



October 7, 2021

Chairman Stein, Vice Chair Johnson, Ranking Member Lepore-Hagan and members of the House Commerce and Labor Committee. Thank you for the opportunity to testify on House Bill 435.

I am an infectious disease physician currently working as a medical director at OhioHealth's Riverside Methodist Hospital. OhioHealth is a 12-hospital healthcare system that has served the central Ohio community since 1891. We are a family of 35,000 associates, physicians and volunteers with over 50 ambulatory sites, hospice, home-health, medical equipment and other health services spanning a 47-county area throughout Ohio.

Our presence is not just in Columbus but extends north to Richland County and as far south as Athens County.

I am here today to voice concern with and opposition to HB 435 in its current state. I will detail our concerns for you. Before I do that, I would start with an assertion: the range of exemptions offered to employees in HB 435 effectively render any employer, including a healthcare system like OhioHealth, ill-equipped to enforce a COVID-19 vaccine mandate.

To that point, my first concern lies with HB 435's allowance for an employee who cites "natural immunity" to forego an employer's vaccine mandate. As an infectious disease physician, this is a problem. There is no test available that proves natural immunity or immunity equal to that of the vaccine. The FDA and CDC are both clear that antibody tests should not be used to evaluate a person's level of immunity or protection from COVID-19. So, a "natural immunity" exemption as this legislation allows is not based in science or the medical field's best practices. Relying on antibody test results or a history of COVID provides individuals with a false sense of protection from the virus.

I also have a concern with HB 435's allowance for an employee to cite a reason of conscience in lieu of receiving the COVID vaccine. As I understand it, a reason of conscience can be just about anything. What this means for OhioHealth is that our associates, including those working in our hospitals and at the bedside, could forego a vaccine for whatever reason they choose. The consequence of that choice is that the safety of our patients, providers, and other associates would be jeopardized.

Our providers are fatigued. Our hospitals are full. Our sickest COVID patients are overwhelmingly unvaccinated. HB 435 has the potential to exacerbate each of those truths.

In the interest of public health and preserving sound public health policy, I respectfully request that the Committee not favorably report this bill. That said, I am also aware of the level of scrutiny and interest this bill has received in the House and previously in the House Health Committee. If your inclination remains to pass HB 435, I urge you to amend the HB



435 so that healthcare systems and providers are added to the bill's currently exempted entities, children's hospitals and critical care/ICU units. Thank you and I am happy to answer any questions.