



Dr. John Crow, MD, FAAP, FACS
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Opponent Testimony, Ohio House Bill 248 (HB 248)
Ohio House Health Committee
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Chairman Lipps, Vice-Chair Holmes, Ranking Member Russo and the members of the House Health Committee, my name is John Crow. Since 2017 I have served as the Associate Chief Medical Officer at Akron Children's Hospital, where I have been in practice since 1992. In addition, I serve as a general surgeon in pediatrics, as well as, a surgeon in our regional burn center.

Thank you for the opportunity to express our hospital's firm opposition to Ohio House Bill 248 (HB 248). Akron Children's Hospital is fully committed to ensuring that we are able to provide safe and effective health care services to the patients and families we are privileged to serve. This commitment extends to our widely collaborative efforts to ensure patient safety within our facilities, and through clinical interactions in communities where patients and their families, including many of your constituents, are as safe as possible. The provisions outlined in HB 248 directly compromise our ability to create that environment.

Our hospital, like many others, has initiated a seasonal influenza program where we require our employees to take an annual flu shot after completing an informational questionnaire. As is required by law, we offer medical exemptions as well as a religious exemption. The purpose of this program is to reduce the risks associated with the spread of this disease, particularly for those patients who are immunocompromised which, for children's hospitals, includes a sizable portion of the patients who seek care at our facilities. For years, our seasonal influenza program has helped keep our patients and employees safe by lowering the risk of coming into contact with someone who can transmit this contagious disease.

It is worth noting that Akron Children's Hospital does not mandate employees receive the Covid-19 vaccine, and I am unaware of any hospital in Ohio who has imposed this mandate on their employees. Information related to our flu vaccine program is kept confidential, including exemption status and any medical issues that may preclude an employee from being immunized. Informed consent and privacy are not just important for our patients, but our clinical staff as well.

No vaccine is 100% effective, but by requiring our employees to receive an annual flu shot, we greatly reduce the risk of an employee transmitting a communicable disease to a child or family member seeking their care – a scenario that could have tragic consequences. HB 248 would eliminate a hospital's ability to require its employees to take this important step to mitigate disease in the very places where children and their families seek care, increasing the chances for the transmission of disease.

Further, HB 248 also eliminates our ability to implement accommodations for clinical staff who are unable to receive a flu vaccine. These safeguards can include the use of masks or the reassigning of clinicians to other hospital areas where medically fragile patients are not located. The provisions of HB 248 not only put patient safety at risk, they amount to a discriminatory policy against immunocompromised children and clinical staff. I

should also note, since it has suggested several times during this bill's hearing, that while our hospital has granted many exemptions since implementing this policy, we have never terminated a member of staff nor would we ever seek to do so should they choose to refuse the influenza vaccine. That being said, we must have the ability to protect patients with all of the tools available to the healthcare community.

In addition to reducing our ability to protect patients, HB 248 also raises significant concerns regarding immunization and disease outbreaks in the communities we serve. Akron Children's Hospital has a number of outpatient care sights and school-based partnerships across northeast Ohio. School districts already notify parents of current immunization requirements and exemptions and state law is very clear on how parents can obtain an exemption. Further emphasizing exemptions, as required in HB 248, only seeks to diminish confidence in vaccination and will result in lower vaccination rates.

As one of the largest pediatric health care delivery systems in Ohio, Akron Children's Hospital is committed to patient safety and after reviewing this legislation, it is clear that this bill is a detriment to our efforts to mitigate disease within our facilities, among our staff, and most concerning to us, puts our patient population at increased risk of contracting contagious diseases like influenza. At Akron Children's, one of our Three Promises is to "treat every child as we would our own." We strive to provide parents with medically accurate information regarding the risks and benefits of immunization and any allegation that patients or employees are coerced into being immunized is not only inaccurate, but insulting to our entire clinical staff.

Thank you for the opportunity to share Akron Children's perspective. I respectfully request that this committee not advance HB 248, and I'm glad to answer any questions you might have.