

August 16, 2021

Ohio House of Representatives

Dear Chairman Lipps, Ranking Member Russo and Members of the House Health Committee:

My name is Teresa Alspach and I support House Bill 248 as it preserves fundamental rights and freedoms every American citizen is granted within our founding documents, the Constitution and our Bill of Rights. Additional laws have been passed over the years to provide protection for patient privacy and discrimination based on a medical condition or disability in the form of the Americans with Disabilities Act (1990) and HIPAA (Health Insurance Portability and Accountability Act, 1996). These measures protect individuals who may otherwise be discriminated against by employers, medical facilities or businesses.

During the AIDS/HIV epidemic in the 1980-90s, there was a great deal of fear and misinformation disseminated by both the media and medical personnel who were ill-informed. Many individuals diagnosed with this dire disease were denied employment, medical insurance and in some cases, even medical and dental treatment. They became outcasts, modern day lepers. This treatment was unwarranted, inhumane, and un-American. The passage of the above legal protections brought about public education and relief from stigmatism for patients of this malady.

The right to decide what medical treatments an individual receives or refuses are extremely personal as only the individual benefits or suffers the consequences of a poor decision. Adverse reactions directly affect that person for the rest of their life and while they may just be another statistic to the medical community, no one else will contend with the day-to-day reality of the physical damage sustained. As the responsibility of the decision rests with the individual, each person must conduct their own risk/benefit analysis. Allowing businesses, employers or medical facilities to mandate a medical procedure removes this fundamental right from individuals.

Unfortunately, legislation is often necessary to provide the framework for individuals to protect themselves from overreach of their employer, medical insurance provider, and yes, even government. While the optimist would prefer a system based on trust of established authorities to "do the right thing", the realist adopts an optimistic approach with the attitude of "just in case". HB248 is an example of a "just in case" measure. As Martin Luther King Jr. famously said, "Morality cannot be legislated, but behavior can be regulated. Judicial decrees may not change the heart, but they can restrain the heartless."

Thank you again for the opportunity to submit my testimony in support of HB248, a measure desperately needed to protect the rights of the individual.

Sincerely,

Teresa L. Alspach