

As Introduced

**136th General Assembly
Regular Session
2025-2026**

H. B. No. 863

Representative Mathews, A.

To enact section 3701.95 of the Revised Code 1
regarding health care facilities and infection 2
prevention textiles. 3

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

Section 1. That section 3701.95 of the Revised Code be 4
enacted to read as follows: 5

Sec. 3701.95. (A) As used in this section: 6

(1) "Health care facility" means any of the following: 7

(a) An ambulatory surgical facility, freestanding dialysis 8
center, freestanding inpatient rehabilitation facility, 9
freestanding birthing center, freestanding radiation therapy 10
center, or freestanding or mobile diagnostic imaging center 11
licensed under section 3702.30 of the Revised Code; 12

(b) A maternity home licensed under Chapter 3711. of the 13
Revised Code; 14

(c) A hospice care program licensed under Chapter 3712. of 15
the Revised Code, but only when providing care and services 16
other than in a home; 17

(d) A pediatric respite care program licensed under 18
Chapter 3712. of the Revised Code; 19

<u>(e) A nursing home, residential care facility, or home for</u>	20
<u>the aging licensed under Chapter 3721. of the Revised Code;</u>	21
<u>(f) A hospital licensed under Chapter 3722. of the Revised</u>	22
<u>Code;</u>	23
<u>(g) A hospital or inpatient unit licensed under section</u>	24
<u>5119.33 of the Revised Code;</u>	25
<u>(h) A residential facility licensed under section 5119.34</u>	26
<u>of the Revised Code;</u>	27
<u>(i) A residential facility licensed under section 5123.19</u>	28
<u>of the Revised Code;</u>	29
<u>(j) A nursing facility or skilled nursing facility, each</u>	30
<u>as defined in section 5165.01 of the Revised Code.</u>	31
<u>(2) "Hygienically clean certified facility" means a</u>	32
<u>facility that processes one or more infection prevention</u>	33
<u>textiles in a manner that renders the textiles free of pathogens</u>	34
<u>in sufficient numbers to prevent human illness.</u>	35
<u>(3) "Infection prevention textile" means a fabric-based</u>	36
<u>item that is designed, throughout its useful lifespan, to be</u>	37
<u>laundered and returned in a hygienically clean state to a health</u>	38
<u>care facility for reuse in order to safely and hygienically</u>	39
<u>protect patients, health care providers, and the medical</u>	40
<u>environment by limiting the transfer of microorganisms by blood</u>	41
<u>or other bodily fluids. Such items may include personal</u>	42
<u>protective equipment like isolation gowns, hoods, and boot</u>	43
<u>covers; privacy curtains; sheets; pillow cases; bath blankets;</u>	44
<u>thermal blankets; bath towels; face cloths; hand towels; patient</u>	45
<u>gowns; shower curtains; incontinence pads; surgical drapes and</u>	46
<u>wraps; reinforced surgical gowns; scrub suits and warm-up</u>	47
<u>jackets; patient slings; mattress covers; cubical curtains with</u>	48

antimicrobial properties; and other health care grade ultra- 49
microfiber products manufactured to meet federal centers for 50
disease control and prevention health care laundry guidelines. 51

(B) Subject to division (C) of this section, with respect 52
to a health care facility's operating threshold of items 53
maintained to protect patients, health care professionals, and 54
the medical environment from the transfer of microorganisms by 55
blood and other bodily fluids, at least fifty per cent of that 56
operating threshold shall consist of reusable infection 57
prevention textiles. The remainder of the facility's operating 58
threshold may consist of single-use or disposable items that 59
limit the transfer of microorganisms by blood or other bodily 60
fluids. 61

(C) A health care facility's personnel may reuse infection 62
prevention textiles only if both of the following are the case: 63

(1) Their reuse is consistent with guidance issued by the 64
federal centers for disease control and prevention. 65

(2) After each use, the textiles are processed by a 66
hygienically clean certified facility and then returned to 67
circulation at the health care facility. 68

In reusing infection prevention textiles under this 69
section, each health care facility shall regularly rotate its 70
stock of infection prevention textiles being used, returned to a 71
laundry facility, processed by a hygienically clean certified 72
facility, and returned to the health care facility for reuse. 73

(D) The requirements of this section do not apply to a 74
health care facility if, on the facility's request, the 75
department responsible for licensing the facility determines 76
that the facility has successfully demonstrated that it is 77

unable to satisfy the requirements of this section solely as a 78
result of one or more supply chain disruptions beyond its 79
control. 80

(E) (1) Each health care facility shall maintain records 81
demonstrating the percentage of its operating threshold of 82
infection prevention textiles available for reuse and shall make 83
such records available to the department responsible for 84
licensing the facility on the department's request. 85

(2) The departments of health, developmental disabilities, 86
and behavioral health shall each develop a procedure whereby 87
individuals may report violations of this section. 88