

**As Introduced**

**127th General Assembly  
Regular Session  
2007-2008**

**H. B. No. 595**

**Representative Wachtmann**

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**A B I L L**

To enact section 5111.0119 of the Revised Code to 1  
require the Director of Job and Family Services to 2  
seek federal approval to establish an alcohol and 3  
controlled substance testing and treatment 4  
component of the Medicaid program. 5

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

**Section 1.** That section 5111.0119 of the Revised Code be 6  
enacted to read as follows: 7

**Sec. 5111.0119.** (A) As used in this section: 8

(1) "Alcohol problem" means that an individual is determined 9  
by a chemical test to have an alcohol concentration level equal to 10  
or in excess of the levels established in divisions (A)(1)(b) to 11  
(i) of section 4511.19 of the Revised Code. 12

(2)(a) Except as provided in division (A)(2)(b) of this 13  
section, "controlled substance problem" means that an individual 14  
is determined by a chemical test to have a concentration of any of 15  
the controlled substances specified in division (A)(1)(j) of 16  
section 4511.19 of the Revised Code, or metabolites of such a 17  
controlled substance, in the individual's whole blood, blood serum 18  
or plasma, or urine that equals or exceeds any of the applicable 19  
levels established in that division. 20

(b) An individual shall not be determined to have a controlled substance problem if the individual obtained the controlled substance pursuant to a prescription issued by a licensed health professional authorized to prescribe drugs and the individual injected, ingested, or inhaled the controlled substance in accordance with the health professional's directions. 21  
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(3) "Licensed health professional authorized to prescribe drugs" and "prescription" have the same meanings as in section 4729.01 of the Revised Code. 27  
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(B) Not later than one hundred eighty days after the effective date of this section, the director of job and family services shall apply to the United States secretary of health and human services for a federal waiver authorizing the director to establish an alcohol and controlled substance testing and treatment component of the medicaid program. The director shall implement the component on receipt of the federal waiver. The component shall do all of the following: 30  
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(1) Require each medicaid recipient eighteen years of age or older to undergo random chemical tests to determine whether the recipient has an alcohol problem, controlled substance problem, or both, unless the recipient qualifies for medicaid on the basis of being aged, blind, or disabled; 38  
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(2) Order each medicaid recipient determined pursuant to a chemical test conducted under division (B)(1) of this section to have an alcohol problem, controlled substance problem, or both to complete a treatment program for the problem the recipient is determined to have; 43  
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(3) Terminate a medicaid recipient's eligibility for medicaid for six months each time any of the following apply: 48  
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(a) The recipient fails to undergo or otherwise cooperate with a chemical test under division (B)(1) of this section to 50  
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determine whether the recipient has an alcohol problem, controlled substance problem, or both; 52  
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(b) The recipient, after being determined pursuant to a chemical test conducted under division (B)(1) of this section to have an alcohol problem, controlled substance problem, or both, fails to complete the treatment program the recipient is ordered to complete; 54  
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(c) The recipient is determined to have an alcohol problem, controlled substance problem, or both, a second or further time by a chemical test conducted under division (B)(1) of this section any time after the recipient is initially determined pursuant to a chemical test conducted under division (B)(1) of this section to have an alcohol problem, controlled substance problem, or both. 59  
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