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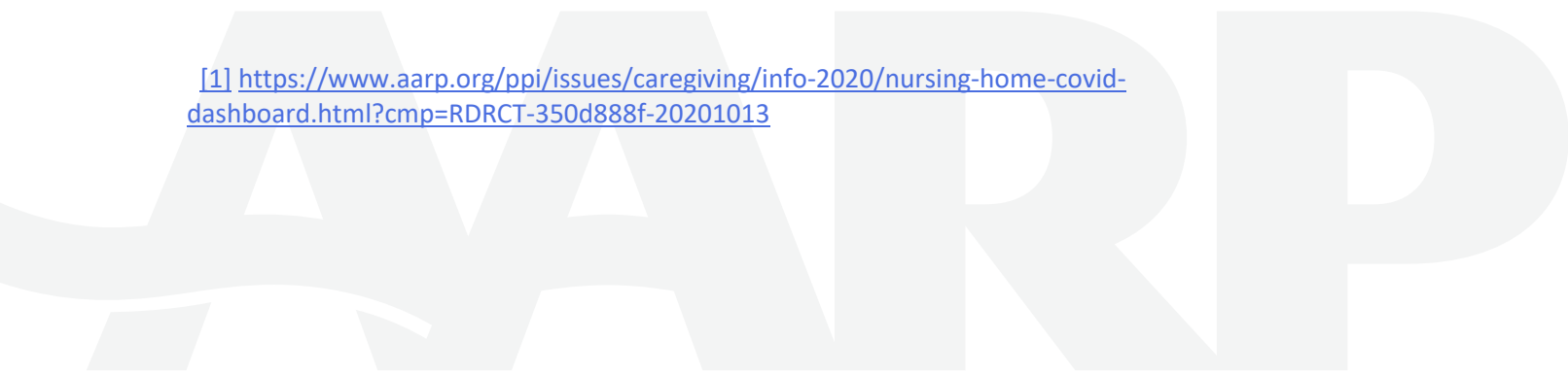
Written Testimony on House Bill 435
House Commerce and Labor Committee
October 7, 2021
Holly Holtzen, AARP Ohio

Good afternoon and thank you, Chairman Stein, Vice-Chair Johnson, Ranking Member Lepore-Hagan, and distinguished members of the Senate Commerce and Labor Committee. As you are aware, AARP, with 1.5 million members in Ohio, is a nonpartisan, nonprofit, nationwide organization that helps empower people to choose how they live as they age. We work to strengthen communities and fight for the issues that matter most to families, such as healthcare, employment, income security, retirement planning, affordable utilities, and financial abuse protection.

On behalf of AARP Ohio, thank you for the opportunity to address our organization's concerns as an interested party regarding House Bill 435's extension and expansion of civil immunity related to COVID-19, especially as it applies to nursing homes and long-term care (LTC) facilities. AARP has long fought to ensure the health, safety, quality of care, and quality of life for residents in nursing homes and other LTC facilities. We believe the right of residents and their families to seek legal intervention through the courts is critical to holding facilities accountable. When residents are being harmed, financially exploited, neglected, or abused, they must be protected. Broad waivers of liability, such as those proposed in HB 435, create inappropriate barriers to obtaining redress.

Nursing homes and other LTC facilities must know they are responsible for continuing the quality and level of care required of them and for which they are being compensated. Like facilities such as children's hospitals, nursing homes, and other LTC facilities should be excluded from the blanket exemption to vaccine mandates. Since the start of the pandemic, more than 7,758 nursing home residents in Ohio have died due to COVID-19.^[1] Nationally, cases of COVID-19 continue to rise among nursing home residents and staff. AARP believes it is urgent and necessary to vaccinate everyone who can be vaccinated as quickly as possible. That includes requirements and mandates to achieve this goal, consistent with federal and state laws. In addition, any vaccine requirements should include a meaningful process for exemptions based on disability/medical condition or religious objection.

[1] <https://www.aarp.org/ppi/issues/caregiving/info-2020/nursing-home-covid-dashboard.html?cmp=RDRCT-350d888f-20201013>



Now is not the time to limit nursing home and LTC resident protections by extending and expanding civil immunity for providers or by allowing blanket exemptions for required COVID-19 vaccine mandates. AARP Ohio urges you to ensure the rights of residents and their families to seek redress through the courts when residents have been harmed, neglected, or worse as a top priority. Families across Ohio are looking to you to protect the health and safety of their loved ones living in nursing homes and other LTC facilities. Therefore, we ask that this bill be modified to address these concerns or not advanced.