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Representative McGregor, R.

**Cosponsors: Representatives McGregor, J., Huffman, Evans, Skindell, Seitz,
Dodd, Widener, Flowers, Stewart, J., Gibbs, Stebelton, Stewart, D., Bacon,
Daniels, Miller, Foley, Wachtmann, Chandler, Peterson, White, Webster,
Otterman, Fende, Brown, Boyd**

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A B I L L

To amend section 2305.2341 and to enact section 1
3701.047 of the Revised Code to permit the Ohio 2
Department of Health to promote the establishment 3
of federally qualified health centers and create a 4
pilot program to place federally qualified health 5
centers in or adjacent to two hospital emergency 6
departments and to include federally qualified 7
health center look-alikes in the medical 8
malpractice premium assistance program. 9

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

Section 1. That section 2305.2341 be amended and section 10
3701.047 of the Revised Code be enacted to read as follows: 11

Sec. 2305.2341. (A) The medical liability insurance 12
reimbursement program is hereby established. Free clinics and 13
federally qualified health center look-alikes, including the 14
clinics' and centers' staff and volunteer health care 15
professionals and volunteer health care workers, may participate 16

in the medical liability insurance reimbursement program 17
established by this section. The coverage provided under the 18
program shall be limited to claims that arise out of the 19
diagnosis, treatment, and care of patients of free clinics and 20
centers, as defined in division (D)~~(1)~~ of this section. 21

(B) A free clinic or federally qualified health center 22
look-alike is eligible to receive reimbursement under the medical 23
liability insurance reimbursement program for the premiums that 24
the clinic or center pays for medical liability insurance coverage 25
for the clinic or center, its staff, and volunteer health care 26
professionals and health care workers. Free clinics and federally 27
qualified health center look-alikes shall register with the 28
department of health by the thirty-first day of January of each 29
year in order to participate in and to obtain reimbursement under 30
the program. Free Clinics that register with the department in 31
accordance with this division shall receive priority over centers 32
that register for reimbursement. 33

Free clinics and federally qualified health center 34
look-alikes shall provide all of the following to the department 35
of health at the time of registration: 36

(1) A statement of the number of volunteer and paid health 37
care professionals and health care workers providing health care 38
services at the free clinic or federally qualified health center 39
look-alike at that time; 40

(2) A statement of the number of health care services 41
rendered by the free clinic or federally qualified health center 42
look-alike during the previous fiscal year; 43

(3) A signed form acknowledging that the free clinic or 44
federally qualified health center look-alike agrees to follow its 45
medical liability insurer's risk management and loss prevention 46
policies; 47

(4) A copy of the medical liability insurance policy 48
purchased by the free clinic or federally qualified health center 49
look-alike, or the policy's declaration page, and documentation of 50
the premiums paid by the clinic or center. 51

(C) The department of health shall reimburse free clinics and 52
federally qualified health center look-alikes participating in the 53
professional liability insurance reimbursement program for up to 54
eighty per cent of the premiums that the ~~free~~ clinic or center 55
pays for medical liability insurance coverage up to twenty 56
thousand dollars. Appropriations to the department of health may 57
be made from the general fund of the state for this purpose. 58

(D) As used in this section: 59

(1) "Federally qualified health center look-alike" means a 60
public or not-for-profit health center that meets the eligibility 61
requirements to receive a federal public health services grant 62
under the "Public Health Services Act," 117 Stat. 2020, 42 U.S.C. 63
254b, as amended, but does not receive grant funding. 64

(2) "Free clinic" means a nonprofit organization exempt from 65
federal income taxation under section 501(c)(3) of the "Internal 66
Revenue Code of 1986," as amended, or a program component of a 67
nonprofit organization, whose primary mission is to provide health 68
care services for free or for a minimal administrative fee to 69
individuals with limited resources. A free clinic facilitates the 70
delivery of health care services through the use of volunteer 71
health care professionals and voluntary care networks. For this 72
purpose, a free clinic shall comply with all of the following: 73

(a) If a free clinic does request a minimal administrative 74
fee, a free clinic shall not deny an individual access to its 75
health care services based on an individual's ability to pay the 76
fee. 77

(b) A free clinic shall not bill a patient for health care 78

services rendered. 79

(c) Free clinics shall not perform operations, as defined by 80
divisions (A)(9) and (F)(1)(b) of section 2305.234 of the Revised 81
Code. 82

A clinic is not a free clinic if the clinic bills medicaid, 83
medicare, or other third-party payers for health care services 84
rendered at the clinic, and receives twenty-five per cent or more 85
of the clinic's annual revenue from the third-party payments. 86

~~(2)~~(3) "Health care professional" and "health care worker" 87
have the same meanings as in section 2305.234 of the Revised Code. 88

Sec. 3701.047. (A) As used in this section: 89

(1) "Federally qualified health center" means a health center 90
that receives a federal public health services grant under the 91
"Public Health Services Act," 117 Stat. 2020, 42 U.S.C. 254b, as 92
amended, or another health center designated by the U.S. Health 93
Resources and Services Administration as a federally qualified 94
health center. 95

(2) "Federally qualified health center look-alike" means a 96
public or not-for-profit health center that meets the eligibility 97
requirements to receive a federal public health services grant 98
under the "Public Health Services Act," 117 Stat. 2020, 42 U.S.C. 99
254b, as amended, but does not receive grant funding. 100

(B) The department of health may enter into an agreement with 101
the state's primary care association to promote the establishment 102
of new federally qualified health centers and federally qualified 103
health center look-alikes. If the department enters into an 104
agreement, the department and the association shall assist local 105
communities and community health centers by providing grants and 106
grant writing assistance to establish health centers as defined in 107
42 U.S.C. 254b, regardless of whether the health centers apply for 108

grants under that section. 109

Section 2. That existing section 2305.2341 of the Revised Code is hereby repealed. 110
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Section 3. (A) As used in this section: 112

(1) "Federally qualified health center" means a health center that receives a federal public health services grant under the "Public Health Services Act," 117 Stat. 2020, 42 U.S.C. 254b, as amended, or another health center designated by the U.S. Health Resources and Services Administration as a federally qualified health center. 113
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(2) "Rural area" means any area of this state not located in a metropolitan statistical area. 119
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(3) "Urban area" means any area of this state located in a metropolitan statistical area. 121
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(B) The Department of Health may establish a pilot program to place two federally qualified health centers in or adjacent to hospital emergency departments. If the Department chooses to establish a pilot program, the following shall occur: 123
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(1) The Department shall locate one health center in or adjacent to a hospital located in an urban area and the other health center in or adjacent to a hospital in a rural area. 127
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(2)(a) Except as provided in division (B)(2)(b) of this section, each hospital and health center that participates in the pilot program shall, not later than one year after the health center becomes operational, prepare and submit a report to the Governor and the General Assembly regarding the number of patients that received care at the health center for nonemergency conditions rather than receiving care in the hospital's emergency department. 130
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(b) If the Department is unable to establish the pilot 138

program not later than one year after the effective date of this	139
section, the Department shall submit a report to the Governor and	140
the General Assembly indicating the Department's progress.	141