

WRITTEN TESTIMONY BEFORE THE SENATE JUDICIARY COMMITTEE  
PROPONENT TESTIMONY ON H.B. 606

Chairman Eklund, Vice Chair Manning, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for the opportunity to provide written remarks regarding H.B. 606, a bill that would provide civil liability protections to Ohio businesses, healthcare providers, and their employees during the unprecedented COVID-19 crisis.

By way of background, the Ohio Business Roundtable (OBRT) was established in 1992 for one sole purpose: to improve Ohio's business climate. Since its inception, the OBRT has worked with Ohio's governors and legislative leaders to make Ohio more business-friendly and more competitive both nationally and internationally. The Roundtable is a nonpartisan, nonprofit organization comprised of chief executive officers of many of Ohio's largest, most successful companies. Because of the collective expertise and insights of OBRT members, the Roundtable is uniquely capable of bringing solutions to improve Ohio's economic vitality and ensure that Ohio remains the ideal state in which to live, work and succeed.

As mentioned the previous time we testified on this important issue, so many businesses around the state are faced with dire economic circumstances. A lack of legal protections from COVID-19 lawsuits presents an obstacle to fully re-opening Ohio's economy, as businesses are fearful of a future lawsuit claiming they opened too soon. Inaction will only delay the long economic recovery that lies ahead.

The Ohio Business Roundtable thanks this Committee for its continued deliberation on this issue which effects businesses of all sizes throughout our state. While we support passage of this bill in order to provide crucial liability protections for business owners and healthcare institutions operating during the COVID-19 pandemic, we ask that the Committee remove a harmful amendment added on the House floor just prior to passage of this bill.

**The House accepted an amendment on the floor that would make COVID-19 an occupational disease under the Bureau of Workers' Compensation (BWC) for workers in grocery stores, food packing and processing facilities, peace officers, fire fighters, emergency medical workers and correctional officers. While the language is specific to these workers, it is more than likely that this definition would be significantly expanded under the Equal Protection Clause. While OBRT supports the underlying intent of this bill, we cannot support the inclusion of the BWC amendment.**

The amendment's inclusion creates the potential for runaway workers' compensation costs for many of our member companies since employers will have the near impossible task of

overcoming the legal presumption that an employee's COVID-19 diagnosis is work-related. Ohio's workers' compensation system is already equipped to handle making determinations on whether a COVID-19 diagnosis is work-related or not, as they have approved more than 70% of COVID related cases to date. We view the House's inclusion of this amendment as a poison pill to the bill, and therefore urge the Senate to remove this provision so that we do not set a dangerous precedent that would overwhelm the BWC system.

Thank you again for allowing the Ohio Business Roundtable to provide testimony in support of H.B. 606. We respectfully ask that the Committee consider our suggested revision and approve this important legislation.

Sincerely,

Michael McLean  
Director of Policy  
Ohio Business Roundtable