

9 Aug 2021

Chairman Lipps, Vice Chair Holmes, Ranking Member Russo, and Members of the House Health Committee, thank you for the opportunity to provide proponent testimony on House Bill 248.

My name is Andrea Myers and I am a wife, a mother, a daughter, a sister, an aunt, a scientist, and a program manager. The reason I support House Bill 248 is because an individual's health status is private. The very reason HIPAA (Health Insurance Portability and Accountability Act) was created was to *protect* sensitive patient health information from being disclosed without the patient's consent or knowledge. Arthur Ashe, Tammy Wynette, and others had their private health information sold and/or given to those that had no right to have that information. Each citizen has their own personal risk threshold and every day make decisions based on their risk comfort level. Based on that risk threshold an individual should be able to determine whether or not they want to be vaccinated and whether or not to share that information without fear of repercussion. When applying for a job the applicant can choose to disclose whether or not they have a disability (private health information unless the disability is visible).

The week of 2 Aug 2021 has seen three (3) major healthcare systems (Dayton Children's, Kettering Health Network, and Premier Health) in the Dayton, Ohio area mandate the COVID-19 vaccine for its employees beginning in October 2021 through December 2021. My sister who has treated COVID-19 patients since the start of the pandemic is now faced with being terminated from her job as a COVID-19 nurse, a position that desperately needs to stay filled, all because she does not wish to be vaccinated. She and many others like her will not be forced to take a substance that has FDA Emergency Use Authorization and will require their employers to terminate their employment further straining an already stressed healthcare system.

Why is vaccination status not considered private health information? Why would the Ohio legislature allow any entity to discriminate against an individual based on their vaccination status? Why would the Ohio legislature knowingly allow mandates that are in complete violation of item #1 of the Nuremburg Code, *"The voluntary consent of the human subject is absolutely essential. This means that the person involved should have legal capacity to give consent; should be so situated as to be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, overreaching, or other ulterior form of constraint or coercion; and should have sufficient knowledge and comprehension of the elements of the subject matter involved as to enable him to make an understanding and enlightened decision."*¹ Why would the state of Ohio allow a Nazi-like mentality of identifying those citizens that choose to manage their health differently based on their own knowledge, research, and experiences?

Thank you once again for this opportunity to provide testimony on the need for and urgency of House Bill 248.

Very respectfully,



Andrea R. Myers

¹The Nuremburg Code; National Institutes of Health;
<https://history.nih.gov/download/attachments/1016866/nuremberg.pdf?version=1&modificationDate=1589152811742&api=v2>