

Gov. Mike DeWine vetoes medical free speech protections for health care providers

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Gov. Mike DeWine vetoed legislation late Thursday that would have barred state health regulators from infringing on medical free speech.

The measure was part of House Bill 315, a "Christmas tree" bill passed by lawmakers earlier this month that contained a hodgepodge of policy changes. DeWine was allowed to issue line-item vetoes on the package, meaning he could pick and choose which provisions became law.

The vetoed section of the bill would have prohibited the Ohio Department of Health, Board of Pharmacy and State Medical Board from disciplining health care professionals who express a medical opinion that doesn't align with their views. DeWine said that would gut the state's ability to regulate providers and ensure they don't abuse their authority.

"It is not in the public interest and instead could lead to devastating and deadly consequences for patient health," DeWine said in his veto message to lawmakers Thursday night.

DeWine approved other measures backed by medical freedom advocates:

- Note the World Health Organization doesn't have jurisdiction in Ohio.
- Bar state and local governments from issuing public health guidelines that ban the prescribing of off-label drugs.
- Ensure hospitals can't deny nutrition or fluids to patients unless requested or necessary for a medical procedure.

The legislation axed by DeWine came after the Ohio Medical Board fined and suspended the license of a doctor who falsely claimed that COVID-19 vaccines cause people to become magnetized. Dr. Sherri Tenpenny's 2021 testimony before a House committee made national headlines and became fodder for late-night comics.

The board dinged Tenpenny for failing to cooperate with an investigation, which began after officials received over 350 complaints about her, and reinstated her medical license earlier this year.

An early version of the off-label drug bill would have required pharmacists to fill those prescriptions and barred licensing boards from disciplining providers based on their use of off-label drugs. The issue got increased attention during the pandemic because of claims that the deworming drug ivermectin could treat COVID-19.

The Food and Drug Administration still has not authorized ivermectin for COVID-19 and said studies indicate it's not an effective treatment option. Stock said the original bill, opposed by hospitals and pharmacists, was intended to support Ohioans who said they lost loved ones because providers denied the patients different treatment options.