



## Columbus Medical Association

To: Members of the Franklin County Delegation of the Ohio House of Representatives

From: Robert Falcone, MD  
CEO  
Columbus Medical Association

Re: SB 164

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On behalf of the Public Policy Committee of the Columbus Medical Association, I am writing to express our continued concern for the role of the patient physician relationship in evaluation of legislation that impacts the practice of medicine in Ohio.

Regardless of any well intentioned efforts, we believe that SB 164 sets up a barrier between a patient and her physician that incentivizes communication that may not be honest. Patients are given legal reason, and protection, to hide the truth from their doctor. We find this to be an extremely troubling intervention into the patient-physician relationship.

This troubling situation is further compounded by the completely untenable legal burden placed on the physician to sort through their patient conversations to determine the *intent* of the thinking of the patient. This seems to be an impossible challenge. Furthermore, it results in unprecedented legal exposure for doctors. And while patients are seemingly legally protected, they would not be spared involvement in the complex legal proceedings to sort out the facts and intent if, and when, any outside challenge arises.

The patient-physician relationship is at the core of the practice of medicine. Ohio should want its doctors and patients to be able to speak freely amongst themselves. We have deep concerns about the wisdom of providing legal incentives to encourage dishonest communication between doctors and their patients.

Thank you for your careful considerations of the many ramifications of SB 164.