



May 1, 2023

Chair Lipps, Vice Chair Stewart, Ranking Member Liston and members of the House Public Health Policy Committee, thank you for the opportunity to submit proponent testimony on House Bill 89.

OhioHealth is a 14-hospital healthcare system that has served the central Ohio community since 1891. We are a family of 35,000 associates, physicians and volunteers with over 50 ambulatory sites, hospice, home-health, medical equipment and other health services spanning a 47-county area throughout Ohio. Our presence is not just in Columbus but extends up into Richland County and as far south as Athens County.

HB 89 would ban certain providers from performing non-consensual “intimate” (pelvic, prostate, or rectal) exams on anesthetized or unconscious patients in Ohio. The bill includes certain reasonable exceptions but appropriately protects the dignity and wellness of all patients.

One caveat to consider is the unintended consequence of erecting a barrier for residents or attending physicians, as they would have the burden of documentation of the appropriateness of exams in the operating rooms if an exam is needed due to unforeseen circumstances. Perhaps that is not an undue burden, but it nonetheless could be enough of a barrier to simply preclude involving residents or medical students in cases.

While perhaps outside the provisions set forth in HB 89, we also respectfully assert that thoughtful consideration should be provided to patients who may have experienced a sexual assault. Survivors of sexual assault often experience long-term effects such as anxiety, anger, depression, and PTSD. This disorder causes frequent and unpredictable flashbacks and body memories, and anything can trigger it, even a touch or an image.

Ultimately, as introduced, HB 89 is sound legislation, and we encourage the committee to support its passage.