

Chairman Cutrona, Vice Chair Gross, Ranking Member Somani and Members of the Health Provider Services Committee, thank you for allowing support testimony for HB 73; the Dave and Angie Patient and Health Protection Act.

My name is Julie Smith. My husband Jeff of 24 years was killed by hospital protocols at UC Health Hospital in West Chester on September 25, 2021. He was 51 with no pre-existing health conditions. From the time he was admitted we asked hospital staff for an off-label medication used in the FLCCC protocol, and we were laughed at and told we should “go see a veterinarian if we wanted that”. We also begged for Vitamin C therapy, D and Zinc, but they were all denied because it was “not part of the protocol”. The first time they tried to put Jeff on a ventilator his breathing was stable, but they came in and said they thought his lungs needed a rest for a few days and it was best to ventilate. He refused at the urging of a nurse who told him the outcomes from ventilators were not good. Because Jeff did not obey the doctors’ orders he was then starved, neglected and withheld all fluids for 4 days. He was not on IV fluids and wasn’t even allowed ice chips or mouth swaps to wet his mouth....nothing. He was in agony. They left him alone for hours and hours on end. He would push his call light button, and no one would come. With no one there to advocate for Jeff the torment and abuse continued until they succeeded at getting him on a ventilator.

Once vented, Jeff was tied to his bed and put on heavy paralytics and sedation. He began declining so we continued to plead for alternate medications and vitamins. All were denied because they were “not part of the hospital protocol.” At one point I had a doctor convinced to change Jeff’s steroid to one that he agreed was proven to penetrate the lungs better. It was only switched for a few days before another doctor switched it back because he said they were only “allowed” to use the steroid that was “approved” as part of the hospital’s protocol. Since the doctors said there wasn’t anything else they could do for Jeff, as a last act of hope I hired lawyers from New York for \$7,000 to try and get an off-label medication that was proven to help Covid. A judge quickly agreed to the order and the medication was to start the next day. Jeff started to improve with his oxygen needs going down from 80% to 50%. I then got word that the hospital was fighting the ruling and I would have to pay another \$7,000 if I wanted to fight for Jeff to keep getting the medication. I agreed as I felt this was my last and only chance to help him survive. I had to go to court and testify just to try to get a drug to save my husband’s life. Because of this very public trial my family and I were vilified in the media and stalked and harassed in our home. The 2nd judge ended up ruling in favor of the hospital and the medication was stopped immediately even though it was helping Jeff. The doctors then decided to trach Jeff and we finally had a glimmer of hope that he may be moved to a rehabilitation center. But unfortunately, they said he had a “throwing up” incident and so he was again withheld food and IV fluids for another 4-5 days. I begged for IV fluids, but they said no. Around this same time, I discovered his urine looked cloudy and showed it to the nurse. She took a sample which confirmed a UTI. I kept asking when they were going to start an antibiotic, but the nurse said they weren’t because the infectious disease team had already “signed off” on my husband since he was supposed to have been released to the long-term care facility. The transfer never happened. My husband died a few days later...NOT from Covid but from an untreated urinary tract infection and lack of nutrition.

Devasted, I was left to try and answer my 9-year-old when she asked me why the hospital took daddy's medicine away and why they didn't want to help him get better. I had no explanation. I am here today because my oldest daughter said her dad's suffering should not be for nothing and we need to help fight for others. We believe every Ohioan deserves all treatments available when they are fighting for their lives. The Government, pharmacy boards and pharmaceutical companies should not be dictating which medications can be given in the hospital setting. I can't tell you how many "code blues" I heard while Jeff was there, but I do remember asking the doctors "If your protocols aren't working why don't you want to try something different"? They just kept saying there wasn't anything else proven to work. But there WERE other protocols that were working, and those protocols were flat out denied. The doctors giving testimony today are proof that this is true. In the United States of America families should not have to pay \$14,000 in lawyer fees and endure vicious cross-examination in court, just to have a chance at receiving an inexpensive, safe, proven drug to help their loved one survive. I am just one voice out of thousands of Ohian's who lost a loved one. How many of them could also have been saved if hospital doctors and pharmacists had been allowed to prescribe and fill treatments that were saving other patients across the nation and the world. My husband suffered in the hospital for 72 days. He fought hard but, in the end, he could not overcome the treatment and lack thereof from the hospital institution that we thought would help him. My 3 children are a mess. Our lives continue to be a nightmare that I wish upon no one. Whatever future pandemic or illness that may come, we must protect other precious children from becoming fatherless because their parents were denied access to medications, treatments and proper nutrition. I ask the Committee to please vote yes on HB73. Thank you for your time.

