

Name
Address
Phone
Email

Date

Ohio House of Representatives
Primary & Secondary Education Committee;
or
Ohio Senate
Education Committee
RE: Testimony House Bill 8
Parents Bill of Rights in Education
(Opponent, Proponent, Interested Party)

House Committee Members Chairman Bird, Vice Chair Fowler-Arthur, Ranking Member Robinson and Members of the Ohio House Primary and Secondary Education Committee, **thank you for allowing me to provide testimony** or **I am writing you to express that I am** an **(Opponent, Proponent, Interested Party)** on House Bill 8, Parents Bill of Rights in Education.

(Senate Committee Members) Chairman Brenner, Vice Chair O'Brien, Ranking Member Ingram, and Members of the Ohio Senate Education Committee, **thank you for allowing me to provide testimony** or **I am writing you to express that I am** as a (Opponent, Proponent, Interested Party) on House Bill 8, Parents Bill of Rights in Education.

The Ohio House of Representatives introduced House Bill 8 known as the Parents Bill of Rights in Education as a priority bill this session. I support this bill. I believe it is very much needed to help parents combat problematic school districts obstructing parents' rights. I love how it requires schools to notify parents of any changes in their child's mental, emotional, and physical health or well-being. House Bill 8 also requires schools to notify parents of any change in services that a child receives while clearly stating schools are not allowed to withhold any information that would affect the child's mental, emotional, physical health or well-being. House Bill 8 reiterates that raising children is the authority & responsibility of parents solely and should be promoted & welcomed by our schools.

However, there is one issue that I must address regarding House Bill 8.

In new language ORC 3313.473, Section A, Subsection 4. It states at the beginning of the school year, notify parents of each health care service offered at their student school and work with parents to create a health care plan for each student that is approved by the student's parent. This section's language is a direct violation of our Ohio Constitution. Specifically, Article One, section 21, which states:

(A) No federal, state, or local law or rule shall compel, directly or indirectly, any person, employer, or health care provider to participate in a health care system.

(B) No federal, state, or local law or rule shall prohibit the purchase or sale of health care or health insurance.

(C) No federal, state, or local law or rule shall impose a penalty or fine for the sale or purchase of health care or health insurance.

(D) This section does not affect laws or rules in effect as of March 19, 2010; affect which services a health care provider or hospital is required to perform or provide; affect terms and conditions of government employment; or affect any laws calculated to deter fraud or punish wrongdoing in the health care industry.

(E) As used in this Section,

(1) "Compel" includes the levying of penalties or fines.

(2) "Health care system" means any public or private entity or program whose function or purpose includes the management of, processing of, enrollment of individuals for, or payment for, in full or in part, health care services, health care data, or health care information for its participants.

(3) "Penalty or fine" means any civil or criminal penalty or fine, tax, salary or wage withholding or surcharge or any named fee established by law or rule by a government established, created, or controlled agency that is used to punish or discourage the exercise of rights protected under this section.

I am requesting the committee to remove the language requiring parents to set up a health care plan with the school from the bill. It is a clear violation of our state constitution. Giving the school any responsibility to implement a health care plan with parents on behalf of our children is not appropriate and will be abused by schools.

The schools would use this language to require ALL parents to create a health care plan for their child. Then schools would enroll our children into health care services, via their health clinics at the school, to then bill the State for services rendered. The child's health information would be stored in their school file/system that is being streamlined (in real time) to state and federal agencies via their funding/accounting systems. Now the school is responsible for storing students' health care information in their database.

This process matches the definition of Health Care System in Article I, Section 21 of the Ohio Constitution. This then shows the violation of Article I, Section A which states:

(A) No federal, state, or local law or rule shall compel, directly or indirectly, any person, employer, or health care provider to participate in a health care system.

Therefore, requiring schools to "work with parents to create a health care plan for each student that is approved by the student's parent" in this bill is a clear violation of the Ohio Constitution because you would be passing a bill that would require parents to enroll their children in a health care system. Please remove the language in new language:

ORC 3313.473, Section A, Subsection 4.

At the beginning of the school year, notify parents of each health care service offered at their student school and work with parents to create a health care plan for each student that is approved by the student's parent.

Best Regards,

