

As Introduced

**132nd General Assembly
Regular Session
2017-2018**

H. B. No. 241

Representative Barnes

A BILL

To amend section 3701.99 and to enact sections 1
3701.36 to 3701.366 of the Revised Code to 2
establish the Ohio Diabetes Registry. 3

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

Section 1. That section 3701.99 be amended and sections 4
3701.36, 3701.361, 3701.362, 3701.363, 3701.364, 3701.365, and 5
3701.366 of the Revised Code be enacted to read as follows: 6

Sec. 3701.36. (A) As used in this section and in sections 7
3701.361 to 3701.366 of the Revised Code: 8

(1) "Hospital" means a hospital registered with the 9
department of health under section 3701.07 of the Revised Code. 10

(2) "Physician" means an individual authorized under 11
Chapter 4731. of the Revised Code to practice medicine and 12
surgery or osteopathic medicine and surgery. 13

(3) "State university" has the same meaning as in section 14
3345.01 of the Revised Code. 15

(B) The department of health shall establish a population- 16
based diabetes registry, which shall be known as the Ohio 17
diabetes registry. The purpose of the registry is to monitor the 18

incidence of each type of diabetes in this state. 19

The department may accept and administer grants from the 20
federal government or other sources, public or private, for 21
carrying out this purpose. 22

Sec. 3701.361. (A) In consultation with the Ohio diabetes 23
registry advisory council created under section 3701.366 of the 24
Revised Code, the department of health shall adopt rules in 25
accordance with Chapter 119. of the Revised Code to specify both 26
of the following for purposes of the Ohio diabetes registry: 27

(1) The data concerning each case of diabetes that is to 28
be collected and used to conduct epidemiological surveys of 29
diabetes cases in this state. At a minimum, the data to be 30
collected must include an individual's date of diagnosis, age at 31
time of diagnosis, the type of diabetes that was diagnosed, 32
whether the individual has a known history of any type of 33
diabetes in the individual's family, the individual's height and 34
weight, and the individual's sex, race, ethnicity, and 35
residential address. 36

(2) The standards and procedures for the reporting of 37
information required by section 3701.362 of the Revised Code, 38
including that such information be reported through electronic 39
means. To the extent possible, the standards and procedures 40
shall be similar to those that physicians, hospitals, and other 41
persons use to report cases of cancer to the department, as 42
required by section 3701.262 of the Revised Code. 43

Sec. 3701.362. (A) Each hospital, physician, or other 44
health care provider who diagnoses an individual with diabetes, 45
regardless of the type of diabetes diagnosed, shall report that 46
new case of diabetes to the department of health. 47

(B) A physician, hospital, or other health care provider 48
that makes a report under division (A) of this section shall 49
grant to the department or its authorized representative access 50
to all records that identify cases of diabetes or that establish 51
characteristics of diabetes, the treatment of diabetes, or the 52
medical status of any identified patient with diabetes. 53

(C) A physician, hospital, or other health care provider 54
required to make a report under division (A) of this section may 55
elect to submit the information to the department through 56
another registry that includes diabetes information if the other 57
registry meets the reporting standards established by the 58
department under this section and collects the same information 59
as the registry established under this section. 60

(D) No physician, hospital, or person shall fail to make a 61
report required by this section. 62

Sec. 3701.363. The department of health shall record in 63
the Ohio diabetes registry all reports of diabetes information 64
received by the department under section 3701.362 of the Revised 65
Code. The department shall ensure that each individual whose 66
information is recorded is assigned a unique patient identifier 67
to prevent duplicate reports for the same individual. 68

Sec. 3701.364. The department of health, with assistance 69
from one or more state universities or medical research centers 70
or institutes described in section 3701.365 of the Revised Code, 71
shall analyze and evaluate the diabetes information reported to 72
the department pursuant to section 3701.362 of the Revised Code. 73
The department shall publish on its web site a summary of 74
information reported and maintained in the Ohio diabetes 75
registry. Summaries shall not identify any individual or contain 76
protected health information as defined in section 3701.17 of 77

the Revised Code. Summaries shall be published quarterly not 78
later than sixty days after the end of each calendar quarter. 79

Sec. 3701.365. The department shall, by contract, 80
designate one or more state universities or medical research 81
centers or institutes with expertise in data analytics to assist 82
it with implementing some or all of sections 3701.36 to 3701.366 83
of the Revised Code and the rules adopted under those sections. 84

Sec. 3701.366. (A) There is hereby created the Ohio 85
diabetes registry advisory council consisting of the following 86
members appointed by the governor with the advice and consent of 87
the senate: 88

(1) A representative of an organization that advocates on 89
behalf of individuals in this state who have been diagnosed with 90
diabetes; 91

(2) An epidemiologist who practices in this state and who 92
is certified by the certification board of infection control and 93
epidemiology, inc.; 94

(3) Two pediatric endocrinologists who practice in this 95
state and are certified by a board that is certified by the 96
American board of medical specialties; 97

(4) Two endocrinologists who practice in this state, are 98
certified by a board that is certified by the American board of 99
medical specialties, and who regularly treat adult patients 100
diagnosed with various types of diabetes; 101

(5) An obstetrician who practices in this state and who 102
regularly treats women with gestational diabetes; 103

(6) Two adults, one diagnosed with type 1 diabetes and the 104
other with type 2 diabetes; 105

| | |
|---|--|
| <u>(7) A woman who was diagnosed with gestational diabetes.</u> | 106 |
| <u>(B) Vacancies on the council shall be filled in the same manner as the initial appointments. Members shall serve without compensation.</u> | 107 108 109 |
| <u>(C) The council shall advise the department of health on the implementation of sections 3701.36 to 3701.365 of the Revised Code. The council shall meet at least twice each year at the call of the director of health, and may meet using telephonic or electronic means. The council's first meeting shall occur not later than ninety days after the effective date of this section.</u> | 110 111 112 113 114 115 116 |
| Sec. 3701.99. (A) Whoever violates division (C) of section 3701.23, division (C) of section 3701.232, division (C) of section 3701.24, division (B) of section 3701.25, division (D) (2) of section 3701.262, or sections 3701.46 to 3701.55, <u>or division (D) of section 3701.362</u> of the Revised Code is guilty of a minor misdemeanor on a first offense; on each subsequent offense, the person is guilty of a misdemeanor of the fourth degree. | 117 118 119 120 121 122 123 124 |
| (B) Whoever violates section 3701.82 of the Revised Code is guilty of a misdemeanor of the first degree. | 125 126 |
| (C) Whoever violates section 3701.352 or 3701.81 of the Revised Code is guilty of a misdemeanor of the second degree. | 127 128 |
| Section 2. That existing section 3701.99 of the Revised Code is hereby repealed. | 129 130 |