



Ohio Revised Code

Section 4123.026 Costs of post-exposure medical diagnostic services after peace officer, firefighter, emergency medical worker, or detention facility employees' exposure to blood or other body fluid.

Effective: June 12, 2024

Legislation: Senate Bill 106

(A) The administrator of workers' compensation, a self-insuring public employer for the peace officers, firefighters, and emergency medical workers employed by or volunteering for that self-insuring public employer, or a detention facility that is a self-insuring employer for the facility's employees, including corrections officers, shall pay the costs of conducting post-exposure medical diagnostic services, consistent with the standards of medical care existing at the time of the exposure, to investigate whether an injury or occupational disease was sustained by a peace officer, firefighter, emergency medical worker, or detention facility employee, including a corrections officer, when coming into contact with the blood or other body fluid of another person in the course of and arising out of the peace officer's, firefighter's, emergency medical worker's, or detention facility employee's employment, or when responding to an inherently dangerous situation in the manner described in, and in accordance with the conditions specified under, division (A)(1)(a) of section 4123.01 of the Revised Code, through any of the following means:

(1) Splash or spatter in the eye or mouth, including when received in the course of conducting mouth-to-mouth resuscitation;

(2) A puncture in the skin;

(3) A cut in the skin or another opening in the skin such as an open sore, wound, lesion, abrasion, or ulcer.

(B) The administrator, a self-insuring public employer, or a detention facility that is a self-insuring employer shall pay the costs of conducting post-exposure medical diagnostic services to investigate whether an employee described in division (A) of this section sustained an injury or occupational disease if both of the following apply:



(1) In the course of employment the employee is exposed to a drug or other chemical substance.

(2) The post-exposure medical diagnostic service is consistent with the standards of medical care existing at the time of exposure.

(C) As used in this section:

(1) "Peace officer" has the same meaning as in section 2935.01 of the Revised Code.

(2) "Firefighter" means a firefighter, whether paid or volunteer, of a lawfully constituted fire department.

(3) "Emergency medical worker" means either of the following:

(a) A first responder, emergency medical technician-basic, emergency medical technician-intermediate, or emergency medical technician-paramedic, certified under Chapter 4765. of the Revised Code, whether paid or volunteer;

(b) Any of the following when staffing a rotorcraft or fixed wing air ambulance on behalf of a licensed air medical service organization in accordance with section 4766.17 of the Revised Code, including transporting a patient from an incident scene or medical facility into the air ambulance, or when transporting a patient from an air ambulance to the entrance of a hospital:

(i) A physician who holds a current, valid license issued under Chapter 4731. of the Revised Code;

(ii) A registered nurse who holds a current, valid license issued under Chapter 4723. of the Revised Code;

(iii) Any other person holding a current, valid certificate or license to practice a health care profession in this state.

(4) "Corrections officer" means a person employed by a detention facility as a corrections officer.



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(5) "Detention facility" means any public or private place used for the confinement of a person charged with or convicted of any crime in this state or another state or under the laws of the United States or alleged or found to be a delinquent child or unruly child in this state or another state or under the laws of the United States.