



House Human Services Committee

HB 1502

January 23, 2023

Chairman Weisz and Committee Members, my name is Courtney Koebele and I'm the executive director of the North Dakota Medical Association. The North Dakota Medical Association is the professional membership organization for North Dakota physicians, residents, and medical students.

NDMA opposes this bill. Although COVID-19 immunizations were probably the source of the bill, it applies to all vaccines, including those against measles, influenza, pertussis, and hepatitis B. The reason for this is the definition of experimental contained in section 2 of the bill. Most common vaccines are included in the National Vaccine Injury Compensation Program (VICP). Therefore, these vaccines would not meet this requirement and be deemed "experimental."

This bill would prohibit hospitals and clinics from mandating any vaccines. In the healthcare setting, mandating vaccines for healthcare workers as a condition of employment is a common policy that was initially prompted by the goals of protecting patients from health care–acquired influenza and to protecting the workplace from the disruption and expense of worker illnesses. This is against the free-market principle of allowing business owners to do what's best for their business, workforce and patients. Healthcare facilities know the best course of action for their facility, and it should be their choice to determine what policies they enact.

This bill also conflicts with the Occupational Safety and Health Act and Centers for Medicare and Medicaid Services (CMS) vaccine requirements, which include other vaccines such as hepatitis B and influenza in addition to COVID. Therefore, this bill will significantly burden healthcare facilities in ensuring they properly adhere to immunization policies set by federal standards and state law.

NDMA requests a DO NOT PASS recommendation on the bill. Thank you for the opportunity to testify today. I would be happy to answer any questions.