

**As Introduced**

**129th General Assembly  
Regular Session  
2011-2012**

**H. B. No. 399**

**Representative Butler**

**Cosponsors: Representatives Huffman, Wachtmann, Stinziano, Okey,  
Johnson**

**—**

**A B I L L**

To enact section 3727.15 of the Revised Code to 1  
require each hospital to establish a policy 2  
governing authentication of verbal medical orders. 3

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

**Section 1.** That section 3727.15 of the Revised Code be 4  
enacted to read as follows: 5

**Sec. 3727.15.** (A) As used in this section: 6

(1) "Health care professional" means an individual authorized 7  
to practice medicine and surgery, osteopathic medicine and 8  
surgery, or podiatric medicine and surgery, or any other 9  
individual who has authority to give an order regarding the 10  
provision of medical services to a hospital patient. 11

(2) "Verbal medical order" means a verbal order given by a 12  
health care professional regarding the provision of medical 13  
services to a patient who is receiving services through a 14  
hospital, regardless of whether the services are received on an 15  
in-patient or out-patient basis. "Verbal medical order" does not 16  
include an order given directly to a patient. 17

(B) On receipt of a verbal medical order, an individual who 18

is employed by or provides medical services in a hospital shall 19  
record the date and time the order was received and sign the 20  
record in accordance with the policy adopted by the hospital under 21  
division (C) of this section. If the order was repeated to the 22  
health care professional by the individual who received it and 23  
verified or corrected by the health care professional in 24  
accordance with the hospital's policy, this shall also be noted in 25  
the record. 26

(C) Not later than one hundred eighty days after the 27  
effective date of this section, the governing body or chief 28  
administrator of each hospital shall adopt a policy on verbal 29  
medical orders. The policy shall apply to all verbal medical 30  
orders given on or after the date of its adoption. The policy 31  
shall specify all of the following: 32

(1) The procedure for recording an order as required by 33  
division (B) of this section; 34

(2) The means to be used to authenticate an order, which may 35  
include written or electronic initials or signatures or any other 36  
means the governing body or administrator considers appropriate; 37

(3) Any other procedures or requirements the governing board 38  
or administrator considers appropriate. 39

(D) Regarding authentication of verbal medical orders, the 40  
policy shall provide one or the other of the following: 41

(1) That an order must be authenticated in accordance with 42  
the hospital's policy not later than forty-eight hours after it is 43  
given; 44

(2) That an order must be immediately repeated by the 45  
individual who receives it to the health care professional who 46  
made it and immediately verified or corrected by the health care 47  
professional and must be authenticated in accordance with the 48  
hospital's policy not later than thirty days after the date of the 49

patient's discharge.

50