



House Criminal Justice Committee
Proponent Testimony for Senate Bill 109
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Chair Abrams, Vice Chair Williams, Ranking Member Brown and members of the House Criminal Justice Committee:

Thank you for the opportunity to provide proponent testimony for Senate Bill 109. The Ohio Alliance to End Sexual Violence (OAESV) is Ohio's statewide sexual violence coalition. We advocate for comprehensive responses and rape crisis services for survivors and empower communities to prevent sexual violence. Sexual abuse by medical providers is a serious and widespread issue, though it is often swept out of view due to power imbalances, stigma, and a lack of transparency and accountability in medical systems.

The medical provider-patient relationship is inherently imbalanced, leaving patients vulnerable to abuses of power like sexual violence. Patients rely on medical professionals to provide critical knowledge and expertise that impacts their health and wellbeing. They also place significant trust in providers to treat them appropriately and ethically. And trust is vital – patients are often at their most vulnerable when interacting with providers, because of physical pain, injury, illness, mental/emotional distress, and other deeply personal problems. This reliance and expectation of trust explains why patients report “freezing” during sexual abuse by medical providers, a common experience reported by survivors of many different forms of sexual violence. Additionally, many patients don't realize the sexual abuse occurred until after the fact. Because of the unique, isolated context that the medical sexual abuse occurs in, many patients experience shock, disbelief, and trauma symptoms following abuse by a medical provider. Given medical professionals' trusted positions in our society, survivors frequently delay reporting for fear that they will not be believed or taken seriously.

Medical boards and regulatory agencies have a responsibility to protect patients by promptly investigating and disciplining physicians and all medical professionals who engage in sexual abuse. Last year, reporters with the Columbus Dispatch found that the State Medical Board of Ohio protected physicians from sanction, but failed in their duty to protect the public from serial sexual abusers despite multiple – and often early – clear red flags. Direct outreach from victims and their families and even mandatory reports by health care professionals and institutions were ignored or dismissed by the Board. Even when the Board did act, it was slow-going and fell drastically short of the necessary steps to protect patients from further abuse by the reported medical professionals. In some cases, years would

pass from an initial report to the Board until any punitive or regulatory action was taken to halt the physician's abuse of other patients.¹

We know that the cases highlighted by the Dispatch are just a fraction of the actual cases of Ohioans who have experienced sexual abuse by a physician or other medical provider. The reports we do have access to clearly demonstrate a systematic acceptance of sexually abusive medical providers in Ohio. Without the changes proposed by Senate Bill 109, even more patients will experience long-lasting trauma by the very individuals they trusted would help them – not harm them.

OAESV sincerely thanks Senator Hackett for sponsoring Senate Bill 109 and this Committee for their consideration of this testimony. I am available to answer any questions via email at egemar@oaesv.org.

¹ Filby, M., Wagner, M., Smola Shaffer, J. (2023). Preying on patients. *Columbus Dispatch*. <https://www.dispatch.com/in-depth/news/2023/02/02/preying-on-patients-hundreds-of-doctors-have-abused-harassed-ohioans/69844571007/>