed with a disability, if applicable; 64

(4) The residential address of the individual in division 65
(C) (1) or (2) of this section; 66

(5) The telephone number of the individual in division (C) 67
(1) or (2) of this section; 68

(6) The driver's license number or state identification 69
card number issued to the person diagnosed with a disability, if 70
that person has such a number; 71

(7) The license plate number of each vehicle owned, 72
operated, or regularly occupied by the person diagnosed with a 73
disability or registered in that person's name; 74

(8) A certification that the person has been diagnosed 75
with a disability, signed by a psychiatrist or other physician, 76
a psychologist, a clinical nurse specialist, or a certified 77
nurse practitioner; 78

(9) The name, business address, business telephone number, 79
and professional license number of the professional making the 80
certification described in division (C) (6) of this section; 81

(10) The signature of the person diagnosed with a 82
disability or the signature of the person completing the form on 83
behalf of such a person; 84

(11) A place where the person diagnosed with a disability 85
or the person completing the form on behalf of such a person may 86
indicate the desire to be removed from the database. 87

(D) Any of the following persons may complete the 88
verification form: 89

(1) Any person diagnosed with a disability who is eighteen 90
years of age or older; 91

(2) The parent or parents of a minor child diagnosed with 92
a disability; 93

(3) The guardian of a person diagnosed with a disability, 94
regardless of the age of the person. 95

(E) (1) The opportunities for Ohioans with disabilities 96
agency, the department of developmental disabilities, and the 97
department of public safety shall make the verification form 98
electronically available on each of their respective web sites. 99

(2) The opportunities for Ohioans with disabilities agency 100
and the department of developmental disabilities shall conduct 101
public outreach concerning the existence of the database created 102

under section 5502.08 of the Revised Code and include 103
information regarding the database on their respective web 104
sites. 105

Sec. 3701.1311. (A) As used in this section: 106

(1) "Health care practitioner" means all of the following: 107

(a) A physician authorized under Chapter 4731. of the 108
Revised Code to practice medicine and surgery or osteopathic 109
medicine and surgery; 110

(b) An advanced practice registered nurse authorized under 111
Chapter 4723. of the Revised Code to practice nursing as an 112
advanced practice registered nurse and designated as a clinical 113
nurse specialist, certified nurse-midwife, or certified nurse 114
practitioner; 115

(c) A physician assistant authorized under Chapter 4730. 116
of the Revised Code to practice as a physician assistant. 117

(2) "Sudden unexpected death in epilepsy" means sudden, 118
unexpected death in patients with epilepsy, with or without 119
evidence of a seizure. 120

(B) The director of health, in consultation with local and 121
national organizations that provide education or services 122
related to epilepsy conditions, shall provide guidance to health 123
care practitioners who have the primary responsibility for 124
treating individuals with epilepsy to assist practitioners in 125
determining when an individual is at an elevated risk for sudden 126
unexpected death in epilepsy. The guidance shall include 127
information concerning all of the following: 128

(1) Convulsive seizures; 129

(2) The frequency and recency of seizures; 130

(3) Whether symptoms may subside in response to medicinal 131
or surgical treatment. 132

(C) A health care practitioner who has the primary 133
responsibility for the treatment or care, other than treatment 134
during an emergency situation, of a patient who has been 135
diagnosed with epilepsy shall do all of the following: 136

(1) Provide the patient or the patient's caregiver with 137
education and counseling concerning the risks associated with 138
sudden unexpected death in epilepsy; 139

(2) Refer the patient or the patient's caregiver to the 140
guidance established by the director under division (B) of this 141
section, to provide appropriate education concerning sudden 142
unexpected death in epilepsy. 143

(D) In addition to the guidance established under division 144
(B) of this section, the director shall develop an information 145
and education program to notify individuals with epilepsy 146
concerning the danger of sudden unexpected death in epilepsy, 147
including educational awareness initiatives, risk counseling for 148
patients to support continuity of care, and referrals to other 149
appropriate services based on care plans determined by health 150
care providers. The information and education shall be provided 151
to health care professionals and posted on the department of 152
health's internet web site. 153

(E) The director of health shall conduct outreach to the 154
American medical association to recommend adding a current 155
procedural terminology code for epilepsy education and 156
counseling provided by a health care professional to a patient 157
diagnosed with epilepsy. 158

(F) (1) Except in cases of intentional, willful, wanton, or 159

reckless conduct, a health care professional who provides 160
treatment to a patient diagnosed with epilepsy is not liable for 161
an injury or death arising from sudden unexpected death in 162
epilepsy if the health care professional provides education and 163
counseling to a patient in accordance with this section and 164
maintains appropriate documentation concerning the education and 165
counseling provided. 166

(2) The immunity described in division (E)(1) of this 167
section does not apply if an injured party is able to prove by a 168
preponderance of the evidence that education and counseling were 169
not adequately provided to a patient or patient's caregiver. 170

Sec. 3705.081. The director of health shall make available 171
on the department of health's internet web site information 172
concerning sudden unexpected death in epilepsy. The information 173
shall be accessible to all persons eligible to sign death 174
certificates. In addition to making information available under 175
this section, the director may provide educational training 176
regarding sudden unexpected death in epilepsy. 177

As used in this section, "sudden unexpected death in 178
epilepsy" has the same meaning as in section 3701.1311 of the 179
Revised Code. 180

Sec. 3902.65. (A) Notwithstanding section 3901.71 of the 181
Revised Code, a health benefit plan amended, issued, or renewed 182
on or after the effective date of this section shall provide the 183
same coverage and benefits for an individual diagnosed with 184
epilepsy as an individual who has not been diagnosed with 185
epilepsy. A health plan issuer shall not terminate coverage or 186
refuse to renew an individual's coverage under a health benefit 187
plan on the sole basis that the individual has been diagnosed 188
with epilepsy. 189

(B) A health benefit plan shall include coverage for 190
seizure detection devices that are prescribed to an enrollee by 191
a physician who is a specialist in the treatment of epilepsy if 192
the physician determines that the device is medically necessary. 193

Sec. 4507.06. (A) (1) Every application for a driver's 194
license, motorcycle operator's license or endorsement, or motor- 195
driven cycle or motor scooter license or endorsement, or 196
duplicate of any such license or endorsement, shall be made upon 197
the approved form furnished by the registrar of motor vehicles 198
and shall be signed by the applicant. 199

Every application shall state the following: 200

(a) The applicant's name, date of birth, social security 201
number if such has been assigned, sex, general description, 202
including height, weight, color of hair, and eyes, residence 203
address, including county of residence, duration of residence in 204
this state, and country of citizenship; 205

(b) Whether the applicant previously has been licensed as 206
an operator, chauffeur, driver, commercial driver, or motorcycle 207
operator and, if so, when, by what state, and whether such 208
license is suspended or canceled at the present time and, if so, 209
the date of and reason for the suspension or cancellation; 210

(c) Whether the applicant is now or ever has been 211
afflicted with epilepsy, or whether the applicant now has any 212
physical or mental disability or disease and, if so, the nature 213
and extent of the disability or disease, giving the names and 214
addresses of physicians, certified nurse-midwives if authorized 215
as described in section 4723.438 of the Revised Code, clinical 216
nurse specialists, or certified nurse practitioners then or 217
previously in attendance upon the applicant~~+~~. Additionally, if 218

the applicant is now or ever has been afflicted with epilepsy, 219
the applicant shall state whether the applicant wishes the 220
applicant's license to display the unique symbol as described in 221
section 4507.13 of the Revised Code. 222

(d) Whether an applicant for a duplicate driver's license, 223
duplicate license containing a motorcycle operator endorsement, 224
or duplicate license containing a motor-driven cycle or motor 225
scooter endorsement has pending a citation for violation of any 226
motor vehicle law or ordinance, a description of any such 227
citation pending, and the date of the citation; 228

(e) If an applicant has not certified the applicant's 229
willingness to make an anatomical gift under section 2108.05 of 230
the Revised Code, whether the applicant wishes to certify 231
willingness to make such an anatomical gift, which shall be 232
given no consideration in the issuance of a license or 233
endorsement; 234

(f) Whether the applicant has executed a valid durable 235
power of attorney for health care pursuant to sections 1337.11 236
to 1337.17 of the Revised Code or has executed a declaration 237
governing the use or continuation, or the withholding or 238
withdrawal, of life-sustaining treatment pursuant to sections 239
2133.01 to 2133.15 of the Revised Code and, if the applicant has 240
executed either type of instrument, whether the applicant wishes 241
the applicant's license to indicate that the applicant has 242
executed the instrument; 243

(g) Whether the applicant is a veteran, active duty, or 244
reservist of the armed forces of the United States and, if the 245
applicant is such, whether the applicant wishes the applicant's 246
license to indicate that the applicant is a veteran, active 247
duty, or reservist of the armed forces of the United States by a 248

military designation on the license. 249

(2) Every applicant for a driver's license applying in 250
person at a deputy registrar office shall be photographed at the 251
time the application for the license is made. The application 252
shall state any additional information that the registrar 253
requires. 254

(B) The registrar or a deputy registrar, in accordance 255
with section 3503.11 of the Revised Code, shall register as an 256
elector any person who applies for a license or endorsement 257
under division (A) of this section, or for a renewal or 258
duplicate of the license or endorsement, if the applicant is 259
eligible and wishes to be registered as an elector. The decision 260
of an applicant whether to register as an elector shall be given 261
no consideration in the decision of whether to issue the 262
applicant a license or endorsement, or a renewal or duplicate. 263

(C) The registrar or a deputy registrar, in accordance 264
with section 3503.11 of the Revised Code, shall offer the 265
opportunity of completing a notice of change of residence or 266
change of name to any applicant for a driver's license or 267
endorsement under division (A) of this section, or for a renewal 268
or duplicate of the license or endorsement, if the applicant is 269
a registered elector who has changed the applicant's residence 270
or name and has not filed such a notice. 271

(D) In addition to any other information it contains, the 272
approved form furnished by the registrar of motor vehicles for 273
an application for a license or endorsement or an application 274
for a duplicate of any such license or endorsement shall inform 275
applicants that the applicant must present a copy of the 276
applicant's DD-214 or an equivalent document in order to qualify 277
to have the license or duplicate indicate that the applicant is 278

a veteran, active duty, or reservist of the armed forces of the 279
United States based on a request made pursuant to division (A) 280
(1)(g) of this section. 281

Sec. 4507.13. (A)(1) The registrar of motor vehicles shall 282
issue a driver's license to every person licensed as an operator 283
of motor vehicles other than commercial motor vehicles. No 284
person licensed as a commercial motor vehicle driver under 285
Chapter 4506. of the Revised Code need procure a driver's 286
license, but no person shall drive any commercial motor vehicle 287
unless licensed as a commercial motor vehicle driver. 288

(2) Every driver's license shall display all of the 289
following information: 290

(a) The distinguishing number assigned to the licensee; 291

(b) The licensee's name and date of birth; 292

(c) The licensee's residence address and county of 293
residence; 294

(d) A photograph of the licensee; 295

(e) A brief description of the licensee for the purpose of 296
identification; 297

(f) A facsimile of the signature of the licensee as it 298
appears on the application for the license; 299

(g) A notation, in a manner prescribed by the registrar, 300
indicating any condition described in division (D)(3) of section 301
4507.08 of the Revised Code to which the licensee is subject; 302

(h) If the licensee has executed a durable power of 303
attorney for health care or a declaration governing the use or 304
continuation, or the withholding or withdrawal, of life- 305

sustaining treatment and has specified that the licensee wishes 306
the license to indicate that the licensee has executed either 307
type of instrument, any symbol chosen by the registrar to 308
indicate that the licensee has executed either type of 309
instrument; 310

(i) If the licensee has specified that the licensee wishes 311
the license to indicate that the licensee is a veteran, active 312
duty, or reservist of the armed forces of the United States and 313
has presented a copy of the licensee's DD-214 form or an 314
equivalent document, any symbol chosen by the registrar to 315
indicate that the licensee is a veteran, active duty, or 316
reservist of the armed forces of the United States; 317

(j) If the licensee is a noncitizen of the United States, 318
a notation designating that the licensee is a noncitizen; 319

(k) If the licensee has specified that the licensee wishes 320
the license to indicate that the licensee is now or has been 321
afflicted with epilepsy, a unique symbol chosen by the registrar 322
to indicate that the licensee is or has been afflicted with 323
epilepsy; 324

(l) Any additional information that the registrar requires 325
by rule. 326

(3) No license shall display the licensee's social 327
security number unless the licensee specifically requests that 328
the licensee's social security number be displayed on the 329
license. If federal law requires the licensee's social security 330
number to be displayed on the license, the social security 331
number shall be displayed on the license notwithstanding this 332
section. 333

(4) The driver's license for licensees under twenty-one 334

years of age shall have characteristics prescribed by the 335
registrar distinguishing it from that issued to a licensee who 336
is twenty-one years of age or older, except that a driver's 337
license issued to a person who applies no more than thirty days 338
before the applicant's twenty-first birthday shall have the 339
characteristics of a license issued to a person who is twenty- 340
one years of age or older. 341

(5) The limited term license issued to a temporary 342
resident shall contain the words "limited term" and shall have 343
any additional characteristics prescribed by the registrar 344
distinguishing it from a license issued to a resident. 345

(6) Every driver's or commercial driver's license 346
displaying a motorcycle operator's endorsement and every 347
restricted license to operate a motor vehicle also shall display 348
the designation "novice," if the endorsement or license is 349
issued to a person who is eighteen years of age or older and 350
previously has not been licensed to operate a motorcycle by this 351
state or another jurisdiction recognized by this state. The 352
"novice" designation shall be effective for one year after the 353
date of issuance of the motorcycle operator's endorsement or 354
license. 355

(7) Each license issued under this section shall be of 356
such material and so designed as to prevent its reproduction or 357
alteration without ready detection. 358

(B) Except in regard to a driver's license issued to a 359
person who applies no more than thirty days before the 360
applicant's twenty-first birthday, neither the registrar nor any 361
deputy registrar shall issue a driver's license to anyone under 362
twenty-one years of age that does not have the characteristics 363
prescribed by the registrar distinguishing it from the driver's 364

license issued to persons who are twenty-one years of age or 365
older. 366

(C) The registrar shall ensure that driver's licenses 367
issued in accordance with the federal "Real ID Act," 49 U.S.C. 368
30301, et seq., comply with the regulations specified in 6 369
C.F.R. part 37. 370

(D) Whoever violates division (B) of this section is 371
guilty of a minor misdemeanor. 372

Sec. 4507.51. (A) (1) Every application for an 373
identification card or duplicate shall be made on an approved 374
form furnished by the registrar of motor vehicles and shall be 375
signed by the applicant. The application also shall be signed by 376
the applicant's parent or guardian, or by the department of 377
rehabilitation and correction or the department of youth 378
services, as applicable, if the applicant is under eighteen 379
years of age. 380

Every application shall contain the following information: 381

(a) The applicant's name, date of birth, sex, general 382
description including the applicant's height, weight, hair 383
color, and eye color, address, country of citizenship, and 384
social security number. 385

(b) If an applicant has not already certified the 386
applicant's willingness to make an anatomical gift under section 387
2108.05 of the Revised Code, whether the applicant wishes to 388
certify willingness to make such an anatomical gift and 389
information about the requirements of sections 2108.01 to 390
2108.29 of the Revised Code that apply to persons who are less 391
than eighteen years of age. The statement regarding willingness 392
to make such a donation shall be given no consideration in the 393

decision of whether to issue an identification card. 394

(c) Whether the applicant has executed a valid durable 395
power of attorney for health care pursuant to sections 1337.11 396
to 1337.17 of the Revised Code or has executed a declaration 397
governing the use or continuation, or the withholding or 398
withdrawal, of life-sustaining treatment pursuant to sections 399
2133.01 to 2133.15 of the Revised Code and, if the applicant has 400
executed either type of instrument, whether the applicant wishes 401
the identification card issued to indicate that the applicant 402
has executed the instrument. 403

(d) Whether the applicant is a veteran, active duty, or 404
reservist of the armed forces of the United States and, if the 405
applicant is such, whether the applicant wishes the 406
identification card issued to indicate that the applicant is a 407
veteran, active duty, or reservist of the armed forces of the 408
United States by a military designation on the identification 409
card. 410

(e) Whether the applicant is now or ever has been 411
afflicted with epilepsy and, if so, whether the applicant wishes 412
the applicant's identification card to display the unique symbol 413
as described in section 4507.52 of the Revised Code. 414

(2) Each applicant applying in person at a deputy 415
registrar office shall be photographed at the time of making an 416
application. 417

(3) The registrar or deputy registrar, in accordance with 418
section 3503.11 of the Revised Code, shall register as an 419
elector any person who applies for an identification card or 420
duplicate if the applicant is eligible and wishes to be 421
registered as an elector. The decision of an applicant whether 422

to register as an elector shall be given no consideration in the 423
decision of whether to issue the applicant an identification 424
card or duplicate. 425

(4) The application shall be accompanied by any necessary 426
documents, as required by the registrar. The registrar or the 427
deputy registrar may authenticate the submitted documents and 428
verify the information in the application. 429

(B) (1) Except as provided in division (B) (2) of this 430
section or section 4507.061 of the Revised Code, the application 431
for an identification card or duplicate shall be filed in the 432
office of the registrar or deputy registrar. Each applicant 433
shall present documentary evidence as required by the registrar 434
of the applicant's age and identity, and the applicant shall 435
swear that all information given is true. 436

All applications for an identification card or duplicate 437
under this section shall be filed in duplicate, and if submitted 438
to a deputy registrar, a copy shall be forwarded to the 439
registrar. The registrar shall prescribe rules for the manner in 440
which a deputy registrar is to file and maintain applications 441
and other records. The registrar shall maintain a suitable, 442
indexed record of all applications denied and cards issued or 443
canceled. 444

(2) The application for an identification card filed by 445
either the department of rehabilitation and correction or the 446
department of youth services on behalf of an individual in 447
prison or in the department's custody shall be submitted through 448
the process established by the registrar. The registrar shall 449
establish the process for submission of such applications and 450
the process for mailing the identification card to either the 451
individual or the applicable department. 452

(C) In addition to any other information it contains, the
form furnished by the registrar of motor vehicles for an
application for an identification card or duplicate shall inform
applicants that the applicant must present a copy of the
applicant's DD-214 or an equivalent document in order to qualify
to have the card or duplicate indicate that the applicant is an
honorably discharged veteran of the armed forces of the United
States based on a request made pursuant to division (A) (2) (b) of
this section.

Sec. 4507.52. (A) (1) Each identification card issued by
the registrar of motor vehicles or a deputy registrar shall
display a distinguishing number assigned to the cardholder, and
shall display the following inscription:

"STATE OF OHIO IDENTIFICATION CARD

This card is not valid for the purpose of operating a
motor vehicle. It is provided solely for the purpose of
establishing the identity of the bearer described on the card."

(2) The identification card shall display substantially
the same information as contained in the application and as
described in division (A) (1) of section 4507.51 of the Revised
Code, including, if the cardholder is a noncitizen of the United
States, a notation designating that the cardholder is a
noncitizen. The identification card shall not display the
cardholder's social security number unless the cardholder
specifically requests that the cardholder's social security
number be displayed on the card. If federal law requires the
cardholder's social security number to be displayed on the
identification card, the social security number shall be
displayed on the card notwithstanding this section.

(3) The identification card also shall display the 482
photograph of the cardholder. 483

(4) If the cardholder has executed a durable power of 484
attorney for health care or a declaration governing the use or 485
continuation, or the withholding or withdrawal, of life- 486
sustaining treatment and has specified that the cardholder 487
wishes the identification card to indicate that the cardholder 488
has executed either type of instrument, the card also shall 489
display any symbol chosen by the registrar to indicate that the 490
cardholder has executed either type of instrument. 491

(5) If the cardholder has specified that the cardholder 492
wishes the identification card to indicate that the cardholder 493
is a veteran, active duty, or reservist of the armed forces of 494
the United States and has presented a copy of the cardholder's 495
DD-214 form or an equivalent document, the card also shall 496
display any symbol chosen by the registrar to indicate that the 497
cardholder is a veteran, active duty, or reservist of the armed 498
forces of the United States. 499

(6) The card shall be designed as to prevent its 500
reproduction or alteration without ready detection. 501

(7) The identification card for persons under twenty-one 502
years of age shall have characteristics prescribed by the 503
registrar distinguishing it from that issued to a person who is 504
twenty-one years of age or older, except that an identification 505
card issued to a person who applies no more than thirty days 506
before the applicant's twenty-first birthday shall have the 507
characteristics of an identification card issued to a person who 508
is twenty-one years of age or older. 509

(8) Every identification card issued to a resident of this 510

state shall display the expiration date of the card, in 511
accordance with section 4507.501 of the Revised Code. 512

(9) Every identification card issued to a temporary 513
resident shall expire in accordance with section 4507.501 of the 514
Revised Code and rules adopted by the registrar and is limited 515
term. Every limited term identification card and limited term 516
temporary identification card shall contain the words "limited 517
term" and shall have any additional characteristics prescribed 518
by the registrar distinguishing it from an identification card 519
issued to a resident. 520

(10) If the cardholder has specified that the cardholder 521
wishes the identification card to indicate that the cardholder 522
is now or has been afflicted with epilepsy, the card also shall 523
display a unique symbol chosen by the registrar to indicate that 524
the cardholder is or has been afflicted with epilepsy. 525

(B) (1) If a card is lost, destroyed, or mutilated, the 526
person to whom the card was issued may obtain a duplicate by 527
doing both of the following: 528

(a) Furnishing suitable proof of the loss, destruction, or 529
mutilation to the registrar or a deputy registrar; 530

(b) Filing an application and presenting documentary 531
evidence under section 4507.51 of the Revised Code. 532

(2) A cardholder may apply to obtain a reprint of the 533
cardholder's identification card through electronic means in 534
accordance with section 4507.40 of the Revised Code. 535

(3) A cardholder may obtain a replacement identification 536
card that reflects any change of the cardholder's name by 537
furnishing suitable proof of the change to the registrar or a 538
deputy registrar. 539

(4) Except as provided in division (B) (5) or (6) of this 540
section, when a cardholder applies for a duplicate, reprint, or 541
replacement identification card, the cardholder shall pay the 542
following fees: 543

(a) Two dollars and fifty cents; 544

(b) A deputy registrar or service fee equal to the amount 545
established under section 4503.038 of the Revised Code. 546

(5) The following cardholders may apply for a duplicate, 547
reprint, or replacement identification card without payment of 548
any fee prescribed in division (B) (4) of this section: 549

(a) A disabled veteran who has a service-connected 550
disability rated at one hundred per cent by the veterans' 551
administration; 552

(b) A resident who is permanently or irreversibly 553
disabled; 554

(c) A resident who is in the custody of the department of 555
rehabilitation and correction or the department of youth 556
services. 557

(6) A cardholder who is seventeen years of age or older 558
may apply for a replacement identification card without payment 559
of any fee prescribed in division (B) (4) of this section. 560

(7) A duplicate, reprint, or replacement identification 561
card expires on the same date as the card it replaces. 562

(C) The registrar shall cancel any card upon determining 563
that the card was obtained unlawfully, issued in error, or was 564
altered. 565

(D) (1) No agent of the state or its political subdivisions 566

shall condition the granting of any benefit, service, right, or 567
privilege upon the possession by any person of an identification 568
card. Nothing in this section shall preclude any publicly 569
operated or franchised transit system from using an 570
identification card for the purpose of granting benefits or 571
services of the system. 572

(2) No person shall be required to apply for, carry, or 573
possess an identification card. 574

(E) Except in regard to an identification card issued to a 575
person who applies no more than thirty days before the 576
applicant's twenty-first birthday, neither the registrar nor any 577
deputy registrar shall issue an identification card to a person 578
under twenty-one years of age that does not have the 579
characteristics prescribed by the registrar distinguishing it 580
from the identification card issued to persons who are twenty- 581
one years of age or older. 582

(F) The registrar shall ensure that identification cards 583
issued in accordance with the federal "Real ID Act," 49 U.S.C. 584
30301, et seq., comply with the regulations specified in 6 585
C.F.R. part 37. 586

(G) Whoever violates division (E) of this section is 587
guilty of a minor misdemeanor. 588

Sec. 5164.11. (A) The medicaid program shall provide 589
coverage for seizure detection devices as durable medical 590
equipment if both of the following are satisfied: 591

(1) The seizure detection device is determined to be 592
medically necessary by a health care provider based on a 593
medicaid recipient's medical condition or status. 594

(2) The health care provider has determined that the 595

seizure detection device would likely assist in reducing bodily 596
harm or death to a medicaid recipient as a result of the 597
recipient experiencing a seizure or would provide data to the 598
provider as necessary to appropriately diagnose or treat a 599
health condition of the recipient that causes seizure activity. 600

(B) The coverage required by this section shall include 601
the full cost of a seizure detection device, including any 602
related service or subscription supporting the device. The 603
medicaid payment rate for a service or subscription supporting 604
the use of a seizure detection device shall equal one hundred 605
per cent of the rate for monthly remote monitoring services or 606
subscriptions afforded to other remote monitoring devices. 607

(C) The department of medicaid shall conduct a biennial 608
review of the list of covered seizure detection devices and 609
update the list as necessary to include the latest technologies 610
approved by the United States food and drug administration, 611
ensuring that medicaid recipients have access to the most 612
effective and current devices. 613

Section 2. That existing sections 3304.23, 4507.06, 614
4507.13, 4507.51, and 4507.52 of the Revised Code are hereby 615
repealed. 616