



# Ohio Legislative Service Commission

## Bill Analysis

Amy J. Rinehart

### H.B. 399

129th General Assembly  
(As Introduced)

**Reps.** Butler, Huffman, Wachtmann, Stinziano, Okey, Johnson

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## BILL SUMMARY

- Requires each hospital to adopt a policy on verbal medical orders for services to be provided to patients.
- Requires an individual given a verbal medical order in a hospital to authenticate the order, record the date and time the order was received and sign the record in accordance with the hospital's policy.

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## CONTENT AND OPERATION

### Hospital policy on verbal medical orders

The bill requires the governing body or chief administrator of each hospital to adopt a policy on verbal orders from physicians and other authorized health care professionals for medical services to be provided to patients. The policy must be adopted not later than 180 days after the bill's effective date. The policy is to apply to all verbal medical orders given on or after the date of its adoption for both inpatient and outpatient services.<sup>1</sup>

The policy must specify all of the following:

- (1) The procedure for recording verbal medical orders;
- (2) The means to be used to authenticate the orders, which may include written or electronic initials or signatures or any other means the governing body or administrator considers appropriate;

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<sup>1</sup> R.C. 3727.15(A) and (C).

(3) Any other procedures or requirements the governing body or administrator considers appropriate.<sup>2</sup>

### **Authenticating verbal medical orders**

Under the bill, a hospital's policy regarding authenticating verbal medical orders must provide either (1) that an order be authenticated in accordance with the hospital's policy within 48 hours after it is given or (2) that an order be immediately repeated by the individual who received it and verified or corrected by the health care professional and authenticated in accordance with the hospital's policy within 30 days after the patient's discharge.<sup>3</sup>

### **Recording verbal medical orders**

Under the bill, an individual who is employed by or provides medical services in a hospital must, on receipt of a verbal medical order, record the date and time the order was received and sign the record in accordance with the policy the hospital must adopt under the bill. If the order was repeated to the health care professional by the individual who received it and verified or corrected by the health care professional in accordance with the hospital's policy, this also must be noted in the record.<sup>4</sup>

### **Definitions**

The bill defines a "verbal medical order" as a verbal order given by a health care professional regarding the provision of medical services to a patient who is receiving services through a hospital, regardless of whether the services are received on an in-patient or out-patient basis, but it does not include an order given directly to a patient. A "health care professional" is defined as an individual authorized to practice medicine and surgery, osteopathic medicine and surgery, or podiatric medicine and surgery, or any other individual who has authority to give an order regarding the provision of medical services to a hospital patient.<sup>5</sup>

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>
Introduced h0399-i-129.docx/ks	12-20-11

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<sup>2</sup> R.C. 3727.15(C).

<sup>3</sup> R.C. 3727.15(D).

<sup>4</sup> R.C. 3727.15(B).

<sup>5</sup> R.C. 3727.15(A).