

AGAINST HB 435  
HOUSE COMMERCE AND LABOR COMMITTEE  
TESTIMONY  
SUBMITTED BY ANDREA YAGODA, PRIVATE CITIZEN

Chair Stein, Vice Chair Johnson , Ranking Member Lepore-Hagan my name is Andrea R. Yagoda. I have resided in Ohio since 1974. Thank you for affording me the opportunity to present testimony opposing HB 435. I believe HB 435 a dangerous bill, is an overreach by this legislative body and is not in the best interests of all Ohioans.

Vaccine mandates are intended to protect students, co employees, nursing home residents,hospital patients, medical staff, maintenance staff, custodial staff, etc from an infectious disease which may be carried and spread by those who refuse to get vaccinated. This Bill fails to recognize the harm to OTHERS by the refusal of an individual to be vaccinated in the workplace, school, etc. Everyone who works in a hospital not just a children's hospital, intensive care unit or critical care should be vaccinated.

It is ironic that this Bill comes on for hearing when we are seeing a pandemic of the unvaccinated. The virus is mutating and we are seeing new strains, more breakthrough as each strain becomes more resistant. In Ohio we are seeing rates of covid infections rising.

To permit an exception for those that claim "reasons of conscience" is not only overly broad but ambiguous and leaves the door wide for people to avoid any vaccine requirement. It clearly does not only include religious beliefs as the bill states it includes religious beliefs but does not limit it to that. And use of the term "natural Immunity" is ill advised. See: <https://www.washingtonpost.com/outlook/2021/09/29/natural-immunity-public->

[health/?fbclid=IwAR2gV9GNLt\\_4j88Ocj4xXCYGcEFvn6mMIsF8Y70TIY\\_OCdxpeCMnzt0J0](https://www.ohio.gov/health/?fbclid=IwAR2gV9GNLt_4j88Ocj4xXCYGcEFvn6mMIsF8Y70TIY_OCdxpeCMnzt0J0)

The Ohio Legislative Commission observes that this Bill is ambiguous. It states “The bill does not specify how the standard of a test that is “recognized by the medical community” will be determined. Additionally, it is unclear how a school or employer would make the determination that a student or employee’s antibody levels meet or exceed those conferred by vaccination, as the bill does not require the Department to adopt rules on this topic.”

Employers, nursing homes, businesses, hospitals, schools have a responsibility to keep everyone who resides in or works at those facilities safe. What does this Bill do to protect ALL Ohioans? What does this Bill do to protect other students in schools, patients in hospitals, co employees? Nothing. It endangers them. One has a right not to receive a vaccine but you do not have the right to infect others and endanger their safety and well being. No one is forcing any Ohioan to be vaccinated however, failure to do imperils others and as such could affect one’s employment, school enrollment, etc. This is a choice individuals make by refusing to take a vaccine. They choose refusal over employment, their choice. Ohio has laws to protect those who for religious, illness cannot be vaccinated so this Bill does nothing in that regard. Employers should have the right to make hiring decisions, schools the right policy decisions (look at the uptick in states like Florida and Ohio where children are being quarantined for positive covid results in schools already) , nursing homes, hospitals, etc based on what is in the business’ best interests and the best interests of those associated with/residing in the institution. In California restaurant owners got together and as a group and voluntarily

agreed to impose that all patrons, to enter, produce proof of vaccination. Why? Because their employees, who were vaccinated were having breakthrough incidences of covid spread by the patrons. The result, employees were calling in sick affecting the efficient running of their businesses and thus a loss in revenue. Vaccines work. The sponsors of this Bill know vaccines work which is why they retained the mandatory vaccines enunciated in ORC 3313.671 and 5104.014. So what could be the rationale for this Bill? Why would anyone discourage Ohioans from being vaccinated??

I am 68, my husband 76 . If this Bill passes we will be forced to look into relocating. This Bill makes it unsafe for seniors who may reside in Assisted Living or nursing homes , some of the most vulnerable population.

I urge this committee to vote no on this dangerous bill which will take us back rather than move us forward. Have we not learned anything over the last year?

Andrea R. Yagoda