



Chair Lipps, Vice-Chair Holmes, Ranking Member Russo and members of the House Health Committee, thank you for the opportunity to provide testimony in support of Ohio House Bill 281, which will correct much of the outdated language in the Ohio Revised Code referring to individuals with various disabilities.

My name is Alana Jochum, and I am the Executive Director of Equality Ohio, our state's LGBTQ education and advocacy organization. Equality Ohio recognizes the importance of using appropriate, non-derogatory language to correctly represent marginalized communities. As this committee is aware, LGBTQ Ohioans still legally face discrimination here in Ohio, and for those LGBTQ people with disabilities, that social stigma and discrimination is increased exponentially. Removing derogatory disability terminology from the Ohio revised code furthers the goal of achieving equality for LGBTQ people within the disability community, as identity is intersectional and all members of our community must be represented by the revised code.

Like on issues facing the LGBTQ community, our society more fully comes to understand and support individuals with disabilities every year. It is imperative that our laws reflect that understanding to ensure that all Ohioans feel represented and reflected in the law. This bill does just that and can serve as a vehicle to update language in other areas of Ohio law to remove derogatory language better reflect the diversity of Ohio.

Section 4112.01 (A) is one specific section where the legislature could remove derogatory language referring to both people with disabilities and LGBTQ people. In 4112.01 (A) (16) (b), the Ohio Revised Code lists conditions that do not qualify as "mental or physical impairment". The language in this section expressly states that being LGBTQ does not qualify as a mental or physical impairment. *We agree.* A person's sexual orientation and gender identity are neither impairments nor disabilities, as everyone has both a sexual orientation and a gender identity. There is consensus among medical professionals on this fact. However, the terminology in this section—which accurately clarifies that diverse sexual orientations and gender identities are not mental impairments—is very outdated and derogatory. Particularly, the terms "Transvestism [and] transsexualism" are terms that were used to refer to transgender individuals at the time these laws were passed, but they are now widely considered to be offensive to members of the transgender community. Additionally, the terms "homosexuality and bisexuality" do not encompass the entirety of the sexual orientations that exist, and therefore may imply that some sexual orientations are impairments, while others are not.

In previous pieces of legislation seeking to address the language addressed above, we have suggested that this section read as follows:

- (b) "Physical or mental impairment" does not include any of the following:
 - (i) Pedophilia, exhibitionism, voyeurism, or other sexual behavior disorders with corresponding criminal behavior;
 - (ii) Compulsive gambling, kleptomania, or pyromania;
 - (iii) Psychoactive substance use disorders resulting from the current illegal use of a controlled substance or the current use of alcoholic beverages.

This example removes the derogatory terminology in this section while maintaining the original intent of the policy. This is just one example where Ohio law does not refer to LGBTQ Ohioans with the dignity to which they are entitled by living in our great state, and changing or removing



this terminology could be done without having a substantive policy impact. We hope the committee will consider the intersections of gender, sexual orientation, and disability when addressing these sections, and we are more than happy to further discuss the important task of ensuring that the Ohio Revised Code reflects all Ohioans in a dignified manner.

We support the passage of HB281 and look forward to supporting future legislation on this topic. Please don't hesitate to reach out to me with any questions.