

**As Introduced**

**131st General Assembly**

**Regular Session**

**2015-2016**

**H. B. No. 224**

**Representatives Antani, Duffey  
Cosponsor: Representative Johnson, T.**

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**A BILL**

To enact section 3701.862 of the Revised Code to 1  
require each accountable care organization (ACO) 2  
to establish a clinical laboratory testing 3  
advisory board and each clinical laboratory that 4  
provides services to participants in the ACO to 5  
designate a member of the board. 6

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

**Section 1.** That section 3701.862 of the Revised Code be 7  
enacted to read as follows: 8

**Sec. 3701.862.** (A) As used in this section: 9

(1) "ACO professional" means any of the following who is 10  
participating as a provider in an accountable care organization: 11

(a) A physician; 12

(b) A certified nurse practitioner or clinical nurse 13  
specialist, both as defined in section 4723.01 of the Revised 14  
Code; 15

(c) A physician assistant, as defined in section 4730.01 16  
of the Revised Code. 17

(2) "Accountable care organization" means an organization that participates in the shared savings program established by the secretary of the United States department of health and human services under section 1899 of the "Social Security Act," 42 U.S.C. 1395jjj, and includes as participants ACO professionals who provide services to patients in this state.

(3) "Clinical laboratory" has the same meaning as in section 353 of the "Public Health Service Act," 42 U.S.C. 263a.

(4) "Hospital" has the same meaning as in section 1886(d)(1)(B) of the "Social Security Act," 42 U.S.C. 1395ww.

(5) "Physician" means an individual authorized by Chapter 4731. of the Revised Code to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery.

(B) Each accountable care organization in this state shall establish a clinical laboratory testing advisory board to make recommendations to the accountable care organization concerning laboratory testing. The board shall consist of individuals selected by the accountable care organization and a representative designated by each clinical laboratory that provides ongoing laboratory testing services directly to ACO professionals or hospitals participating in the accountable care organization. The representative designated by a clinical laboratory must be a physician affiliated with the accountable care organization who is the director, or a pathologist designated by the director, of the clinical laboratory.

The accountable care organization shall determine how the board is to be governed and the form and manner of its recommendations.

<u>(C) Each clinical laboratory testing advisory board shall</u>	47
<u>consider and recommend guidelines or protocols for each of the</u>	48
<u>following:</u>	49
<u>(1) Clinical laboratory testing used for diagnosis and</u>	50
<u>disease management;</u>	51
<u>(2) Pathologist consultation on episodes of care;</u>	52
<u>(3) Appropriate use of clinical laboratory testing.</u>	53
<u>(D) An accountable care organization is not required to</u>	54
<u>adopt any recommendation of a clinical laboratory testing</u>	55
<u>advisory board established under this section.</u>	56