

Chair Roegner, Vice Chair McCollen, Ranking Member Craig, and the Honored Members of the Government Oversight and Reform Committee:

Thank you for allowing me to submit written testimony in support of Senate Bill 22 today.

The unchecked actions of the Executive branch of Ohio during the outbreak of COVID-19, along with the actions of the Ohio department of health, have far-reaching consequences. I'd like to share how these actions have personally impacted my life and the life of my husband.

My husband is the Retired Fire Chief of Sugarcreek Township, Greene County. In 2016, after 41 years of serving his community and sacrificing his safety to ensure that of others, he retired. On March 15, 2018, Retired Chief Pavlak, a man who lived to serve others, suffered a debilitating stroke.

For nearly two years, Retired Chief Pavlak worked to regain the ability to walk. In January 2020, we were successful in enrolling him in an NIH-backed research study at the University of Cincinnati, a study with the sole purpose of investigating walking recovery after stroke. On February 19, 2020, he began the 12-week study. Three visits a week, with a progress check after every twelfth visit. From that first visit on February 19th to his eleventh visit on March 13th, Retired Chief Pavlak gained a full 56% in his timed step count. Taking just 1,000 steps in twenty minutes on day one, he gained strength and stamina to be able to walk 1,566 steps on that eleventh visit. His overall quality of life was improving, his ability to do simple tasks of daily living without his wheelchair were increasing rapidly. Hope of functional walking was in our grasp.

The research team at UC did everything they could to keep it going - they pushed back, rescheduled, considered every alternative. But the mandate to shut down affected the university and with it the research department. They assured me they would do everything they could to keep him in the study, to restart in a couple weeks when it was allowed. Now, nearly a year later, there is no hope to re-enter this or any other research study that is not related to COVID-19.

Despite work at UC being stopped, Retired Chief Pavlak worked hard to maintain his gains. He was successful to a point, being more mobile and confident as we went through the summer of 2020. Walking was not often his mode of transportation when we were out and about, but frequently it was at home. In August, he fell. The confidence he had gained vanished in that instant, as did the strength that he had gained as he was unable to walk at all as he recovered from his injury.

Now, with the only option of therapy to be with a mask covering his face, he is unable to participate. When my husband walks, it requires that he look at his feet. Where walking to the "normal" population is second nature, for individuals with these deficits, every single step requires concentration and deliberate thought. In addition, walking even at the slowest possible rate is now aerobic exercise for him. He is winded walking as little as 20 steps. I challenge you to wear a mask and look down at your feet while you walk, while being out of breath. The obstruction of the mask makes this impossible and, in his case, completely unsafe. The fact is that brain-injured patients now have two choices: continue in therapy with the restricted ability to participate safely, communicate, breathe, and see - or no therapy at all.

This impact is the biggest we've felt - but not the only. While businesses scrambled to create distance and erect obstacles to stop the airborne virus, they did so while erecting and enforcing physical barriers to wheelchair access. While these mandates attempt to stop something invisible to the naked eye, they

create real, concrete barriers which directly go against all that the ADA meant to gain for these individuals. With proper oversight and balance of power, our hope is that we regain access and remove these barriers that just ten months ago were recognized as illegal and enforced as such under Federal Law.

We recognize and respect the fact that this virus has taken lives throughout the state and country. We also have firsthand experience at how the restrictions in and of themselves have taken quality of life. While the initial response to this pandemic did seem necessary at the time, the continued use of power to restrict the unencumbered movement and free choice of the governed must be brought under control.

Whether one agrees that masks are effective is not the point - the willful obstruction of access for those with disabilities is.

Respectfully,  
Mrs. Christina Pavlak and Retired Fire Chief Randall J. Pavlak