



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: [H.B. 378 of the 130th G.A.](#)

Date: January 14, 2014

Status: As Introduced

Sponsor: Reps. Smith and Sprague

Local Impact Statement Procedure Required: No

Contents: To prohibit a physician from prescribing or personally furnishing certain drugs to treat opioid dependence or addiction unless the patient is receiving appropriate behavioral counseling or treatment

State Fiscal Highlights

- The bill requires the Ohio Department of Mental Health and Addiction Services (OMHAS) to establish a certification program for physicians as qualified by training and experience to prescribe or personally furnish drugs containing buprenorphine, methadone, or naltrexone in conjunction with behavioral counseling or treatment. There would be administrative costs to OMHAS to establish and administer an additional certification program. According to OMHAS, staff already exist that handle licensure and certification for the Department.
- The bill prohibits a licensed physician from prescribing or personally furnishing a drug containing buprenorphine, methadone, or naltrexone unless certain conditions are met. According to the State Medical Board, there could be costs for investigations and hearings if a physician is reported as having violated this provision.

Local Fiscal Highlights

- The bill requires OMHAS to establish a certification program for physicians as qualified by training and experience to prescribe or personally furnish drugs containing buprenorphine, methadone, or naltrexone in conjunction with behavioral counseling or treatment. There could be a cost to public hospitals and local entities that employ physicians if a hospital or local entity elects to cover the costs of certification.

Detailed Fiscal Analysis

The bill requires the Ohio Department of Mental Health and Addiction Services (OMHAS) to establish a certification program for physicians as qualified by training and experience to prescribe or personally furnish drugs containing buprenorphine, methadone, or naltrexone in conjunction with behavioral counseling or treatment. Currently, buprenorphine requires eight hours of training provided by the federal Drug Enforcement Administration. There would be administrative costs to OMHAS to establish and administer an additional certification program. These administrative costs would depend on the number of potential certificates to be issued and the requirements of the certificate. According to OMHAS, staff already exist that handle licensure and certification for the Department. In addition, there could be costs to public hospitals and local entities that employ physicians to certify their physicians if a hospital or local entity elects to cover the costs of certification.

The bill prohibits a licensed physician (defined by the bill as an individual authorized to practice medicine and surgery, osteopathic medicine, or podiatric medicine and surgery) from prescribing or personally furnishing a drug containing buprenorphine, methadone, or naltrexone unless the patient provides evidence that demonstrates active participation in appropriate behavioral counseling or treatment, the evidence of participation is documented in the patient's medical record, and the physician is certified by the certification program described above. According to the State Medical Board, there could be costs for investigations and hearings if a physician is reported as having violated this provision. There could also be costs to adopt rules regarding the prescribing of drugs containing buprenorphine, methadone, or naltrexone.