



Senate Industry and Business Committee

HB 1391

March 18, 2025

Chairman Barta and Committee Members, I'm Courtney Koebele and I serve as 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 HB 1391. This bill increases the likelihood of lawsuits and claims against businesses, strains the Department of Labor's investigative capacity by requiring evaluation of medical histories and employer policies, and lacks federal precedent for these discrimination claims. Additionally, it would prevent public accommodations and services, including childcare facilities, schools, universities, correctional facilities, and restaurants, from preventing the spread of infectious diseases by excluding individuals who are actively sick, thereby risking the health of employees and customers. Childcare facilities would be required to accept unvaccinated children, placing infants and immunocompromised children at risk for diseases. Employers should be able to set health and safety policies, including considering health status, to protect their employees and customers without government interference. This includes implementing reasonable workplace safety measures.

- This legislation restricts businesses' rights and freedoms to protect their employees, customers, and economic success from vaccine-preventable diseases.

- Educational institutions could not enforce vaccine requirements, undermining existing school requirements that have kept students and teachers safe for decades.
- Generally, there is caution in expanding protected classes around discrimination regarding other areas of the law. Yet, this bill does exactly that, creating a new protected class around the unvaccinated.

Thank you for the opportunity to address this committee. I would be happy to answer any questions.