

Testimony of Lisa Marks-Smith

Support of HB 193

Economic Development, Commerce and Labor

June 6, 2017

Good afternoon Chairman Young, Vice Chair DeVitis, and Ranking Member Lepore-Hagan and members of the Economic Development Commerce and Labor Committee.

My name is Lisa Marks-Smith from Cincinnati and I have a flu shot injury. I am VAERS ID 251221. I received a settlement through the Vaccine Court Case No 08-723V.

In October 2005, I followed the CDC recommendation and received a flu shot. My Dad was having surgery and I wanted to be able to help my Mom take care of him. Bad plan. Two weeks after the shot, I was taken to the hospital paralyzed from the neck down. I stayed in the hospital for the next 24 days. I went to physical therapy for the next 9 months to learn to walk again. It would be 4 years before I would feel my legs. My flu shot related medical bills now stand at \$580,000 and rising.

Where there is a risk, there has to be a choice. When hospitals mandate flu shots, they bear no responsibility for poor health outcomes. When I was at University of Cincinnati Hospital for my recent Achilles tendon surgery, several nurses told me about a nurse there who has GBS from a flu shot last year. The Hospital does not want to honor his medical exemption; even though he had just returned to work after being off a year and a half.

Pharmaceutical companies have zero liability for vaccine adverse reactions. Vaccine injury cases are heard in a special court system, commonly called Vaccine Court. Special Masters hear the cases and their outcomes cannot be appealed. I cannot tell you the amount of my settlement but you can find it online with the above case number. The settlement would not have covered my medical bills but under the NVCP I do not have to reimburse my insurance company.

Vaccine Court was set up to help people with vaccine reactions but it is very rare to get a settlement. My doctor testified for the record that I have a flu shot injury. She said, if a person is walking down the street and gets hit by a bus, everyone agrees the bus caused the massive internal injuries which led to death. No one argues that maybe the person already had massive internal injuries and that is why they stepped in front of the bus. So the bus did not kill the person. The pre-existing massive internal injuries did. That is the logic with vaccine injuries. HHS said I could not prove I had a flu shot since I received it at CVS and was not entered into my medical records. Luckily I had a witness who saw me take the shot.

My life has not been the same since the vaccine. I live in various degrees of pain. Right now the nerve pain in my feet is intense.

Did you know that according to the CDC Vital Death Data Reports on average since 1969, 1,908 people a year have died from the flu? Not the 36,000 the news often reports.

Please vote to protect your constituents from being fired for refusing a potentially life changing vaccine.

Thank you