



Ohio Revised Code

Section 3727.38

Effective: April 3, 2025

Legislation: House Bill 173

(A)(1) Notwithstanding any conflicting provision of the Revised Code, the director of health shall impose an administrative penalty on a hospital if the hospital does both of the following:

(a) Violates division (A) of section 3727.36 of the Revised Code;

(b) Violates division (D) of section 3727.37 of the Revised Code.

(2) Each day a violation continues is considered a separate violation.

(B) In imposing an administrative penalty under this section, the director of health shall act in accordance with Chapter 119. of the Revised Code. The amount of the penalty to be imposed on a hospital shall be selected by the director, subject to the minimum amounts and considerations specified in division (C) of this section. For all penalties that are imposed, the director shall select amounts that are sufficient to ensure that hospitals comply with the requirements of sections 3727.31 to 3727.40 of the Revised Code.

(C)(1) An administrative penalty imposed under this section shall not be less than the following:

(a) In the case of a hospital with a bed count of thirty or fewer, three hundred dollars;

(b) In the case of a hospital with a bed count that is greater than thirty and equal to or fewer than five hundred fifty, ten dollars per bed;

(c) In the case of a hospital with a bed count that is greater than five hundred fifty, five thousand five hundred dollars.

(2) In setting the amount of the penalty to be imposed on a hospital, the director of health shall consider all of the following:



- (a) Previous violations by the hospital's operator;
 - (b) The seriousness of the violation;
 - (c) The demonstrated good faith of the hospital's operator;
 - (d) Any other matters as justice may require.
- (D) An administrative penalty collected under this section shall be deposited into the state treasury to the credit of the hospital price transparency fund created by section 3727.381 of the Revised Code.
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