

As Introduced

**128th General Assembly
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S. B. No. 178

Senator Schaffer

Cosponsor: Senator Grendell

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A B I L L

To enact section 9.71 of the Revised Code to 1
establish a drug testing requirement for adults 2
who apply for need-based programs that provide 3
cash assistance, medical assistance, housing 4
assistance, food assistance, or energy assistance. 5

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

Section 1. That section 9.71 of the Revised Code be enacted 6
to read as follows: 7

Sec. 9.71. (A) As used in this section: 8

(1)(a) Except as provided in division (A)(1)(b) of this 9
section, "controlled substance problem" means that an individual 10
is determined by a chemical test to have a concentration of any of 11
the controlled substances specified in division (A)(1)(j) of 12
section 4511.19 of the Revised Code, or metabolites of such a 13
controlled substance, in the individual's urine that equals or 14
exceeds any of the applicable levels established in that division 15
for urine. 16

(b) An individual shall not be determined to have a 17
controlled substance problem if the individual obtained the 18
controlled substance pursuant to a prescription issued by a 19

licensed health professional authorized to prescribe drugs and the 20
individual injected, ingested, or inhaled the controlled substance 21
in accordance with the health professional's directions. 22

(2) "Licensed health professional authorized to prescribe 23
drugs" and "prescription" have the same meanings as in section 24
4729.01 of the Revised Code. 25

(B) Notwithstanding any other section of the Revised Code and 26
subject to divisions (C) and (D) of this section, a state agency 27
operating a need-based program that provides cash assistance, 28
medical assistance, housing assistance, food assistance, or energy 29
assistance shall require each individual eighteen years of age or 30
older who applies for the program to undergo, as a condition of 31
eligibility for the program, a urine drug test to determine 32
whether the individual has a controlled substance problem. An 33
individual eighteen years of age or older who refuses to undergo a 34
urine drug test or is determined by a urine drug test to have a 35
controlled substance problem is ineligible for the program for 36
which the individual applied and may not reapply sooner than 37
thirty days after the date of the refusal or determination. 38

(C) Division (B) of this section shall not apply to any 40
need-based program funded in whole or in part with federal funds 41
unless the federal agency responsible for the program's 42
administration approves the application of division (B) of this 43
section to the program. A state agency operating a need-based 44
program that provides cash assistance, medical assistance, housing 45
assistance, food assistance, or energy assistance that is funded 46
in whole or in part with federal funds shall seek federal approval 47
to make division (B) of this section apply to the program. 48

(D) This section does not apply to unemployment compensation 50
benefits paid pursuant to Chapter 4141. of the Revised Code. 51