

Committees:
Aging & Long Term Care
Criminal Justice
Criminal Justice Subcommittee on
Criminal Sentencing: Chair
Health



77 South High St.
Ohio House of Representatives
13th Floor
Columbus, OH 43215-6111
Email: rep76@ohiohouse.gov
Website: house.state.oh.us

Diane V. Grendell, State Representative
Ohio's 76th House District

Sponsor Testimony: House Bill 606

May 12, 2020

Chair Hambley, Vice Chair Patton, Ranking Member Brown, and members of the House Civil Justice Committee:

Let's not harm our first responders by turning this pandemic into an unwarranted payday. I appreciate you and the members of this committee for considering House Bill 606, The Good Samaritan Expansion Bill. We face an unprecedented time within our modern history, both as a state and a nation.

All of us have made sacrifices due to the seriousness of this pandemic, however, some of those on the frontlines have really stepped up to the plate in offensively combating the coronavirus. They have put everyone else above themselves. It's important to me, as a former registered nurse, that these individuals are protected from unforeseen liability that they may have to deal with as a result of COVID-19.

All health care and frontline workers are fighting a war against an invisible enemy – 100% of their efforts must be focused on saving lives, not worrying if they too will face unnecessary costly civil suits.

Business owners, hospitals, and individuals across the state have indicated that this is important Legislation. Many businesses are scared to open their doors. They must be afforded the peace of mind that they are protected from unnecessary costly civil suits. Stability in an uncertain time such as this is imperative. We must instill confidence in our businesses so that they can again flourish and move our economy forward.

The Good Samaritan Expansion Bill ensures that responsible individuals, businesses, and hospitals are immune from liability for injury, death, or loss to a person or property that was caused by the transmission or treatment of COVID-19.

The substitute bill that is being considered for House Bill 606 will focus on two very important components of immunity – one for the healthcare industry and one for general immunity. Our healthcare and front line workers, under this legislation, will be protected from unforeseen liability barring willful or wanton misconduct.

The general immunity component will be applicable to businesses and individuals caused by the transmission of a coronavirus infection, unless it is established by clear and convincing evidence that the infection was transmitted by reckless or intentional conduct with willful or wanton misconduct.

Examples of those covered under the bill include, but are not limited to: All Ohio businesses, hospitals, healthcare workers, volunteers, grocery stores, churches, delivery drivers, and business employees. If an individual, business, or health care provider is acting in good-faith and within their purview, unwarranted civil retaliation upon them must be prevented – this bill will ensure just that.

Additionally, an emergency clause is included within this bill and therefore would be enacted immediately upon its passage.

We cannot thank these people enough. Individuals that are staffing businesses, organizations, and volunteering during this pandemic are true heroes. To all of you across Geauga, Portage, and all the counties throughout our state – your service is truly commendable!

In order to move forward in recognizing their courageous efforts, I hope that you would support House Bill 606, the Good Samaritan Expansion Bill. Let's not turn this pandemic into an unwarranted pay day. Thank you chairman, vice chair, and members of the committee for inviting me here today and for the consideration.

Special thanks to Speaker Householder for his leadership throughout this COVID-19 period, to his legal staff for their assistance in drafting this bill, and my good friend Representative Bill Seitz for his always excellent legal counsel and advice.

I will take any questions you may have on this legislation.

Sincerely,



Diane V. Grendell
State Representative
76th Ohio House District