As Introduced

136th General Assembly
Regular Session
2025-2026

H. B. No. 281

Representative Williams

A BILL

To enact sections 3722.15 and 5119.335 of the Revised Code regarding hospitals and the enforcement of federal immigration law.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3722.15 and 5119.335 of the Revised Code be enacted to read as follows:

Sec. 3722.15. (A) As used in this section:

(1) "Medicaid provider" has the same meaning as in section 5164.01 of the Revised Code.

(2) "State agency" means any organized agency, board, body, commission, department, institution, office, or other entity established by the laws of the state for the exercise of any function of state government.

(B) Each hospital licensed under this chapter shall permit any of the following individuals to enter the one or more buildings in which the main hospital and, if applicable, any of its remote locations are located for the purpose of enforcing federal immigration law:

(1) Any agent or officer of the United States department

of homeland security or its successor department;

(2) Any other federal law enforcement officer;

(3) Any state or local law enforcement officer who is assisting a person described in division (B)(1) or (2) of this section in the enforcement of federal immigration law.

(C) Subject to division (E) of this section, each hospital shall permit an individual described in division (B) of this section to enter the hospital's one or more buildings to perform any of the following activities and shall require each hospital employee or contractor to facilitate the individual's access for those activities:

(1) Arresting any individual pursuant to a lawful judicial or administrative warrant;

(2) Interviewing any individual;

(3) Collecting information or evidence.

(D) Subject to division (E) of this section, a hospital employee or contractor shall provide to an individual described in division (B) of this section any information or evidence that the hospital possesses, but only to the extent permitted by federal or state law.

(E) Before an individual is granted access as described in division (C) of this section or provided information or evidence as described in division (D) of this section, the individual shall do both of the following:

(1) Demonstrate to a hospital employee or contractor that the individual is an individual described in division (B) of this section;

(2) Demonstrate to a hospital employee or contractor that the individual seeks access or information or evidence only for the purpose of enforcing federal immigration law.

(F) The governing board of each hospital shall adopt a written policy establishing standards and procedures to be followed by hospital employees and contractors when complying with the requirements of this section. When adopting such a policy, the governing board may designate one or more of the hospital's employees or contractors to be responsible for determining if the conditions described in division (E) of this section have been met.

(G) This section does not require any individual to take any action that the individual has a right not to take under the Fifth or Sixth Amendment to the United States Constitution or under Ohio Constitution, Article I, Section 10.

(H) An individual described in division (B) of this section who is denied access to one or more buildings of a hospital or information or evidence that a hospital possesses may report that denial to the director of health. On receipt of such a report, the director shall investigate the matter to determine if the hospital that is the subject of the report violated this section.

(I) In the event the director determines, either through an investigation or otherwise, that a hospital licensed under this chapter violated this section, both of the following apply:

(1) For a hospital that has been awarded a grant by a state agency, the agency shall not further distribute any grant funds to the hospital.

(2) For a hospital that is a medicaid provider, the

department of medicaid shall suspend the hospital's provider agreement pursuant to section 5164.37 of the Revised Code.

This division does not prevent the director of health from imposing on the hospital any of the penalties described in division (B) of section 3722.07 of the Revised Code.

Sec. 5119.335. (A) As used in this section:

(1) "Hospital" means a hospital that receives persons with mental illnesses and is licensed under this chapter.

(2) "Medicaid provider" has the same meaning as in section 5164.01 of the Revised Code.

(3) "State agency" means any organized agency, board, body, commission, department, institution, office, or other entity established by the laws of the state for the exercise of any function of state government.

(B) Each hospital shall permit any of the following individuals to enter the one or more buildings in which the main hospital and, if applicable, any of its remote locations are located for the purpose of enforcing federal immigration law:

(1) Any agent or officer of the United States department of homeland security or its successor department;

(2) Any other federal law enforcement officer;

(3) Any state or local law enforcement officer who is assisting a person described in division (B)(1) or (2) of this section in the enforcement of federal immigration law.

(C) Subject to division (E) of this section, each hospital shall permit an individual described in division (B) of this section to enter the hospital's one or more buildings to perform

any of the following activities and shall require each hospital employee or contractor to facilitate the individual's access for those activities:

(1) Arresting any individual pursuant to a lawful judicial or administrative warrant;

(2) Interviewing any individual;

(3) Collecting information or evidence.

(D) Subject to division (E) of this section, a hospital employee or contractor shall provide to an individual described in division (B) of this section any information or evidence that the hospital possesses, but only to the extent permitted by federal or state law.

(E) Before an individual is granted access as described in division (C) of this section or provided information or evidence as described in division (D) of this section, the individual shall do both of the following:

(1) Demonstrate to a hospital employee or contractor that the individual is an individual described in division (B) of this section;

(2) Demonstrate to a hospital employee or contractor that the individual seeks access or information or evidence only for the purpose of enforcing federal immigration law.

(F) Each hospital shall adopt a written policy establishing standards and procedures to be followed by hospital employees and contractors when complying with the requirements of this section. When adopting such a policy, the hospital may designate one or more of the hospital's employees or contractors to determine if the conditions described in division (E) of this

section have been met.

(G) This section does not require any individual to take any action that the individual has a right not to take under the Fifth or Sixth Amendment to the United States Constitution or under Ohio Constitution, Article I, Section 10.

(H) An individual described in division (B) of this section who is denied access to one or more buildings of a hospital or information or evidence that a hospital possesses may report that denial to the department of mental health and addiction services. On receipt of such a report, the department shall investigate the matter to determine if the hospital that is the subject of the report violated this section.

(I) In the event the department determines, either through an investigation or otherwise, that a hospital licensed under this chapter violated this section, both of the following apply:

(1) For a hospital that has been awarded a grant by a state agency, the agency shall not further distribute any grant funds to the hospital.

(2) For a hospital that is a medicaid provider, the department of medicaid shall suspend the hospital's provider agreement pursuant to section 5164.37 of the Revised Code.

This division does not prevent the department from imposing on the hospital any of the penalties described in section 5119.33 of the Revised Code.