



To: Members of the Ohio Senate Judiciary Committee

Fr: Joe Rosato, Director of Government Relations, Ohio State Medical Association

Da: June 24, 2020

Re: HB 606

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On behalf of the Ohio State Medical Association (OSMA), the state's oldest and largest professional organization representing Ohio physicians, medical residents, and medical students, we appreciate the opportunity to provide testimony in support of House Bill 606, regarding liability of service providers (including medical professionals) during an emergency.

The OSMA is a part of the Ohio Alliance for Civil Justice (OACJ), which was formed to champion common sense civil justice in our state and prevent inappropriate or exploitative use of lawsuits. While the OACJ has some concerns regarding the workers compensation amendment that was added to the bill on the House floor. OSMA does not share the same concerns and are supportive of the bill.

We support the effort to give protections not only for health care professionals during a declared disaster, but also for Ohio businesses and others. This issue has been of serious concern to many of our members during the temporary postponement of a broad swath of elective medical procedures pursuant to an emergency order issued by the Department of Health during the early stages of the COVID-19 crisis, and also as many health care practices have recently begun to resume care under the Department and Governor's direction.

We do believe there is one important technical change that needs to be made in the bill that we believe the House intended to address but did not. In lines 1179 and 1237 of the bill, the term "intentional conduct" needs to be changed to "intentional misconduct" in order to make it clear that liability should not apply in cases of intentional misconduct.

Thank you for your consideration of our comments regarding HB 606 and for the opportunity to be a meaningful contributor to the legislative process. If you have any questions or would like to discuss this issue further, please feel free to contact us.