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Proponent Testimony for House Bill 439
Ohio House Civil Justice Committee
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Chairman Hillyer, Vice Chair Grendell, Ranking Member Galonski, and members of the House Civil Justice Committee, my name is Bryn Hunt and I am associate general counsel and director of health policy for the Ohio Hospital Association. Thank you for the opportunity to provide testimony in support of House Bill 439 and to explain the amendments before you today.

Established in 1915, OHA is the nation's first state-level hospital association. OHA exists to collaborate with member hospitals and health systems to ensure a healthy Ohio. OHA currently represents 250 hospitals and 15 health systems throughout Ohio. The association is governed by a 20-member Board of Trustees with representation from small and large hospitals, teaching facilities and health care systems with a committee and task force structure.

We appreciate the bill sponsor's interest in this important topic. The bill would expand Ohio's definition of "mentally ill person subject to court order" to include a psychiatric deterioration standard, which would enable health care providers to provide care sooner to more vulnerable patients.

To further assist hospitals in providing care to these patients, OHA is seeking a few additional changes. These changes would allow hospitals to ensure a patient is medically stable by providing necessary care and treatment until the person can be transferred to an appropriate facility with available beds. Under current law, general hospitals are required to transfer a pink-slipped patient to a hospital with psychiatric services within 24 hours. There are currently no exceptions to this requirement. However, many patients aren't ready to be transferred within 24 hours because of underlying medical issues that must be stabilized prior to transfer. Additionally, general hospitals frequently face challenges meeting this 24-hour transfer requirement because an appropriate psychiatric bed is not available. We're proposing language to the bill that would ensure providers are able to safely provide necessary care to patients while seeking a psychiatric provider available to receive a transfer, without fear of violating the statutory 24-hour requirement

Another proposed change would allow the general hospital to conduct the required evaluation to release or discharge a patient if they have the appropriate practitioner on staff to do so. This change would eliminate the requirement to transfer a patient in these scenarios and thus opening psychiatric beds. Transportation-related issues can further slow down a patient's care, and allowing general hospitals with the necessary resources to do the evaluation on-site will make the process more efficient and less burdensome on the patient and their family, as well as freeing up resources for other patients in need.

We urge the committee to pass HB 439 with these amendments. If passed, Ohio would join the twenty-four other states who already have psychiatric deterioration standard in statute and address challenges being experienced by the hospital community while making sure patients receive the appropriate care they need.

Thank you for your time and consideration.