

**As Introduced**

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

**H. B. No. 417**

**Representative Grossman**

**Cosponsors: Representatives Duffey, Thompson, Hall, Beck, Blair, Pelanda,  
Terhar, Patmon, Kozlowski, Reece, Hill, Hackett**

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**A BILL**

To enact section 4731.228 of the Revised Code 1  
regarding responsibility for notifying patients 2  
that a physician's employment by a health care 3  
entity has been terminated. 4

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

**Section 1.** That section 4731.228 of the Revised Code be 5  
enacted to read as follows: 6

**Sec. 4731.228.** (A) As used in this section: 7

(1) "Health care entity" means any of the following that 8  
employs a physician to provide physician services: 9

(a) A hospital registered with the department of health under 10  
section 3701.07 of the Revised Code; 11

(b) A corporation formed under division (B) of section 12  
1701.03 of the Revised Code; 13

(c) A corporation formed under Chapter 1702. of the Revised 14  
Code; 15

(d) A limited liability company formed under Chapter 1705. of 16  
the Revised Code; 17

(e) A health insuring corporation holding a certificate of authority under Chapter 1751. of the Revised Code; 18  
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(f) A partnership; 20

(g) A professional association formed under Chapter 1785. of the Revised Code. 21  
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(2) "Physician" means an individual authorized under this chapter to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery. 23  
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(3) "Physician services" means services provided by a physician pursuant to a certificate issued to the physician by the state medical board. 26  
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(B) This section applies when a physician's employment with a health care entity to provide physician services is terminated for any reason. 29  
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(C)(1) Except as provided in division (C)(2) of this section, a health care entity shall send notice of the termination of a physician's employment to each patient who received physician services from the physician in the two-year period immediately preceding the date of employment termination. Only patients of the health care entity who received services from the physician are to receive the notice. 32  
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(2) If the health care entity provides to the physician a list of patients treated and patient contact information, the health care entity may require the physician to send the notice required by this section. 39  
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(D) The notice provided under division (C) of this section shall be provided not later than five days after termination of the physician's employment with the health care entity and in accordance with rules adopted by the state medical board under section 4731.05 of the Revised Code. The notice shall include at 43  
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<u>least all of the following:</u>	48
<u>(1) A notice to the patient that the physician will no longer be practicing medicine as an employee of the health care entity;</u>	49 50
<u>(2) The physician's name and any information provided by the physician that the patient may use to contact the physician;</u>	51 52
<u>(3) The date on which the physician ceased or will cease to practice as an employee of the health care entity;</u>	53 54
<u>(4) Contact information for an alternative physician employed by the health care entity.</u>	55 56
<b>Section 2.</b> Not later than six months after the effective date of this section, the State Medical Board shall revise rule 4731-27-01 of the Administrative Code to require health care entities, as defined in section 4731.228 of the Revised Code, to provide notices in accordance with section 4731.228 of the Revised Code.	57 58 59 60 61 62