

Ohio House Health Committee

Written Testimony In Support of HB 248

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

Thank you for the opportunity to provide written proponent testimony on HB 248. As a nurse practitioner specializing in nephrology, I provide care for vulnerable patients with a high risk of serious illness if they were to contract Covid-19. My patients are typically older, immunosuppressed, and have multiple comorbidities. Many of them live in nursing homes or are required to come to dialysis multiple times a week, which means risk of exposure to the virus from the other 12-15 patients treating in the same room at the same time, as well as exposure from transportation and dialysis workers. To promote our patient's health, my practice recommends the vaccine and I am happy to say that large numbers of our patients are fully vaccinated.

However, today I write in support of HV 248 because it addresses a different, foundational issue – that of individual freedom. Four key principles have formed the bedrock of modern medicine since the writing of the Hippocratic Oath. One of those principles is the patient's ability to choose, to express bodily autonomy, to say yes or no to the treatments they are offered. Granted, autonomy must be balanced with the other cornerstones – beneficence, non-maleficence, and justice.

Today's conversation centers around that debate. Hospital administrators in the state of Ohio have, as a group, required mandatory vaccinations for all employed and non-employed medical staff and vendors. Limited exemptions have been offered but few applications are being accepted – even those religious claims that state a legitimate belief of an established religion (which may leave hospitals vulnerable to litigation). These hospitals' approach is important because when they work together as a group they represent only one of the four principles – that for the good of the public at large, each individual must be vaccinated (although, given recent data on transmission, even this argument is faulty).

On the other hand, hospital staff members find that such mandates do not allow for individual judgements – the ability to consider the unique medical factors that may mean the vaccine would do the individual harm. At the very least, their autonomy is not given consideration.

I've seen first-hand the horrors that can occur when a patient cannot exercise bodily autonomy, even if temporarily. The ICU provides many scenes to keep one up at night. Even within our current legal system which strives to protect autonomy while balancing the above principles, there are times when a person cannot speak for himself and decisions are made for him by a legally designated Health Care Power of Attorney or the next of kin. I have seen patients receive excellent care under this system and I have seen what amounts to little better than torture under this well-designed, good-intentioned system.

Understanding the human capacity for both good and evil, authoritative bodies such as this one have recognized that although there are multiple principles to balance, autonomy deserves special protection, as it is the most easily taken advantage of. A powerful government or hospital system can coerce the individual if not checked. That's why the founders of our nation included a bill of rights of individual citizens. It's why they designated certain powers to the individual states. It's why legislatures

are directly responsible to their constituents. And it's why even non-governmental bodies have strived to protect human rights. Take for instance the United Nations Universal Declaration of Human Rights or Even the Nursing Code of Ethics, which states nurses are to respect the inherent dignity, worth, and unique attributes of every person, to protect human rights, and that nurses owe the same duties to self as to others.

Today medical and non-medical professionals are standing up in support of HB 248 because it promotes the freedom of bodily autonomy and upholds our ethical duty to every citizen.

While in the past, nurses have allowed mandates such as for the flu vaccine, the mandate for the Covid-19 vaccine is different. Clinical studies are not yet complete, which is different from FDA approval. Additionally, flu exemptions were readily granted for those with medical or nonmedical objections. This is not the case with the recent Covid-19 vaccine mandates. Additionally, unlike the flu, recent studies show lasting natural immunity even to newer variants of Covid-19. All these factors warrant a new look at the hospital mandates in respect to individual freedoms.

As our elected representatives, who are entrusted with protecting the rights of your constituents, I encourage this committee to move HB 248 forward. Those who want to get the vaccine are free to do so and vaccines are available. It is not malfeasance if their neighbor chooses not to receive the vaccine. It is however coercive to tie one's livelihood to a blanket industry-wide mandate with no respect for individual autonomy and the many unique factors at play.

I will be carefully watching this bill, any amendments to it, and the upcoming votes, and I look forward to seeing HB 248 passed quickly. Thank you for your consideration and the opportunity to provide testimony.

Sincerely,

Gretta Weindorf, APRN-CNP