



American Cancer Society  
Cancer Action Network  
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**HB 435 – Opponent Testimony**  
**House Commerce and Labor Committee**  
**Leo Almeida, ACS CAN Ohio**  
**October 7, 2021**

Chairman Stein, Vice Chair Johnson, Ranking Member Lepore-Hagan, and Members of the Committee:

On behalf of the American Cancer Society Cancer Action Network (ACS CAN), thank you for the opportunity to provide comments on House Bill 435 – a piece of legislation that places the health of Ohioans, especially cancer patients, at greater risk.

**Cancer Patients and COVID-19**

ACS CAN represents millions of patients and cancer survivors, and their families nationwide, including the 72,000 Ohioans who will be diagnosed with cancer this year. Many cancer patients and their families have been hard hit by the COVID-19 pandemic which has placed cancer patients at substantial risk for severe illness. Cancer treatments – from chemotherapy to immunotherapy to bone marrow transplants – often weaken a patient’s immune system, making cancer patients especially vulnerable to communicable illnesses like COVID-19. A survey of cancer patients and survivors last summer found that two-thirds of patients, and many caregivers, were worried about protecting their health from COVID-19. Those worries, combined with disruptions in health care services, have led many cancer patients to delay or forego treatment.

Fortunately, the availability of a COVID-19 vaccine will mean many cancer patients can be protected from the virus and resume their normal treatments safely. But we don’t yet know how effective vaccines may be in people being treated for cancer. It is possible that cancer patients – or others with weakened immune systems – may not be fully protected even if they are vaccinated. This makes it even more critical that people who encounter cancer patients are fully vaccinated.

Unfortunately, the sweeping provisions in HB 435 would slow, perhaps even prevent, the protection of cancer patients, even where it is needed most – in their doctor’s office, the clinic or a hospital.

**Impact of the American Cancer Society’s Cleveland Hope Lodge**

Another place where cancer patients should feel safe is the American Cancer Society’s Hope Lodge in Cleveland. For twenty-six years, the Hope Lodge has offered cancer patients and their caregivers a free place to stay when their best hope for effective treatment may be away from their hometown, at one of the premier cancer centers in Cleveland.

The Cleveland Hope Lodge offers 31 guest rooms located near treatment centers and it provided nearly 21,000 nights of free lodging in 2019 to more than 8,000 cancer patients or their families. More than a roof over their heads, the Hope Lodge is a nurturing community that helps patients access the care they need, offers a home-like environment, allowing guests to share a meal or unwind in their private room.

The American Cancer Society has made the health and safety of its immune-compromised patients as well as its volunteers and staff a top priority. To protect its guests who are high risk for the most severe outcomes from COVID-19, the American Cancer Society is requiring vaccination for its onsite Hope Lodge employees.

HB 435 would prohibit the ACS and its Cleveland Hope Lodge from ensuring onsite staff are vaccinated, needlessly putting cancer patients – Hope Lodge guests – at higher risk of exposure to viruses when they are already battling a life-threatening illness.

### **Preemption of Local Public Health Policies**

ACS CAN advocates for public policies at all levels of government that are proven to prevent cancer or protect patients. Critically important, lifesaving public health policies are often implemented by local communities and that is why we oppose the language in HB 435 that would restrict the authority of local communities to implement policies for protecting the staff and visitors of public buildings. This includes facilities that can provide important services for cancer patients, such as City and County Public Health Departments.

It is critically important to the public's health that all levels of government work together to implement proven public health policies. Broadly restricting the process for local policies designed to protect the public's health will have a long-lasting and negative impact on the health of Ohioans far beyond this pandemic.

HB 435 is so expansive it also places limits on the ability of employers to implement policies related to vaccination or an employee's vaccine status. Employers often play an important role in protecting and promoting population health. From substance use policies in the workplace to risk reduction programs, employers have historically led initiatives to protect health, mitigate risk, and promote a safe work environment. This legislation threatens the ability of employers to play a necessary role in implementing sound public health policies and programs that serve their workforce and their community.

We urge you to preserve the ability of local public health leaders and employers to address unpredictable and nuanced public health issues without unnecessary hurdles. By removing local decision-making and local policies from the process, preemption will affect our ability to implement policies aimed at helping people stay healthy for years to come, in their workplaces and in their communities.

### **Conclusion**

HB 435 is bad for public health and it is especially threatening to cancer patients. It also undermines the ability of the American Cancer Society to take reasonable and necessary steps to protect the patients we serve at the Cleveland Hope Lodge. Protecting the health and safety of cancer patients is our top priority and that is why we urge this committee to reject this legislation that is bad for cancer patients and bad for the health of our state.