

Proponent Testimony

Senate Bill 311

Ohio House State and Local Government Committee

November 17, 2020

Chair Wiggam, Vice-Chair Stephens, Ranking Member Kelly, and members of the House State and Local Government Committee, thank you for the opportunity to provide proponent testimony on Senate Bill 311, which simply modifies the law governing public health orders, quarantine and isolation.

As has been stated by previous testimony, I believe that powers in ORC 3701.13 that have been used to allow ODH to issue orders closing business and restricting gathers and movement of healthy individuals has been an overreach of the intended powers of ORC 3701.13 and as such should be limited by successful passage of SB311.

While there have undoubtedly been some benefits in slowing COVID-19 due to their actions, the collateral damage has been much more costly. To the best of my knowledge these closures and quarantines have directly resulted in the draining of the State's previously substantial Rainy Day Fund, and massive budget shortfalls which have and will continue to result in decreased support for essential government funding to schools and other organizations. These closures and prohibitions about gathering and meeting have also jeopardized the health and safety of some of our most vulnerable citizens: from personal experience I know that county Children's Services workers are not allowed to enter homes for the licensing of new foster care parents if their county is "red" under the State's COVID monitoring system. This is stalling my family's licensure as well as that of numerous others who are willing to take children into their homes when they have been found to be in abusive situations. To state it again, the ODH orders in questions have forced children who are being abused to remain in those situations and suffer the results which will have devastating impacts on the rest of their lives, all because a healthy case worker is not able to enter the home a healthy family and complete their foster care license.

On a personal level, our elderly and dying have been forced to live and die alone in the last days, weeks, and months of their lives. At this point in their life, the choice to risk getting COVID-19 vs dying alone should be up to them and their families not ODH. My grandfather, Richard Allison, who was 90 years old passed away at Lifecare Hospice in Wooster on October 31st...alone, in a strange room, by himself. Not because people didn't want to be with him, not because he didn't have family who cared, not because he had a contagious illness, but simply because ODH guidelines limited visitors to 2 per day between the hours of 8am and 8pm. These two examples are the inhumane results of these ODH orders which are being repeated over and over again across our state.

Lastly, additional consideration must be given to the First Amendment to the United States Constitution which prohibits the United States Congress from enacting legislation that would abridge the right of the people to assemble peaceably, and the Fourteenth Amendment to the United States Constitution which makes this prohibition applicable to state governments.

Thank you for your time and consideration of this testimony. I hope it is useful in showing that the collateral affects of ODH shut downs pursuant to ORC 3701.13 have been far worse than the positive impacts. Please pass and take action on SB311 quickly and continue to pursue limitations to the powers of the ODH and Office of the Governor which have been harshly abused over the last eight months.

Thank you,

Jesse E Allison