

As Introduced

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H. B. No. 406

Representative Williams, S.

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**A B I L L**

To enact sections 3701.781, 3701.782, 3701.783, 1  
3701.784, 3701.785, and 3701.786 of the Revised 2  
Code to create the Lupus Education and Awareness 3  
Program. 4

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

**Section 1.** That sections 3701.781, 3701.782, 3701.783, 5  
3701.784, 3701.785, and 3701.786 of the Revised Code be enacted to 6  
read as follows: 7

**Sec. 3701.781.** (A) The commission on minority health shall 8  
establish, promote, and maintain a lupus education and awareness 9  
program with an emphasis on minority populations and at-risk 10  
communities to raise public awareness, educate consumers, and 11  
educate and train health professionals, human services providers, 12  
and other audiences. 13

(B) The commission, in creating and implementing the program, 14  
shall do all of the following: 15

(1) Provide sufficient staff and appropriate training to 16  
implement the program; 17

(2) Establish a grant program to support nonprofit voluntary 18  
health organizations with expertise in lupus to increase public 19

awareness and enhance health professional education and 20  
understanding of the symptoms and consequences of lupus and the 21  
populations most at risk; 22

(3) Establish an intergovernmental council and advisory panel 23  
to oversee the implementation of the program; 24

(4) Identify the appropriate entities to carry out the 25  
program; 26

(5) Base the program on the most current scientific 27  
information and findings; 28

(6) Work with government entities, community and business 29  
leaders, community organizations, health and human services 30  
providers, and national, state, and local lupus organizations, 31  
such as the lupus foundation of America, inc., to coordinate 32  
efforts to maximize state resources in the areas of lupus 33  
education and awareness; 34

(7) Identify and use other successful lupus education and 35  
awareness programs and procure related materials and services from 36  
organizations with appropriate expertise and knowledge of lupus. 37

(C) The commission may accept gifts, grants, and donations 38  
from the federal government, foundations, organizations, medical 39  
schools, and other entities for fulfilling the obligations of the 40  
program. 41

(D) The commission shall seek any federal waiver that may be 42  
necessary to maximize funds from the federal government to 43  
implement the program. 44

**Sec. 3701.782.** (A)(1) The commission on minority health shall 45  
conduct a needs assessment to identify all of the following: 46

(a) The level of statewide health professional and public 47  
awareness about lupus; 48

(b) The existence of lupus education, awareness, and treatment programs and related technical assistance available in the state and nationwide; 49  
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(c) The lupus-related educational and support service needs of health care providers in the state, including physicians, nurses, health plans, and other health professionals and health care entities; 52  
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(d) The needs of people with lupus, their families, and caregivers, including health care providers, physicians, nurses, health care plans, and other health professionals and health care entities; 56  
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(e) The services available to individuals with lupus, including the existence and availability of lupus treatment and specialty care, lupus support groups, and other related care and management services. 60  
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(2) Based on the needs assessment, the commission shall develop and maintain a directory of lupus-related services and health care providers with specialization in services to diagnose and treat lupus. The commission shall disseminate the directory to all stakeholders, including individuals with lupus, families, representatives from voluntary organizations, health professionals, health plans, and state and local health agencies. 64  
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(B) The commission shall undertake activities to raise public awareness about the symptoms of lupus, personal risk factors, and options for diagnosing and treating the disease with a particular focus on populations at elevated risk for lupus, including women and communities of color. Such activities shall include but not be limited to the following: 71  
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(1) Implementing a statewide campaign to educate the general public about lupus by utilizing print, radio, and television public service announcements, advertisements, posters, and other 77  
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materials; 80

(2) Disseminating health information and conducting 81  
individual risk assessments at public events, such as health fairs 82  
and community forums sponsored by the Ohio department of health; 83

(3) Distributing information through local health 84  
departments; schools; area agencies on aging; employer wellness 85  
programs; physicians and other health professionals; hospitals and 86  
health plans; women's, health, nonprofit, and community-based 87  
organizations; and regional offices of the Ohio department of 88  
health. 89

Sec. 3701.783. (A) The commission on minority health shall 90  
establish a program to award grants to educate and train 91  
physicians, health professionals, and other service providers on 92  
the most current, accurate scientific and medical information on 93  
lupus diagnosis, treatment, and therapeutic decision-making, 94  
including medical best practices for detecting and treating the 95  
disease in special populations, risks and benefits of medications, 96  
and research advances. In awarding grants, the commission shall 97  
allocate the total amount available for the grants in amounts that 98  
are proportionate to the populations of the areas served by the 99  
Ohio chapters of the lupus foundation of America, inc. 100

To be eligible for a grant, an applicant must be affiliated 101  
with the foundation. 102

(B) Each grant recipient shall do all of the following: 103

(1) Develop health professional educational materials that 104  
identify the latest scientific and medical information and 105  
clinical applications; 106

(2) Work to increase knowledge among physicians, nurses, and 107  
health and human services professionals about the importance of 108  
lupus diagnosis, treatment, and rehabilitation; 109

(3) Use available curricula for training of health and human services providers and community leaders on lupus detection and treatment; 110  
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(4) Support continuing medical education programs in all geographical areas in the state presented by the leading state academic institutions by providing the most current information; 113  
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(5) Provide workshops and seminars for in-depth professional development in the field of care and management of lupus patients to bring the latest information on clinical advances to care providers; 116  
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(6) Conduct statewide conferences on lupus at appropriate intervals; 120  
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(7) Prepare an annual report that describes the recipient's use of the grant and submit a copy of the report to the commission. 122  
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**Sec. 3701.784.** (A) In establishing the intergovernmental council as required by division (B)(3) of section 3701.781 of the Revised Code, the commission on minority health shall seek to ensure coordination of lupus education and awareness efforts and efforts to address health conditions disproportionately affecting women and people of color. The chairperson of the commission shall serve as the council's chairperson. The council shall include representatives from appropriate state departments and agencies, including entities with responsibility for health disparities, medicaid, public health programs, education, public welfare, and women's health programs. 125  
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(B) The council shall do all of the following: 136

(1) Provide oversight to the lupus education and awareness program, as well as other lupus programs conducted by the commission; 137  
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(2) Develop and issue grant applications and policies and procedures for programs aimed at health professionals and the public; 140  
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(3) Establish a mechanism for sharing information on lupus among all officials and employees involved in carrying out lupus-related programs; 143  
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(4) Assist the commission and other offices in developing and coordinating plans for education and health promotion on lupus and ensure that issues related to lupus are integrated into other statewide plans; 146  
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(5) Prepare an annual report that describes educational initiatives on lupus sponsored by the state and make recommendations for new educational initiatives on lupus. The report shall be transmitted to the general assembly and be made available to the public. 150  
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**Sec. 3701.785.** (A) In establishing the advisory panel as required by division (B)(3) of section 3701.781 of the Revised Code, the commission on minority health shall coordinate the panel to provide input and counsel regarding the lupus education and awareness program. 155  
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(B)(1) Individuals and organizations may submit nominations to the commission to be appointed. Each panel member shall have familiarity with lupus and issues that surround lupus. 160  
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(2) The panel shall be comprised of the following members to be appointed by the commission: 163  
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(a) At least three individuals with lupus, at least one of whom is a member of a minority group; 165  
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(b) Not more than two representatives from the commission; 167

(c) At least five individuals from lupus nonprofit health organizations, with preference given to individuals from the lupus 168  
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foundation of America, inc.; 170

(d) At least five scientists or clinicians with experience in 171  
lupus who participate in various fields of scientific endeavor, 172  
including the fields of biomedical research, social, 173  
translational, behavioral and epidemiological research, and public 174  
health. 175

(3) The commission shall select from among the panel members 176  
one member to serve as chairperson of the panel. 177

Members of the panel shall serve terms of two years each. 178  
Members may be named to serve a total of two terms and terms may 179  
be consecutive. 180

A majority of the members of the panel constitutes a quorum. 181  
A majority vote of a quorum is required for any official action of 182  
the panel. 183

The panel shall meet at the call of the panel chairperson, 184  
but not fewer than four times per year. 185

All members shall serve without compensation, but may be 186  
reimbursed for actual, necessary expenses incurred in the 187  
performance of their duties. 188

(4) The panel shall be responsible for advising the 189  
commission and the intergovernmental council with respect to the 190  
implementation of the lupus education and awareness program. The 191  
commission shall consult with the advisory panel on a regular 192  
basis. 193

**Sec. 3701.786.** There is hereby created in the state treasury 194  
the lupus education and awareness program fund. All moneys 195  
accepted under division (C) of section 3701.781 of the Revised 196  
Code shall be credited to the fund. The commission shall use the 197  
fund to administer the lupus education and awareness program under 198  
section 3701.781 of the Revised Code. 199

<b>Section 2.</b> The General Assembly hereby finds the following:	200
(A) Lupus is a serious, complex, debilitating autoimmune disease that can cause inflammation and tissue damage to virtually any organ system in the body, including the skin, joints, other connective tissue, blood and blood vessels, heart, lungs, kidney, and brain.	201 202 203 204 205
(B) The Lupus Foundation of America, Inc., estimates that approximately 1.5 to 2 million Americans live with lupus; lupus affects women nine times more often than men and 80 per cent of newly diagnosed cases of lupus develop among women of childbearing age.	206 207 208 209 210
(C) Lupus disproportionately affects women of color; it is two to three times more common among African Americans, Hispanics, Asians, and Native Americans and is generally more prevalent in minority populations. According to the Centers for Disease Control and Prevention, the rate of lupus mortality has increased since the late 1970's and is higher among older African-American women.	211 212 213 214 215 216
(D) No new drugs have been approved by the U.S. Food and Drug Administration specifically for lupus in nearly 40 years and while current treatments for the disease can be effective, they can cause damaging side effects.	217 218 219 220
(E) The pain and fatigue associated with lupus can threaten the ability to live independently, maintain employment, and lead a normal life. One in five individuals with lupus is disabled by the disease, and consequently receives support from government programs, including Medicare, Medicaid, Social Security Disability, and Social Security Supplemental Income.	221 222 223 224 225 226
(F) The estimated average annual cost of medical treatment for an individual with lupus is between \$10,000 and \$30,000; for individuals who have the most serious form of lupus, medical costs	227 228 229

can greatly exceed this amount, causing a significant economic, 230  
emotional, and social burden to the entire family and society. 231

(G) More than half of individuals with lupus suffer four or 232  
more years and visit three or more physicians before obtaining a 233  
diagnosis of lupus; early diagnosis of and treatment for lupus can 234  
prevent or reduce serious organ damage, disability, and death. 235

(H) Despite the magnitude of lupus and its impact on 236  
individuals and families, health professional and public 237  
understanding of lupus remains low; only one in five Americans can 238  
provide basic information about lupus, and awareness of lupus is 239  
lowest among adults 18 to 34 years of age - the age group most 240  
likely to develop lupus. 241

(I) Lupus is a significant national health issue that 242  
deserves a comprehensive and coordinated response by state and 243  
federal governments with involvement of the health care provider, 244  
patient, and public health communities. 245

**Section 3.** The purpose of this act is to create a 246  
multi-pronged, statewide program to promote public and health 247  
professional awareness and increase knowledge concerning the 248  
causes and consequences of lupus, the importance of early 249  
diagnosis and appropriate management, and effective treatment and 250  
management strategies by all of the following: 251

(A) Conducting educational and training programs for health 252  
professionals on lupus diagnosis and management; 253

(B) Developing and disseminating educational materials and 254  
information to patients and health professionals on lupus research 255  
results and health care services available; 256

(C) Designing and implementing a statewide public education 257  
campaign aimed at heightening public awareness of lupus; 258

(D) Leveraging educational and training resources and 259

services previously developed by organizations with appropriate 260  
expertise and knowledge of lupus. 261