

As Introduced

131st General Assembly

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H. B. No. 499

Representatives Grossman, Schuring

**Cosponsors: Representatives Blessing, Slesnick, Sweeney, Perales, Green,
Brenner, Sprague**

A BILL

To amend section 3701.571 and to enact sections 1
3701.90 and 3701.901 of the Revised Code to 2
establish the Ohio Parkinson's Disease and 3
Movement Disorder Registry. 4

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

Section 1. That section 3701.571 be amended and sections 5
3701.90 and 3701.901 of the Revised Code be enacted to read as 6
follows: 7

Sec. 3701.571. (A) The director of health shall adopt 8
rules pursuant to Chapter 119. of the Revised Code that 9
establish a graduated system of fines based on the scope and 10
severity of violations and the history of compliance, not to 11
exceed seven hundred fifty dollars per incident, and in an 12
adjudication under Chapter 119. of the Revised Code, may impose 13
a fine against any person who violates division (C) of section 14
3701.23, division (C) of section 3701.232, division (C) of 15
section 3701.24, division (B) of section 3701.25, division (E) 16
(1) of section 3701.90, or division (B) of section 3707.06 of 17
the Revised Code or against any poison prevention and treatment 18

center or other health-related entity that fails to comply with 19
division (C) of section 3701.201 of the Revised Code. 20

(B) On request of the director, the attorney general shall 21
bring and prosecute to judgment a civil action to collect any 22
fine imposed under division (A) of this section that remains 23
unpaid. 24

(C) All fines collected under this section shall be 25
deposited into the state treasury to the credit of the general 26
operations fund created under section 3701.83 of the Revised 27
Code. 28

Sec. 3701.90. (A) As used in this section and section 29
3701.901 of the Revised Code: 30

(1) "Hospital" has the same meaning as in section 3727.01 31
of the Revised Code. 32

(2) "Movement disorder" includes those disorders and 33
diseases specified in rules adopted by the director of health 34
under division (C) (1) of this section. 35

(3) "Parkinson's disease" means a chronic, progressive 36
disorder associated with degeneration of the basal ganglia of 37
the brain and a deficiency of the neurotransmitter dopamine and 38
marked by resting tremors, muscular rigidity, and slow, 39
imprecise movement. 40

(4) "State university" has the same meaning as in section 41
3345.011 of the Revised Code. 42

(B) The department of health shall establish a Parkinson's 43
disease and movement disorder registry, which shall be known as 44
the Ohio Parkinson's disease and movement disorder registry. The 45
registry shall be used for the collection of information 46

regarding the incidence of Parkinson's disease and other 47
movement disorders in this state. 48

(C) In consultation with the Ohio Parkinson's disease and 49
movement disorder advisory council, the director of health shall 50
adopt rules as necessary to carry out the purposes of this 51
section. The rules shall be adopted in accordance with Chapter 52
119. of the Revised Code and do all of the following: 53

(1) Specify the movement disorders, in addition to 54
Parkinson's disease, that are to be reported to the department 55
under division (E) of this section; 56

(2) Establish reporting requirements for information 57
concerning cases of Parkinson's disease and other movement 58
disorders as the director considers necessary to conduct 59
epidemiologic surveys of those disorders in this state, 60
including that all such information shall be reported through 61
electronic means. 62

(D) The department shall record in the registry all 63
reports of Parkinson's disease and other movement disorders 64
received by it. In the development and administration of the 65
registry, the department may use information compiled by public 66
or private Parkinson's disease or other movement disorder 67
registries and may contract for the collection and analysis of, 68
and research related to, the information recorded under this 69
section. 70

(E) (1) All persons designated by the department shall 71
submit to the department information requested by the department 72
to maintain the registry. 73

All hospitals or persons providing diagnostic or treatment 74
services to patients with Parkinson's disease or other movement 75

disorders shall grant to the department or its authorized 76
representative access to all records that identify cases of 77
Parkinson's disease or other movement disorders, establish 78
characteristics or treatment of Parkinson's disease or other 79
movement disorders, or establish the medical status of any 80
identified Parkinson's disease or other movement disorder 81
patient. 82

(2) Any person required to report information pursuant to 83
this section may elect to submit the information to the 84
department through another registry that includes Parkinson's 85
disease or other movement disorder information if the other 86
registry meets the reporting standards established by the 87
director under this section and collects the same Parkinson's 88
disease or other movement disorder information as the registry 89
established under this section. 90

(3) In the absence of willful or wanton misconduct, a 91
person who furnishes information to the department under this 92
section with respect to any patient the person examined or 93
treated is not liable in damages to any person for furnishing 94
the information and is not subject to professional disciplinary 95
action for betrayal of a professional confidence for furnishing 96
the information. The information is not subject to introduction 97
into evidence in any civil action against the provider. A person 98
who furnishes information to the department under this section 99
is not liable for the misuse or improper release of the 100
information by the department or by any person. 101

(F) The department may, by contract, designate a state 102
university as its agent to implement some or all of this section 103
and the rules adopted under this section. 104

(G) Information reported under this section that is 105

protected health information pursuant to section 3701.17 of the 106
Revised Code shall be released only in accordance with that 107
section. Information that does not identify an individual may be 108
released in summary, statistical, or aggregate form. 109

Sec. 3701.901. There is hereby created the Ohio 110
Parkinson's disease and movement disorder advisory council 111
consisting of the following members appointed by the governor 112
with the advice and consent of the senate; 113

(A) A member of the state board of pharmacy; 114

(B) An epidemiologist certified by the certification board 115
of infection control and epidemiology, inc.; 116

(C) A physician whose practice actively involves the 117
treatment of Parkinson's disease or other movement disorders; 118

(D) An individual diagnosed with Parkinson's disease or 119
another movement disorder; 120

(E) An individual with a family member who has been 121
diagnosed with Parkinson's disease or another movement disorder. 122

Vacancies on the council shall be filled in the same 123
manner as the initial appointments. Members shall serve without 124
compensation. 125

The council shall advise the department of health on the 126
implementation of section 3701.90 of the Revised Code. The 127
council shall meet at least twice per year. 128

Section 2. That existing section 3701.571 of the Revised 129
Code is hereby repealed. 130