

BEFORE THE SENATE HEALTH, HUMAN SERVICES AND MEDICAID COMMITTEE
SENATOR DAVE BURKE, CHAIR

HOUSE BILL 145

TESTIMONY OF
EVELYN LUNDBERG STRATTON
RETIRED JUSTICE, OHIO SUPREME COURT

DECEMBER 05, 2017

Chairman Burke, Vice-Chair Beagle, Ranking Member Tavares, and members of the Senate Health, Human Services and Medicaid Committee, thank you for the opportunity to testify in support of House Bill 145. I am Evelyn Lundberg Stratton. I retired from the Ohio Supreme Court after 16 years primarily to work on mental health and criminal justice reforms, and I do some law firm work as Of Counsel with the Vorys law firm.

I am providing testimony both personally and on behalf of the Ohio Physicians Health Program (OhioPHP), to offer support for HB 145, legislation intended to update Ohio's confidential program known as "One-Bite" for the treatment of impaired practitioners.

I wish to personally thank Reps. Huffman and Sprague for their sponsorship of this important bill, and to give a special thanks to Rep. Grossman, who spent many hours leading the collaboration of the many diverse groups to reach this consensus. H.B. 145 passed unanimously out of the House Health Committee and received bi-partisan, near unanimous passage on the House floor.

When I served on the Ohio Supreme Court, not only did I work on criminal justice and mental health issues, but I became actively involved with the Ohio Lawyer's Assistance Program (OLAP), the counterpart to the Ohio Physicians Health Program. I worked on several changes, particularly involving a different approach to lawyers presenting with mental illness, with most

of those with co-occurring addiction issues, resulting in rule changes, additional funds for investigators and clinicians for the OLAP staff, and other reforms to do our best to save lives and restore the ability of our attorneys and judges to return as productive members of our society. Justice Craig Wright and Judge John Connor are both shining examples of what a reformed alcoholic can achieve once in recovery, and in fact, Justice Wright started our first OLAP.

OLAP provides a confidential way for judges and lawyers to seek treatment, within guidelines, for their alcohol, drug and mental health issues. As you have heard, because of the fear of the disciplinary power of the court (and here the Medical Board), there would be a great reluctance to turn to the disciplinary arm as the first stop for help. Those institutions should exist to deal with those who fail to make it through the recovery process. From sitting on literally thousands of lawyer and judge disciplinary cases, and from my detailed work with OLAP, I can attest to the power of treatment and assistance in reclaiming lives.

We have an overabundance of lawyers. But we have a severe shortage of physicians. We need to save every one that we can, or else there will be patients down the line that may not have access to sufficient health care. When we can do so confidentially, which encourages early and serious treatment, and reclaim those lives without damaging their ability to practice, but do so with the safety of patients always upmost in mind, we have done a good thing. This bill does that.

I began working with OhioPHP and helped put together the Medical Association Coalition three years ago because of my background on this issue. I am proud to say that both OhioPHP, the MAC, and the Medical Board have come together to provide an improved and solid bill that accomplishes those goals. I am very proud to have been part of that effort.

Thank you for your consideration of this bill and for your vote in support of HB 145.