



# Ohio Legislative Service Commission

## Sub. Bill Comparative Synopsis

Chenwei Zhang

### Sub. H.B. 419

131st General Assembly  
(H. Health and Aging)

This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Introduced)	Sub. Version (LSC 131 2067-8)
<b>Human tissue disposed of</b>	"Product of human conception" ( <i>R.C. 3701.3411</i> ).	"Fetal remains" ( <i>R.C. 3701.3410, 3701.3411, and 3701.3413</i> ).
<b>Disposition methods</b>	Requires the Director of the Department of Health to adopt rules specifying "burial," "cremation," and "an approved hospital type of incineration" as the three options to dispose of the product of human conception ( <i>R.C. 3701.3411</i> ).	Requires the Director of the Department of Health to adopt rules specifying "interment," "cremation," and "individual incineration" as the three options to dispose of fetal remains ( <i>R.C. 3701.3411(A)</i> ).
<b>Entities subject to the rules</b>	Any authorized abortion facility ( <i>R.C. 3701.3411</i> ).	Any authorized abortion facility or person or entity that contracts with the facility to dispose of fetal remains ( <i>R.C. 3701.3411(A)(1) and (2)</i> ).
<b>Definitions</b>	No provision.	Provides definitions for "cremation," "fetal remains," and "interment" ( <i>R.C. 3701.3410(A) to (C)</i> ).
<b>Incineration guidelines</b>	No provision.	Requires the Director to establish guidelines for the incineration of fetal remains, including whether or not more than one fetus may be incinerated at a time ( <i>R.C. 3701.3411(B)</i> ).

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<b>Form creation</b>	No provision.	<p>Requires the Director to create a detachable supplemental form to the abortion "informed consent" form under existing law that includes the following:</p> <p>--Indicates whether the pregnant woman has made a preference as to the method of disposal, and the method selected;</p> <p>--Provides for the physician's signature;</p> <p>--Provides for an identification number for the woman (<i>R.C. 3701.3411(C)(1) to (3)</i>).</p>
<b>Documentation for burial permits</b>	No provision.	<p>Provides that the supplemental form must be filed with the local registrar or sub-registrar of vital statistics to obtain a burial permit, if the woman elects burial or cremation as the preferred method of disposal (<i>R.C. 3701.3411(D) and 3705.17</i>).</p>
<b>Filing responsibility</b>	No provision.	<p>Requires the health care facility to file the supplemental form (<i>R.C. 3701.3411(D)</i>).</p>
<b>Pathological testing</b>	No provision.	<p>Provides that nothing in the bill or rules adopted under the bill prevents a woman from submitting tissue samples from fetal remains for pathological testing, and that such samples are exempt from the rules regarding disposition of fetal remains (<i>R.C. 3701.3413</i>).</p>
<b>Injunctive powers</b>	No provision.	<p>Requires the Director to implement the rules adopted under the bill, and allows the following to file injunctions to restrain a violation or threat of violation of the rules:</p>

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		--The Director; --The Attorney General; --The county prosecutor; --The city director of law, township director of law, or legal counsel for a village (R.C. 3701.3412).
<b>Limits on other law</b>	No provision.	Provides that the bill does not limit other laws, including the fetal death certificates law (R.C. 3701.3414).

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