

## Columbus Office

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## Committees

Aging, Families & Human Services

Ways and Means

Health

Behavioral Health and Recovery  
Support

## **Beth Liston, MD PhD** State Representative, 21<sup>st</sup> District

Chairman Hudson Hillyer, Vice Chair Grendell, Ranking Member Galonski, and members of the House Civil Justice Committee, thank you for the opportunity to provide sponsor testimony on House Bill 41.

I am honored to be here today to help introduce this bill, which fills an important safety gap for critical health care providers working in difficult settings. This is a common sense bill that protects the residential and familial information of forensic psychologists, mental health evaluation providers and regional psychiatric employees by including them as designated public service workers. Broadly put, the included professions are those who provide mental health or addiction services for individuals that may be subject to court order.

Currently the law provides this designation and protection for peace officers, parole officers, probation officers, bailiffs, prosecuting attorneys, assistant prosecuting attorneys, correctional employees, county or multicounty corrections officers, community-based correctional facility employees, youth services employees, firefighters, EMTs, medical director or member of a cooperating physician advisory board of an emergency medical service organizations, state

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board of pharmacy employees, investigator of the bureau of criminal identification and investigations, judges, magistrates, or federal law enforcement officers. House Bill 41 corrects an oversight by adding these mental health providers to this list.

As a physician with more than fourteen years of experience working in the acute care setting, I have frequently admitted patients suffering from mental illness who acutely pose a harm to themselves, occasionally pose a harm to others and sometimes lack capacity for independent decision making. The situations are often quite complicated, emotionally charged and socially challenging. When these patients interact with the court system, I rely heavily on the judgement of my mental health colleagues who conduct important evaluations with significant and lasting implications on these patient's lives – whether that be related to a criminal matter, an enforced treatment requirement or that individual's ability to live independently without a guardian. Unfortunately the weight of these decisions are such that the evaluators and providers are at risk for retribution. I know many physicians who are vigilant in protecting information about their personal lives

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because they are afraid. As the law currently stands, this information is available publically and easily obtainable.

In our state there is a rising need for mental health services. We need to ensure a system that protects mental health providers and creates an environment in which they are able to use their best clinical judgement for people with mental illness, without fearing for their personal safety or the safety of their family. House Bill 41 offers a needed measure of protection for these providers who work in high risk situations.

Thank you for your time. I would be happy to answer your questions.