

HB 1468 INFORMED CONSENT FOR VACCINATION

Testimony-House Human Services Committee

Representative Kathy Skroch, District 26

67th Legislative Session

Chairman Weisz and members of the Human Services Committee,

For the record, I am Representative Kathy Skroch, District 26, Lidgerwood, ND, representing portions of Dickey, Ransom, Richland and all of Sargent counties of North Dakota.

Thank you, Chairman Weisz and members of the Human Services Committee, for allowing me to appear before you today to introduce HB1468 which creates a new section in Chapter 23-12 of NDCC.

This bill is being introduced on behalf of and by the request of concerned constituents from District 26 and from across the state of North Dakota.

The following concerns were raised and were addressed in part by this bill. There were complaints of the lack of sufficient information being provided to individuals, parents and guardians at the time vaccinations are being administered. Concerns were raised that insufficient information about the risks and side effects was being provided, was not received until after injections were received or not having received the information at all. In addition, time was not provided for individuals to ask questions or receiving answers prior to giving consent for immunizations.

Additionally, parents and individuals complained of: frequently being ill informed about the **medical, religious or philosophical** exemptions found in **section 23-07-17.1** of North Dakota Century Code; no access to forms; receiving no information about the requirements necessary to qualify for an exemption. Parents, patients and employees have felt rushed, bullied, pressured, and even threatened to accept immunization injections.

This in fact has been witnessed by medical and health professionals who often do not dare identify themselves for fear of retaliation. I have received written testimony from an employee who was forced to leave a former place of employment because of raising these concerns to a supervisor. Due to fear of being terminated from a current health related occupation, this witness will not put signature to this written testimony.

Section 23-07-17.1 is about a parent's or individual's rights for exemptions based on **religious, medical or philosophical grounds** but it is not a well protected right. **Subsection 6 and 7**, which has been provided, allows for a health officer to easily overrule any exemption.

In these situations, it is even more important for individuals, especially parents or guardians making decisions on behalf of their minor children, to be well informed of both the benefits and risks of vaccinations. In addition, when consent is granted, a parent, guardian or individual will be more prepared, more vigilant, should an adverse reaction occur and report these events to their medical provider.

Since the drafting of this bill some changes were necessary. Amendments were prepared to make these changes. A fiscal note was also requested. These along with links to sources are provided below (or see handout with amendments).

Thank you for the opportunity to introduce HB 1468 before the committee today. This is an important bill to address informed consent to vaccinate and I encourage a DO PASS recommendation from the committee. Thank you.

Representative Kathy Skroch

District 26

Lidgerwood, ND

Requested a fiscal note, this cannot be prepared until after amendments have been adopted by the committee and Amendment drafts proposed;

1. Include the definition for biologics unless it can be referenced elsewhere in code.

2. Page 1, line 13, after a. (insert) “a current vaccination immunization statement (VIS) or a vaccine package insert upon the request by the individual;” and

3. Page 2, line 2 after available (or where this would fit in in proper form) or on line 5, after that, “uses tactics that threaten, coerce, intimidate, bully or force an individual to receive a vaccine (under pressure or against their will), or for the purpose of coercing or pressuring a parent or guardian to grant permission for a minor child or ward against their (will or wishes) or violates this section” is guilty of an infraction.

REFERENCES:

https://www.icandecide.org/ican_lawsuits/the-food-and-drug-administration-fda-admits-it-has-never-licensed-any-influenza-vaccine-for-use-by-pregnant-women-and-does-not-have-a-single-trial-supporting-the-safety-of-this-practice/

<https://physiciansforinformedconsent.org/>

10/27/2020 [Physicians for Informed Consent Publishes Influenza \(Flu\) Vaccine Risk Statement “9 Flu Vaccine Facts”](#)

10/3/2020 [Physicians for Informed Consent Provides Key Information in Medical Board of California Hearing, Aims to Protect Patients at Risk of Vaccine Side Effects](#)

9/22/2020 [Physicians for Informed Consent Sends Cautionary Letter to UC Board of Regents Regarding Its New Flu Shot Mandate, Emphasizes Lack of Scientific Basis](#)

8/13/2020 [Physicians for Informed Consent Publishes New Educational Document on Risk of Aluminum in Vaccines](#)

6/5/2020 [Physicians for Informed Consent \(PIC\) Compares COVID-19 to Previous Seasonal and Pandemic Flu Periods](#)

3/6/20 [Physicians for Informed Consent Reports on ResearchGate: Landmark FDA Paper on Aluminum Safety in Vaccines Has Crucial Math Error](#)

3/6/20 [Erratum in “Updated aluminum pharmacokinetics following infant exposures through diet and vaccination”](#)

3/4/20 [Best Practices for Physicians Recommending a Medical Exemption to Vaccination](#)