

Chairman Wiggam, Vice Chairman John, Ranking Member Kelly , and members of the State and Local Government Reform Committee,

I am testifying today in favor of HB 90 as an Ohio resident deeply concerned about the actions that have been taken in Ohio since March, 2020. As a business owner, I was robbed of four of my biggest days of the year...which can each pay a month of rent! More importantly, The Governor and the Health Department have put business owners in unlawful positions that put us at risk for liability lawsuits. You know as well as I do that a public authority cannot delegate authority to a private business. Business owners are not licensed, trained, or insured to practice medicine legally in Ohio, nor can we perform medical intervention. Section 201(h) of the Food, Drug, and Cosmetic Act defines a mask, when intended for one's health as a MEDICAL DEVICE. The mandates also ask that we ignore Medical Privacy Rights, by taking temperatures or forcing masks WITHOUT informed consent. Would the ODH pay for our defense if we were sued for violating someone's rights, or if they were forced to wear a mask and suffered an adverse reaction? And, what about people's religious liberties? We business owners cannot take on these risks. Businesses have NO DUTY to protect the public from a virus, nor do we have the capacity!

In addition to the business losses, we HAVE to be concerned as a society, about ALL of the effects of shut-downs and mandates. We have seen rising depression, suicides, domestic violence, child abuse. Our kids are falling behind in their academics, not to mention their basic development and socialization.

The Governor and the ODH should be ashamed of the fear and hysteria they created over a virus that is VERY survivable, at ANY age, with proper medical treatment....we witnessed it at my husband's nursing facility in North Canton The Governor nor the ODH ever told the public THAT. They never said to consult with your doctor to make sure you're getting enough vitamin C, D, and Zinc, or recommended that anyone try to eat healthier and get some exercise! There was NO science for curfews. There's no laws to support what the Governor has done. Again, he has basically told us that WE must break laws to abide by his mandates. At this point, there really is NO EVIDENCE of an emergency. Emergencies do not last for 11 months. If DeWine's ridiculous mandates WORK, why do we still have an "emergency"? If masks work, why did people have to die alone? Why didn't we mask the family and let them be together? None of this makes sense regardless of what side of the aisle you're on.

This bill seeks to restore the balance of power to where it should be, between the three, COEQUAL branches of government, and finally gives a VOICE to the PEOPLE of Ohio via their legislators during a declared emergency.

Our businesses, our economy, our social and emotional well-being and the future of our children are on the line. Our state cannot thrive under the continued oppressive and unopposed orders of an overreaching Governor.

Please stand up and protect our personal liberties and the future of our state by voting YES on HB 90!

Thank you,

Joanna Swallen