



**Interested Party Testimony from Carolyn Mangas on House Bill 606
Before the Senate Judiciary Committee
June 24, 2020**

Chairman Eklund, Vice Chairman Manning and Ranking Member Thomas, my name is Carolyn Mangas and I am the government affairs manager for the Ohio Insurance Agents Association (OIA). Thank you for the opportunity to submit written testimony on House Bill 606.

OIA is the collective voice of more than 1,300 independent insurance agencies that employ more than 10,000 Ohioans. We promote, progress and protect the professional advice and guidance only independent agents provide. Our members write 82 percent of the commercial insurance policies and 44 percent of personal insurance policies in Ohio. We help agents by providing agency valuation support, succession planning, advocacy initiatives, professional development, business solutions and industry thought leadership. We are committed to fighting the commoditization of insurance because we believe the right insurance matters.

As we move to reopen Ohio, one of the biggest concerns we are hearing from our members is the liability exposure that businesses face as they move to reopen. With the majority of businesses in Ohio securing their insurance coverage through an independent insurance agent, our members insure many types of businesses across the state including retail establishments, restaurants, gyms, daycares, manufacturers, hotels, nonprofits, churches and the list goes on. Thus, our members are not only concerned about the exposures they face in their own insurance agencies, but they also fear for their clients who are already suffering severe economic hardship as a result of the COVID-19 crisis.

In this time of uncertainty, it is critical that Ohio businesses be given protection from potential coronavirus lawsuits that will only serve to compound the economic peril already being experienced. To be clear, having no legal protections from coronavirus lawsuits presents an obstacle to fully reopening Ohio's economy because businesses must be fearful of a future lawsuit claiming they opened too soon. With no legal protections in place, businesses are in a no-win situation where they want to open to try to survive and serve their customers, but they also face a situation where risk inherently exists even when all safety protocols are followed.

While economic support has been provided to businesses, civil liability protection is now the next logical step of support that is needed. H.B. 606 seeks to address this issue. While we support and appreciate the overall intent of H.B. 606, a troubling amendment relating to workers' compensation coverage was added at the last minute prior to the House of Representatives passing the bill. This amendment creates a presumption that COVID-19 is an occupational disease for certain classes of employees. The inclusion of this amendment is unnecessary as the Ohio Bureau of Workers' Compensation is already approving coronavirus claims for employees in numerous industries who have a greater risk of exposure to the virus than the general population due to their employment. Furthermore, this amendment is contradictory to the goal of the overall bill to protect Ohio's employers from unnecessary liability since the addition of this amendment will increase liability and costs for Ohio employers. With this in mind, I urge you to remove this troubling provision and to restore the goal of this legislation to allowing businesses some much needed certainty in an uncertain time. As businesses re-open the risk of spreading the virus still remains, so employers need protection from potential coronavirus exposure lawsuits.

Thank you for the opportunity to provide written testimony on H.B. 606.