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When I last had the privilege of addressing this chamber, I told the story of my mother, Geraldine Stephens, who died on May 9, 2020 at 92. She was living in an Alzheimer's Unit at Green Hills in West Liberty when she passed.

Because of the Covid restrictions that were put in place in March of 2020, for the last two months of her life Ma was surrounded, not by her extended and loving family, but by the staff of the nursing home where she lived. To a person, my family and I believe that the staff did its level best to make Ma comfortable and attend to her basic needs and may God bless them all.

But we also to a person believe that Ma's complete loss of contact with her family hastened her death by several months, months where she could have been happily surrounded by her family.

It didn't occur to me last time I was invited to speak here in the Statehouse to mention anything personal about my mother. She was a veteran of U.S. Army or at was known as the time the Woman's Army Corps., or WAC. As a WAC, she as stationed in Germany during the Korean War, earned an Occupation Medal and played defenseman on a traveling WAC basketball team. She and Pop lugged us four kids to the First United Methodist Church every Sunday and served the church and the King's Daughters for six decades, pitching in at every function, festival or funeral right there on the corner of Main and Sandusky in downtown Bellefontaine. She always thought her funeral would be held there and threatened to come back to haunt us if we served shredded chicken sandwiches at her wake. COVID robbed her of a funeral at the church, but as no shredded chicken sandwiches were served at her abbreviated services, she would have been alright with it.

She worked for many years at the ODJFS, starting as a caseworker and retiring as a supervisor. We were a family that played games, and she was in a number of Bridge Clubs well into her eighties and she played to win. She would run you over to score a small slam or to take your nickel playing Pass The Trash.

Ma didn't always recognize me when we had our last visits, but with her good manners and her good nature, she would never let on, but you could see that the wheels weren't spinning. She knew that she was *supposed* to know who I was, but to admit that would have been unthinkable rude. She treated me with the respect and deference and charm that she would have to any visitor in her home. Alzheimer's may have stolen her memory and ability to reason, but it did not take away the fact that Ma, in the end, retained many of the qualities that she was known and loved for all of her life: Her kindness, her courtesy, her sharp wit, her dignity, her sense of humor.

At least she did the last time I was able to speak to her in person, which was two years ago this month when I was banned from the LTC facility by the governor's mandate. We did not know it at the time but Ma had but two months left to live and for that entire two months Ma was allowed no visitors. During that short time her physical condition went from fair to critical. Mentally, she started to bottom out almost immediately. She could still use the phone when the lockdown went into place. Just two weeks later, she couldn't talk on the phone even with the assistance of one of the aides. We were only allowed to see, touch and speak to her again two days prior to her death. She was unresponsive the entire two days. As I said during my last testimony, Covid did not cause my mother's death, but the preventative may have had something to do with it.

But when kicking around ideas for my testimony today, I didn't want to make this some sort of maudlin eulogy for my mother, because I knew her my whole life and, trust me, she would have hated every last minute of it. The last thing she would want was me to do is use this precious time in this Committee talking about her. The time for that has come and passed. Ma was a pragmatist. She would want me to say what needs to be said, and sooner not later.

So for inspiration for today's testimony, I looked up and read through the Ohio Constitution and immediately noted that Article 1 of the same cribbed a phrase from an earlier text, one that was written 27 years earlier and under quite different circumstances, that text being the Declaration of Independence.

The framers of Ohio's Constitution, knowing good phrase and an absolute truth when they heard it, thought it worthy to put it in the very first sentence of Article 1: "Certain inalienable rights".

Dr. Franklin was the one who suggested the word 'inalienable' to Mr. Jefferson when he first read the manuscript, and as a student of the English language, I can appreciate what a masterful stroke this small change made.

The adjective "inalienable" simply means unable be taken away from or given away by the possessor. Both the United States Constitution and Ohio Constitution make it very clear that the only way we Americans and Ohioans may lose those inalienable rights is by due process of law, not by the stroke of a pen. Family members and primary health care providers are in the best position to make informed decisions for the treatment for any given individual. When it comes to medical care, one size does not fit all.

The Committee will remember that family members weren't the only ones banned from the LTC facilities. Primary health care doctors were getting static for making rounds in some units. Speech therapists, physical therapists, occupational therapists, nutritionists, maintenance crews all were barred from making their usual visits. EMTs were called to LTC facilities and then not allowed to enter.

The argument for extending these kinds of restrictions any longer than a fortnight simply fails to hold water. Even the smallest LTC facilities have dozens of staff coming in and out of the buildings 24 hours a day, seven days a week, 365 days per year. Certainly a safe and reasonable number of family members or caregivers could be screened and appropriately attired to be included with the comings and goings of the staff. This would not be a big stretch nor an undue burden on the LTCs. I'm willing to bet that most, if not all, would be receptive to the idea.

I challenge the members of this Committee to ask any of the the professionals, the professionals who every day are on the the wards and units of these LTC facilities – aides, nurses, therapists, physicians, nutritional staff, environmental staff, activities directors, volunteers, trustees, administrators – ask any of them if having loved ones and caretakers visit on a regular basis makes a difference in the mental hygiene and psychological health of the residents. The answer is going to be 'yes, definitely yes, absolutely yes' every time.

I spoke of 'inalienable' rights a few minutes ago and both texts cited 'happiness' as one of those rights. Humans are social animals and society have a right to protect itself. But arbitrary, open-ended mandates which completely remove our most vulnerable members, not from just the frame of society but the bosom of the family, people who are already out of the mainstream because their circumstances, runs counter to human nature and borders on cruelty. It is, in the end an injustice and in my mother's case, a brutal one. The inalienable right of the pursuit of happiness does not stop once one moves into a retirement center or LTC facility. Ohioans, their families and their health care providers are in a much better position to decide on what is best to take care of our loved ones than is an executive fiat.

A quote that has been wrongly attributed to Mahatma Gandhi kept stabbing and haunting me as I wrote my testimony: "A measure of a society can be taken by the manner in which it treats its most vulnerable members." Mom was one of our most fragile and vulnerable members and we failed her when the last thin tendon that connected her to her family was severed by a ball-point pen.

It is my sincere desire to have by great-grandchildren look back and say that we, here in this Committee, in this Statehouse, in this great State of Ohio, let the better angels of our nature take over in considering the fates of out most vulnerable members.