

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

My name is Ariane Sroubek, PsyD and I am a resident of Broadview Heights, OH. I am submitting this testimony today to express my strong opposition to HB 90 which proposes to put the legislature in the position of ending and limiting current and future health orders and emergency directives.

If the past year has shown us anything, it is that politics cannot be what guides our approach to healthcare crises and other emergencies. On the day I write this, the US prepares to reach the milestone of 500,000 Americans dead because of COVID 19. Yet, tomorrow will mark a year since the former president of the United States told us, "The Coronavirus is very much under control in the USA." Certainly, this was a brand-new virus and it continues to surprise and challenge us, but there is no doubt that politics has played a role in leading us from "very much under control" to 500,000 dead over the past year.

I want the health of my family and community, both during the current pandemic and in future crises, to be protected by those who respect and understand research. I want the policies that impact us to be guided by data, not by the political winds that sway in whichever direction benefits the party holding the most power. I do not want to live in a state where scientific expertise, gained by a lifetime's pursuit of knowledge, is passed over in favor of political clout, gained by a lifetime's pursuit of power. Not that the pursuit of power is in itself bad or in any way of lesser value than the pursuit of knowledge – pursuing power for the purpose of advancing the good of society is a noble calling and act of sacrifice. But when power is divorced from and ungoverned by facts and knowledge, it becomes a dangerous thing indeed. Too often, in a system in which our political leaders depend on public opinion for reelection, the sacrificial use of power becomes too costly and we the people suffer the consequences.

Ohioans deserve to have science, truth and expertise guide governmental responses to public health emergencies. Restricting the power that has historically been given to those who specialize in science and public health and redirecting it to the purely political, heavily donor dependent, and by and large not medically trained state legislature is reckless and dangerous. HB 90 sets up highly restrictive timelines that would severely impede responses to the current and any future health crises that last for longer than 30 days.

Our state and country only function because of division of power. There are good reasons that the Governor and State Board of Health are granted with specific powers when faced with emergencies and there are appropriate ways to challenge these powers when necessary (through the court system, legislation addressing specific executive overreaches and the Joint Committee on Agency Rule Review). These methods address overreach and abuse of power on a case by case basis, allowing for situation appropriate responses. HB 90, on the other hand, is a reactive piece of legislation that sets up blanket restrictions that will disrupt the traditionally held balance of power during states of emergency and limit the state government's ability to respond rapidly and effectively to current and future crises. While I personally feel that the measures that have been put in place to address COVID 19 are necessary and appropriate, citizens and political leaders who honestly feel otherwise should absolutely pursue these other methods of challenging them. HB 90, however, is a shortsighted and dangerous assault on the powers that are necessary to protect our state in emergency situations.

The people of Ohio elected Governor DeWine and invested him with the power to respond to Public Health emergencies for a reason. They will continue to vote for whoever they believe is best suited to manage the emergency powers given to them in future elections. The people of Ohio depend on the expertise of scientists and Public Health experts to guide responses to the current and future crises. For these reasons, I urge you to vote no on HB 90.