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Substitute Bill Comparative Synopsis

Sub. H.B. 491

136th General Assembly

House Judiciary

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This table summarizes how the latest substitute version of the bill differs from the immediately preceding version. It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Topic	Previous Version (As Introduced)	Latest Version (I_136_0658-2)
Statement of expert evaluation	In the case of an application for the appointment of a guardian of an alleged incompetent adult, specifies that a list of items must be provided, including a statement of expert evaluation under Rule 66 of the Rules of Superintendence for the Courts of Ohio, by a licensed physician, licensed clinical psychologist, licensed independent social worker, licensed professional clinical counselor, clinical nurse specialist, certified nurse practitioner, physician assistant, or other qualified person as determined by the court, who has evaluated or examined the proposed ward within three months prior to the date of the statement of expert evaluation regarding the need for	In the case of an application for the appointment of a guardian of an alleged incompetent adult, specifies that a list of items must be provided, including either of the following (R.C. 2111.03(A)(4)(f)): ▪ A statement of expert evaluation conducted and signed by a licensed physician, licensed clinical psychologist, licensed professional clinical counselor, clinical nurse specialist, certified nurse practitioner, or physician assistant who has evaluated or examined the proposed ward within three months prior to the date the application for

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	establishing the guardianship (R.C. 2111.03(D)(6)). No provision.	appointment of guardian is filed; ▪ A statement that the proposed ward has refused to submit to an examination, or the agent of the proposed ward has refused to consent to an examination. In the case of an application for the appointment of a guardian of an alleged incompetent adult, specifies that if the application does not include a statement of expert evaluation, the statement of expert evaluation must be filed no later than the hearing date on the initial application, and that the length of time between the date of the completion of the statement of expert evaluation and the filing of the initial application for appointment of guardian may be extended beyond three months by the court upon a showing of good cause (R.C. 2111.03(B)).
Biennial statements of expert evaluation	Requires the statement of expert evaluation that must be filed biennially as part of a guardian's report to the court to be provided by a qualified person who has evaluated or examined the ward within three months prior to the date of the report (R.C. 2111.49(A)(1)(i)).	Same, but specifies that the statement of expert evaluation may be provided by a qualified person who has evaluated or examined the ward within a longer period of time than three months prior to the date of the report, upon a showing of good cause (R.C. 2111.49(A)(1)(i)).

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Disputes regarding visitation	Within the list of a guardian's duties when appointed to have custody and maintenance of a ward, specifies that any dispute regarding visitation of the ward must be reviewed as provided in Rule 66 of the Rules of Superintendence for the Court of Ohio (R.C. 2111.13(A)(5)).	No provision.