



# OHIO CHAMBER OF COMMERCE

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**Ohio Chamber of Commerce**  
***Interested Party Testimony – House Bill 561***  
***March 25, 2026***

Chair Schmidt, Vice-Chair Deeter, Ranking Member Somani, and members of the House Health Committee, thank you for the opportunity to offer interested party testimony on House Bill 561, the Parental C.H.O.I.C.E. Act. I'm Rick Carfagna and I serve as Senior Vice-President of Government Affairs for the Ohio Chamber of Commerce.

For 133 years, the Ohio Chamber has served as the state's leading business advocate and our mission is to aggressively champion free enterprise, economic competitiveness, and growth for the benefit of all Ohioans. We represent over 8,000 companies that do business in Ohio, including numerous small business owners who operate licensed child care facilities: child care centers, Type A and Type B family child care homes, and certified in-home aides.

## **Concern #1: New Mandates on Small Businesses:**

While HB 561 is framed as a measure to reduce government overreach on parents, it simultaneously imposes significant new regulatory compliance obligations on the small businesses that operate Ohio's child care facilities. Specifically, the bill would require:

- Mandatory proactive disclosure of immunization exemptions in every immunization-related communication a provider sends, including emails, social media posts, newsletters, flyers, and videos. The disclosure must be in the same format and manner as the underlying requirements themselves.
- Mandatory website disclosure of exemption language, including the full statutory text of the relevant Revised Code provisions and their legal citations, wherever immunization requirements are referenced online.
- A new complaint intake and investigation process that can be triggered by any individual who believes a provider has failed to comply with any of the above notification requirements.
- License suspension as the enforcement mechanism for providers who do not come into compliance within 30 days of a finding of non-compliance.

These requirements will disproportionately impact the smallest operators in the child care sector. For example, a Type B family child care home, often a single individual operating out of their own residence, would be required to audit every communication they send that touches on immunizations and maintain legally compliant website language or face license suspension. For

small operators, these are material administrative costs with no corresponding state support or guidance infrastructure.

### **Concern #2: Elimination of Provider Autonomy to Manage Their Own Facilities**

HB 561 also strips child care providers of meaningful discretion to manage the health environment of their own facilities. The bill codifies conscience and religious exemptions directly into statute, removing the Ohio Department of Children and Youth's ability to ever adjust exemption standards through the administrative rules process in response to changed circumstances or public health conditions. This matters to child care operators because licensed facilities currently operate under a framework that gives them some flexibility in managing communicable disease risk among the children in their care. While HB 561 admirably attempts to shift the balance of that framework entirely toward parental prerogative, it does so in a way that removes corresponding tools for providers.

The Ohio Chamber believes that licensed child care providers, who bear legal responsibility for the children in their care and operate under licensure standards designed to protect those children, should retain at least some capacity to make independent, facility-level decisions about communicable disease management. As drafted, HB 561 reduces that capacity.

### **Concern #3: Providers Cannot Seek Verification When Immunization is Declined**

Additionally, HB 561 explicitly prohibits child care centers, Type A and B homes, and certified in-home aides from requiring any information beyond the standard medical statement when a parent declines immunization. While this measure prevents providers from creating procedural barriers to the exercise of conscience exemptions, the practical effect is a hard statutory prohibition on any follow-up inquiry.

Under current practice, a licensed child care provider may ask clarifying questions, request documentation, or undertake a dialogue with a parent to better understand the basis for declining immunization. These measures are not to deny the exemption, but to appropriately manage the health environment of the facility and inform their own risk management obligations. HB 561 removes that tool entirely.

For small operators lacking the institutional resources of larger facilities and who operate in close, shared indoor environments, the inability to seek any additional information when immunization is declined restricts their ability to fulfill their duty of care to the other children in their programs.

In conclusion, the Ohio Chamber of Commerce does not oppose the goal of ensuring that Ohio parents are fully informed of their rights regarding childhood immunization exemptions. We do, however, urge careful consideration of the regulatory burdens this legislation places on the small businesses that operate Ohio's licensed child care sector. Specifically, we ask the Committee to:

- Review the compliance requirements imposed on small child care operators, including the notification, website disclosure, and complaint-and-suspension framework, and consider whether those requirements are appropriately scaled and supported;

- Preserve some degree of provider autonomy and facility-level discretion in communicable disease management consistent with the licensure responsibilities providers bear under state law; and
- Revisit the blanket prohibition on any provider inquiry when immunization is declined, recognizing that good-faith risk management inquiries differ from procedural barriers.

The Ohio Chamber remains committed to working with sponsors and Committee members to address these concerns and would welcome the opportunity to engage further as the bill moves through the legislative process. Thank you for the opportunity to testify.