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## Testimony to the House Civil Justice Committee regarding HB 421

Brad Ingraham, Director of Government Affairs

Ohio Association for Justice

May 12<sup>th</sup>, 2020

Chairman Hambley, Vice Chair Patton, Ranking Member Brown and Members of the Civil Justice Committee,

Thank you for the opportunity to provide testimony as an interested party on House Bill 421. My name is Brad Ingraham. I am the Director of Government Affairs for the Ohio Association for Justice (OAJ). As the voice of the plaintiff bar in Ohio, the OAJ is dedicated to preserving the 7th Amendment and Article 1 of Ohio's Constitution, guaranteeing the citizens of Ohio the right to trial by jury in civil cases.

I want to thank Representatives Blair and J. Todd Smith for the process and progress of this legislation. While the bill's short title and summary describe the bill as providing civil and criminal immunity, it is our understanding that the true intent of the bill is to clarify how liability is apportioned in situations when a hospitals and police departments have a memorandum of understanding.

With the following amendments, the Ohio Association for Justice believes that intent becomes clearer:

- 1) AM2088 - This amendment clarifies that this bill does not provide any new immunity, which is consistent with the sponsors' intent;
- 2) AM2090 - This amendment clarifies that hospitals cannot apportion fault to the city/county that issued the memorandum of understanding pursuant to R.C. 2307.22 and 2307.23;
- 3) AM2091 - This amendment adds "notwithstanding 2744.02", which clarifies that the bill does not give the city/county any additional immunity for their actions if they are responding to a call from the hospital police in these situations.

With these improvements, the Ohio Association for Justice is a neutral party to the bill.

Thank you for the opportunity to testify.