



Ohio Association of Rheumatology
Opponent Written Testimony to the Ohio House Health Committee
House Bill 248– Vaccinations
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As the President of the Ohio Association of Rheumatology (OAR), an organization that represents regional and state rheumatology societies, I am thankful for the opportunity to speak out on behalf of OAR against House Bill 248. We would be remiss not to emphasize this threat posed by this bill to all Ohioans. Over the past year, we have seen what an infectious disease spreading through the state can mean for us in deeply personal ways, and many people have gone through immense hardship or lost loved ones. HB 248 would invite more infectious diseases (some far deadlier than COVID-19 has been) to run rampant through Ohio, wreaking havoc on our daily lives, resulting in exorbitant, avoidable health care expenses, and most importantly, costing us many lives.

Much of the discussion about this bill has been focused on personal freedom and rights. As medical professionals, we strongly support informed consent and patient autonomy. Additionally, it is critical to understand the nuances of this particular issue, as a personal decision to refuse vaccination is much more than just a personal decision. Vaccination refusal has a different collective impact than decisions about almost any other medical procedure, because unlike most medical decisions, it can infringe upon other individuals and their freedoms and protections, by presenting serious risk of preventable harm due to infectious disease. This safety hazard is why certain restrictions have been deemed necessary in specific situations.

Notably, employers are required to provide a safe workplace for their staff based on guidelines from the Occupational Safety and Health Administration (OSHA). Businesses have a responsibility to assess risk of disease exposure and develop a plan to protect employees and clients. We are deeply troubled that HB 248 would take away the right of Ohio business owners and operators to set requirements that prevent employees from posing direct safety threats to each other and other individuals in the workplace.

Historically, due to federal law and guidelines, employers institute vaccine requirements when, after considering the specific circumstances and risks associated with their services, they can clearly demonstrate that such a requirement is related to the nature of the job and is consistent with business necessity. It often includes, but is not limited to, health care facilities providing care to vulnerable patients that would be at serious risk of harm through exposure to unvaccinated individuals that may unknowingly spread disease through contact and proximity. Studies by CDC researchers have found that health care facilities requiring flu vaccinations among their employees can reduce patients' risk of contracting influenza or influenza-like illness by 42%.

When applicable, companies with vaccine requirements are still required to provide reasonable accommodations for employees who are exempt from mandatory immunization based on the Americans with Disabilities Act, Title VII of the Civil Rights Act and other federal laws. This means that employees who choose to forgo vaccination due to a disability or medical condition, religious belief, or other personal belief may be entitled to accommodations by the employer. These can include adjustments such as modified work shifts, telework arrangements, required personal protective equipment, or reassignment. "Reasonable accommodations" must be offered unless the requested accommodations would pose an undue hardship to the business, or if accommodations would not enable the employee to perform the essential functions of their job without also compromising the safety of others.

We ask that the committee consider that, individuals forgoing vaccination in the name of personal freedom, especially in increasing numbers, can result in infringement upon many others' personal freedom. Newborn babies and patients with specific medical conditions or compromised immune systems rely on the vast majority of those who do not have medical contraindications getting vaccinated in order for them to be safe. If we decimate that protection, it is difficult or perhaps even impossible for us as the medical community to safely provide necessary care to these patients when they come to our practices and hospitals. Not only that, but without that protection, more high-risk individuals could be forced to limit their interaction with the public altogether and in order to protect their lives, curtail their day-to-day activities and movement freely through their communities indefinitely.

As physicians, we want any individual who does decline a vaccination to do so with *informed* consent, meaning they have spoken to their medical provider about this choice and have been given the best information with which to make this choice. OAR is gravely concerned that passing HB 248 would make opting out of critical vaccinations without that key contact with a medical provider the easiest route. The impact of this could be disastrous, as it is likely to cause many individuals to decline vaccination who would otherwise, after discussing their personal circumstances with their provider, decide that it is in their (or their child's) best interest to be vaccinated.

We all rely on vaccines for the freedom to live our lives without significant threat of preventable infectious disease. Vaccines make it possible for us to live and work with assurance of safety, preventing many infections from spreading through the population largely unchecked. As we have started to see in the past few months, growing rates of COVID-19 vaccination have decreased public risk and allowed for more activity to resume normally. This is just one of many examples of how vaccinations do not take away our freedoms; vaccinations give us freedom and preserve that freedom.

Thank you for your consideration of our remarks about HB 248, and we stress to the committee that passing this legislation would severely hinder our state's ability to thrive in the years to come.