



Dick Stein  
Chairman of the Commerce and Labor Committee  
77 South High Street  
Columbus, Ohio 43215

Chairman Stein,

I am writing to you to state my opposition of HB 435. The timing of this bill is not helpful in curbing the current surge of COVID-19 and will not assist in moving Ohio past the pandemic for good. During this critical time, the General Assembly should be finding ways to encourage vaccination rather than discouraging it. Here in Logan County, only 27% of those aged 20-29 years and 31% of those aged 30-39 years are vaccinated against COVID-19. The General Assembly would better serve the residents of Ohio by finding additional ways to incentivize those under vaccinated populations to move Ohio past the pandemic. The best way to protect ourselves against COVID-19 is to get immunity, and without question, the safest way to get immunity is to get vaccinated.

In addition, employers should be able to do what is best for the health and safety their employees and customers. The freedom of choice should be equally applied to businesses as it is individuals. Speaking of freedoms, the courts have been ruling on this matter since 1905, when an American citizen challenged the fine for not getting their smallpox vaccine. The court ruled, 7-2, that one man's liberty cannot deprive his neighbors of their liberty- such as the allowing for the spread of a deadly communicable disease. The majority opinion reads, "There are manifold restraints to which every person is necessarily subject for the common good. On any other basis, organized society could not exist with safety to its members. Society based on the rule that each one is a law unto himself would soon be confronted with disorder and anarchy." Justice John Marshall Harlan, who wrote the opinion, stated "Real liberty for all could not exist under the operation of a principle which recognizes the right of each individual person to use his own, whether in respect of his person or his property, regardless of the injury that may be done to others. Society based on the rule that each one is a law unto himself would soon be confronted with disorder and anarchy."

As you can see, the points made in 1905 about Smallpox still exist today. The court's ruling was clear- a community in danger has every right to protect itself. I urge you to oppose HB 435.

Sincerely,

Travis Irvan, MPH  
Health Commissioner  
Logan County Health District

Respectfully submitted October 5, 2021