



Ohio Revised Code Section 4723.021 Immunity.

Effective: September 20, 2024

Legislation: Senate Bill 81

(A) In the absence of fraud or bad faith, none of the following shall be held liable in damages to any person as the result of any act, omission, proceeding, conduct, or decision related to official duties undertaken or performed pursuant to this chapter:

- (1) The board of nursing;
- (2) A current or former board member;
- (3) An agent, representative, or employee of the board;
- (4) An entity that provides services related to remediation under the board's practice intervention and improvement program;
- (5) The monitoring organization that conducts the safe haven program as described in sections 4723.35 and 4723.351 of the Revised Code and that may provide other services as requested by the board.

(B) If a member, agent, representative, employee, or entity or the monitoring organization asks to be defended by the state against any claim or action arising out of any act, omission, proceeding, conduct, or decision related to the requestor's official duties, and the request is made in writing at a reasonable time before trial and the requestor cooperates in good faith in the defense of the claim or action, the state shall provide and pay for the requestor's defense and shall pay any resulting judgment, compromise, or settlement. At no time shall the state pay any part of a claim or judgment that is for punitive or exemplary damages.
