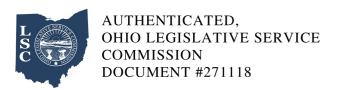# Ohio Administrative Code

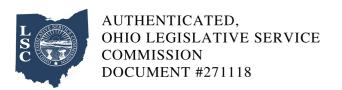## Rule 3701-49-01 Fees for laboratory services.

Effective: June 13, 2019

(A) Unless exempted under paragraph (B) or (C) of this rule, the director of health shall charge a fee for each laboratory specimen or sample submitted according to the schedule in rule 3701-49-01.1 of the Administrative Code.

(B) The charging of fees for the following laboratory tests would significantly and adversely affect the public health and the fees shall not be charged for:

(1) Laboratory tests authorized by the director of health as part of an epidemiological investigation supervised by the department of health.

(2) Laboratory tests on specimens or samples submitted by the health commissioner of any city or general health district as part of an epidemiological investigation if the director of health determines that the charging of a fee would significantly and adversely affect the public health and prior arrangements are made with the director to make the tests.

(3) Specimens from food handlers involved in any food operation except in a private home, if the food handler is suspected of being infected with any disease.

(4) Specimens for salmonellosis, shigellosis, amebiasis or other enteric disease from individuals who are contacts with individuals suspected of having these diseases. This exemption shall be limited to one diagnostic specimen and shall not include repeat tests.

(5) Cultures received from other clinical laboratories in Ohio for identification, grouping or typing.

(6) Rabies examinations of animals involving possible human or animal exposure, or having symptoms suspicious of rabies but excluding rabies examinations of pet rodents or of rabbits, chipmunks, squirrels, voles, shrews, mice and rats unless specifically exempted by the public health veterinarian.

(7) Genetic, endocrine, and metabolictesting of newborn infant screening kits which are ordered by local health departments for newborns delivered at home.

(8) Testing of environmental biothreat/bioterrorism samples submitted by a law enforcement or local public health agency as part of a biothreat/bioterrorism investigation. This exemption will not be applicable when a court determines restitution by an individual(s) responsible for the biothreat/bioterrorism event is required.

(9) Other tests relative to which the director determines, on a case-by-case basis, that the charging of a fee would significantly and adversely affect the public health. In such a case, the director may exempt the test from the fee for a period of one hundred twenty days.

(C) Tests on the following laboratory specimens also shall be exempted from the fees required by this chapter:

(1) Tests on specimens or samples submitted by any employee or unit of the department of health as part of any official responsibility of the employee or unit for the department when prior arrangements are made with the department of health laboratory.

(2) Tests which are being charged for under a contract negotiated between the department and any party or are funded by the department through a grant or other financial arrangement.

(3) Tests performed by the department of health laboratory which are specifically exempted by any statute from a fee charged by the department.

(4) Tests on second or additional specimens which are required by the department of health laboratory because of the inability to make or complete the test or because the testing operation or procedure is unsatisfactory for any reason.

(5) Tests for which funds are included in appropriations to the department of health to pay the costs of the tests in lieu of charging laboratory test fees.

(6) Tests on any specimen or sample in connection with any enforcement action already filed or for which filing is imminent or for any administrative hearing or court proceeding for the enforcement of any rule of the department of health required by section 3701.56 of the Revised Code or any other provision of law, if prior arrangements are made with the director of health to make the tests.