



## Ohio Children's Hospital Association

Saving, protecting and enhancing children's lives

**Nick Lashutka**  
**President & CEO, Ohio Children's Hospital Association**  
**Testimony before Ohio House Health Committee**  
**House Bill 248**  
**Tuesday, June 15, 2021**

Chairman Lipps, Vice Chair Holmes, Ranking Member Russo, and members of the House Health Committee,

My name is Nick Lashutka, and I am here to submit written testimony as an opponent to House Bill 248 as President & CEO of the Ohio Children's Hospital Association (OCHA).

Ohio has the world's best statewide network of children's hospitals – Akron Children's Hospital, Cincinnati Children's, Dayton Children's, Nationwide Children's Hospital, UH/Rainbow Babies & Children's Hospital and ProMedica Russell J. Ebeid Children's Hospital. Several of our institutions are ranked among U.S. News & World Report's best children's hospitals, and all our members are ranked best in class in the nation in various aspects of pediatric care. Ohio is the only state in the nation with a flagship children's hospital within a two-hour drive of every family, including our most rural parts of the state.

All OCHA hospitals are members of the Ohio Hospital Association (OHA) and we partner very closely with OHA on issues affecting the hospital industry, specifically about policies affecting children's health and health care.

Ohio's children's hospitals are also significant employers. Our six hospitals employ 40,000 Ohioans, providing good paying, high quality jobs and serving as economic engines for our communities throughout Ohio. Our researchers and medical professionals are leading the nation in health care innovation, pediatric research, and quality and patient safety initiatives.

On behalf of OCHA's hospitals, we are deeply concerned with the implications of House Bill 248. The misguided proposal would have devastating effects on the health of **ALL Ohioans**. While touted as an effort to prevent the COVID-19 vaccine from being mandated by the government or other entities, this legislation makes no specific reference to the coronavirus and includes **all immunizations**. We collectively share the following concerns:

### Pediatric Immunizations

The recommended pediatric immunization schedule is appropriately and carefully timed to align with a child's well visit schedule with their primary care provider. Current law in Ohio allows for parents to decline required immunizations for child care and schools through three provisions: medical, religious, and reasons of conscience (known as the philosophical exemption). This liberal exemption policy serves to provide personal choice to families, while retaining public health interests and best protecting children who are immuno-compromised.

Importantly, HB 248 disrupts the process by which schools and child care providers can request vaccinations records, which allow for informed risk levels and preparedness plans in the event of an exposure or outbreak. We support efforts to create a standardized education vaccination form and for all families to have the ability to provide informed consent. With this goal in mind, we request any standardized form also include the requirement that families provide physician sign off before utilizing any of the three exemptions.

### Employer Vaccine Policies

With a commitment to patient and employee safety, and as employers who provide specialty care to our most at-risk patients, children's hospitals in Ohio have implemented hospital flu vaccine policies within their institutions. Our hospitals have medical and religious exemptions included in these policies, and handle outlier circumstances on an individualized basis. Our members have a portion of their employees who utilize these exemptions annually and make accommodations during flu season accordingly. HB 248 would prevent hospitals from requesting employees to be vaccinated and allow for legal recourse should an individual perceive their treatment to be discriminatory. Furthermore, this would prevent hospitals and employers from even asking employees to wear masks and/or be reassigned in the interest of patient safety.

In Ohio, employers and employees are free to terminate the employment relationship for any or no reason, so long that the reason is not in violation of state or federal law. While these circumstances have yet to materialize following a disagreement over our current vaccination policies, we strongly believe employers should retain this right without unwarranted government intrusion. Similarly, we feel employees should retain the freedom to seek employment elsewhere if they disagree with national health and safety standards and do not have a medical and/or religious reason for exemption.

### Public Health

Lastly, HB 248 puts into question the ability for hospitals to share, and the Ohio Department of Health to collect, vaccination data. This is a critical component in ensuring Ohioans and public health agencies have access to data that enables a thorough understanding of our state's exposure risk for certain infectious diseases and the ability to respond quickly and efficiently in the event of an outbreak.

We strongly feel this legislation is a misguided effort, falsely claiming to provide freedoms to Ohioans that already exist under State law, while compromising children's health and infringing upon employer rights. We respectfully ask for your thoughtful consideration of the harmful implications passage of this legislation would create and ask that you not support HB 248.