



Testimony before the
House State and Local Government Committee

House Bill 90
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Chairman Wiggam, ranking member Kelly, and members of the House State and Local Government Committee. Please accept this written testimony of the Association of Ohio Health Commissioners (AOHC), the state association representing Ohio's local health departments. Thank you for the opportunity to provide this testimony, on behalf of AOHC, in opposition to House Bill 90, which significantly limits authority of Ohio's Director of Health.

The bill, as introduced, would severely restrict the authority of the Director of Health to respond in a timely and efficient way to outbreaks of communicable disease and public health emergencies that threaten the health and safety of Ohioans. I trust that the Ohio General Assembly would not want to hastily pass a law that would inadvertently limit the ability of the Director to act as needed to limit or prevent the spread of any life threatening disease or threat caused by a biological agent. As drafted, the legislation would have an impact far beyond the pandemic we are currently experiencing and consequences to public health that extend beyond COVID -19. Ohio has had many recent examples of such situations that would be impacted by this bill: Ebola virus, when a person who had been exposed flew into the Cleveland airport; the uprise of H1N1 influenza virus in 2009; *Clostridium difficile* outbreaks in multiple long-term care facilities, and a foodborne outbreak that originated in a meat packaging plant where product was shipped to many locations statewide.

We have similar concerns with Senate Bill 22, which is also before this committee.

We are concerned that the amendments adopted by the Senate did not go far enough to avoid the unintended consequences, especially regarding public health orders issued outside of a declaration of emergency.

Right now, the quickest and best way out of this pandemic is to focus Ohio's mass vaccination efforts, so that Ohio can achieve the necessary level of vaccination and immunity to prevent the virus from spreading further, also known as "herd immunity." That is the only way to keep more Ohioans from dying from this serious disease and restart our economy to get Ohioans back to work. We have already lost too many lives in the past year – more than 16,000 to date.

Please do not pass a bill that will tie up the Director's authority in a cumbersome legislative process that includes an oversight committee and concurrent resolutions by both chambers. Rather, let us work together to get the vaccine out to as many Ohioans as possible, as quickly as possible.

There will be more appropriate time, in the future once we have the threat of this pandemic behind us, to conduct an after-action review on this response and to thoughtfully consider the many ideas for improving all aspects of Ohio's response, including the authority of the Director of Health.

