

As Reported by the Senate Local Government and Elections Committee

134th General Assembly

Regular Session

2021-2022

H. B. No. 222

Representatives Wilkin, Upchurch

Cosponsors: Representatives Seitz, Sweeney, Stewart, Miller, A., McClain, Galonski, Crossman, Cutrona, Baldrige, Callender, Carruthers, Edwards, Householder, Howse, Lanese, Lepore-Hagan, Miller, J., Riedel, Russo, Skindell, Smith, K., Sobecki, White

A BILL

To amend sections 339.10 and 513.172 of the Revised Code to specify that a nonprofit formed or acquired by a county hospital or joint township district hospital is a separate entity from the hospital.

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

Section 1. That sections 339.10 and 513.172 of the Revised Code be amended to read as follows:

Sec. 339.10. (A) The board of county hospital trustees of a county hospital may do either of the following:

(1) Form, or acquire control of, a domestic nonprofit corporation or a domestic nonprofit limited liability company;

(2) Be a partner, member, owner, associate, or participant in a nonprofit enterprise or nonprofit venture.

(B) A board of county hospital trustees of a county hospital forming, acquiring, or becoming involved with a

nonprofit corporation, limited liability company, enterprise, or 16
venture under division (A) of this section shall do so in 17
furtherance of any of the following: 18

(1) To support the county hospital's mission; 19

(2) To provide for any or all health care or medical 20
services, whether inpatient or outpatient services, diagnostic, 21
treatment, care, or rehabilitation services, wellness services, 22
services involving the prevention, detection, and control of 23
disease, home health services or services provided at or through 24
various facilities, education, training, and other necessary and 25
related services for the health professions; 26

(3) The management or operation of any hospital facility 27
as defined in division (E) of section 140.01 of the Revised 28
Code; 29

(4) The management, operation, or participation in 30
programs, projects, activities, and services useful to, 31
connected with, supporting, or otherwise related to the health, 32
wellness, and medical services and wellness programs provided in 33
divisions (B) (2) and (3) of this section; 34

(5) Any other activities that are in furtherance of the 35
county hospital or the persons served by the county hospital or 36
are necessary to perform the county hospital's mission and 37
functions and respond to change in the health care industry as 38
determined by the board of trustees. 39

(C) A nonprofit corporation, limited liability company, 40
enterprise, or venture that a board of county hospital trustees 41
of a county hospital forms, acquires, or becomes involved with 42
under this section shall be considered an entity separate for 43
all purposes from the county hospital, a county, or other public 44

entity and shall not be considered to be an agency, division, or 45
department of a county or other public entity. 46

Sec. 513.172. (A) A joint township district hospital board 47
may do either of the following: 48

(1) Form, or acquire control of, a domestic nonprofit 49
corporation or a domestic nonprofit limited liability company; 50

(2) Be a partner, member, owner, associate, or participant 51
in a nonprofit enterprise or nonprofit venture. 52

(B) A joint township district hospital board forming, 53
acquiring, or becoming involved with a nonprofit corporation, 54
limited liability company, enterprise, or venture under division 55
(A) of this section shall do so in furtherance of any of the 56
following: 57

(1) To support the joint township hospital district's 58
mission; 59

(2) To provide for any or all health care or medical 60
services, whether inpatient or outpatient services, diagnostic, 61
treatment, care, or rehabilitation services, wellness services, 62
services involving the prevention, detection, and control of 63
disease, home health services or services provided at or through 64
various facilities, education, training, and other necessary and 65
related services for the health professions; 66

(3) The management or operation of any hospital facility 67
as defined in division (E) of section 140.01 of the Revised 68
Code; 69

(4) The management, operation, or participation in 70
programs, projects, activities, and services useful to, 71
connected with, supporting, or otherwise related to the health, 72

wellness, and medical services and wellness programs provided in 73
divisions (B) (2) and (3) of this section; 74

(5) Any other activities that are in furtherance of the 75
joint township hospital district or the persons served by the 76
joint township hospital district or are necessary to perform the 77
joint township hospital district's mission and functions and 78
respond to change in the health care industry as determined by 79
the joint township district hospital board. 80

(C) A nonprofit corporation, limited liability company, 81
enterprise, or venture that a joint township district hospital 82
board forms, acquires, or becomes involved with under this 83
section shall be considered an entity separate for all purposes 84
from the joint township district hospital, a township, or other 85
public entity and shall not be considered to be an agency, 86
division, or department of a township or other public entity. 87

Section 2. That existing sections 339.10 and 513.172 of 88
the Revised Code are hereby repealed. 89