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Contact Information:

Office: 614-466-3488
Email: rep65@ohiohouse.gov
77 S. High Street 12th Floor, Columbus,
Ohio 43215-6111

**Representative Mike Loychik
The Ohio House of Representatives**

Representative Mike Loychik – HB 73 Sponsor Testimony: March 28, 2023

Chairman Cutrona, Ranking Member Somani, and members of the Health Provider Services Committee, thank you for allowing Representative Gross and I to provide sponsor testimony for HB 73.

In addition to the health provider protections that were included in Representative Gross' testimony, this language will insure that no patient is denied fluids or nutrition because they refused to consent to a specific hospital treatment. It will also prevent denial of access to the standard daily medications as prescribed by their provider, unless it is medically contraindicated with a treatment they consented to receive at the hospital or facility.

One might ask why this language in the Dave & Angie Patient and Health Provider Act is even being included. Surely no patient would be denied nutrition or medication because they refused a particular protocol intervention or medication, right?

Unfortunately, dozens of stories from Ohio families across the state indicate that there is a desperate need for this type of legislation to protect patients in Ohio. Patients like Dave & Angie might still be with their loving families today if HB 73 had been law in late 2021.

This Wooster couple became ill with Covid and wished to try treatments that were not accessible to them. Due to fear of discrimination in the hospital over their vaccination status and a push for them to be vaccinated or denied treatment, their symptoms continued worsen at home because of lack of access to outpatient medication options. Finally, their family had no option but to bring them to Wooster hospital for admittance.

At the hospital Dave & Angie (and their family members) continued to request treatment alternatives to the standard hospital protocol, but were denied. Dave reluctantly consented to a hospital protocol medication and his symptoms quickly worsened. He was pushed into being ventilated and died two days later. Angie, who was also hospitalized and witnessed what her husband went through, continued to plead with staff for particular respiratory treatment and was again denied stating the "medication was not available" and "could not be given to a BIPAP patient". Both of those statements were false. Angie's sister confirmed 2 forms of this treatment were fully stocked at the hospital pharmacy, staff continued to insist their ventilation protocol was the only option.

Angie made the informed decision not to consent to this hospital protocol and as a result, was denied fluids and nutrition by the staff because they claimed it was "not safe" for her to receive nutrition unless she was ventilated. Angie and her children continued to beg staff for IV and

nutrition fluids and were denied. Ultimately, Angie's children watched their mother succumb to the effects of dehydration rather than from the illness itself.

Dave and Angie's four children needlessly lost both of their parents within one week of each other.

If providers and pharmacists had not been afraid to prescribe the treatments that Dave and Angie were seeking in the two weeks prior to their hospitalization, would they still be with their families today?

If Angie had not been denied fluids and nutrition by the hospital while she was fighting her illness, would she have survived?

These are the questions that will haunt their family forever, and they are questions that should never have to be asked by another Ohioan.

While the events of the last three years have exposed many patient stories that indicate the disparate need for this legislation, this bill is not about Covid. There have been, and will continue to be, illnesses that may require new and innovative approaches to medicine. Without this legislation those options may not be available and more lives could be lost.

Death from illness is a part of life, but lack of access to medication shouldn't be. We would like to see Ohio become a safe haven for health providers and patients to have access to any potentially lifesaving medication that is FDA approved and legal in the state of Ohio.

Now that we know better, we need to do better. Ohio needs HB 73.

Chairman and members of the Health Provider Services Committee, thank you again for the opportunity to provide sponsor testimony on this important bill, we would be happy to take any questions at this time.