



Shannon Sweeney, RDH
House Bill 606 Proponent Testimony
Senate Judiciary Committee
June 24, 2020

Chairman Eklund, Vice Chair Manning, Ranking Member Thomas and members of the committee, my name is Shannon Sweeney and I am President of the Ohio Dental Hygienists' Association (ODHA). On behalf of the members of ODHA I am writing to express our support for House Bill 606, a bill to protect health care professionals and businesses from liability unless they are acting in a reckless manner when treating patients.

Dental offices were some of the earliest businesses shuttered in response to the pandemic. Thousands of dental hygienists were immediately laid off, furloughed or chose to leave the profession because of the severity of the disease. Dental hygienists are on the front line of providing care to patients as the state and offices reopen. As offices reopen, we are working under operational recommendations outlined by the Ohio State Dental Board regarding patient safety, advanced sanitation and use of personal protective equipment, greater than what was already in practice prior to COVID-19. Dental procedures, even common procedures like cleanings, generate a significant amount of aerosols that can impact patients and dental office staff.

While dentists are the owners of the dental practice and have the largest burden of liability for patient safety, dental hygienists can also be subject to lawsuit for malpractice or improper treatment of a patient. Many hygienists choose to possess practice insurance to ensure that their licenses are protected in the event a lawsuit should arise against them. Anecdotally, these insurance carriers are reporting significant increases in the number of policies written to dental hygienists. The health, safety and welfare of patients is paramount to the practice of dental hygienists and working in the current COVID-19 environment in situations where we are one foot from someone's mouth is a frightening proposition for many of us. As professionals we are taking significant precautions to keep our patients safe while in our care; however, knowing that we have the protection of law that unless we act in a reckless manner, we cannot be sued for the care we provide is reassuring. It is for this reason that we asked the House Civil Justice Committee to specifically name dental hygienists in the list of "health care professionals", mirroring language defining this group found in other places in the Ohio Revised Code. It should be noted that the definitional language added mirrors liability protections for volunteer care that we are permitted to provide. We ask that the Senate Judiciary Committee maintain the language in the bill that includes the broad list of health care professionals in the proposal.

On behalf of the Ohio Dental Hygienists' Association we appreciate the efforts of the General Assembly to protect the health care professionals of Ohio and we ask for your support of House Bill 606.