

Representative Mike Loychik – Sub HB 73 Sponsor Testimony: May 8th, 2024

Chairman Huffman, Vice Chair Johnson, Ranking Member Antonio, and members of the Senate Health Committee, thank you for allowing Representative Gross and I to provide sponsor testimony for HB 73 – the Dave and Angie Patient and Health Provider Protection Act.

One might ask why this language in the Dave & Angie Patient and Health Provider Protection Act is even being included. Surely no patients were denied readily available and inexpensive drugs, nutrition, or medication because they refused a particular protocol for intervention, right?

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

I cannot imagine the pain felt by Dave and Angie's four children when they needlessly lost both parents within one week of each other due to the hospital's refusal to allow them to try drugs that were at the in-house pharmacy. The hospital board decided they would not allow those drugs to be used for the purpose of treating Dave and Angie's illness. Other patients across Ohio were forced to accept a particular protocol they did not want because there was no pathway for health providers to use their clinical judgment and expertise to assess what the best options were to improve their individual situations.

If health providers and pharmacists had not been denied the ability to prescribe or fill the treatments that Dave and Angie were seeking in the two weeks prior to their hospitalization, would the outcome have changed?

If Angie had not been denied fluids and nutrition by the hospital while fighting her illness, would she now be playing with their first grandchild? They never had the chance to meet.

We will never know, but these are the questions that forever haunt their family and others who experience similarly devastating outcomes. They are questions that should never be asked by another Ohio citizen.

The events of the last four years have exposed the disparate need for this legislation. There have been and will continue to be future illnesses that require new and innovative approaches to medicine. Without House Bill 73, those options may not become available, and the result will be more lives needlessly lost. Now that we know better, we need to do better.

Death from illness is a part of life, but lack of access to medication should not be. We want Ohio to become a haven for health providers and patients to have access to any potentially lifesaving medication that is not a controlled substance, is FDA approved, and is legal in the state. Doctors want to do what is best for their patients. It is time to ensure that they can do that.

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