



January 19, 2021

Representative Karen M. Rohr  
Chair, Human Services Committee  
North Dakota Legislative Assembly  
600 East Boulevard  
Bismarck, ND 58505

Senator Judy Lee  
Vice Chair, Human Services Committee  
North Dakota Legislative Assembly  
600 East Boulevard  
Bismarck, ND 58505

Dear Chair Rohr, Vice Chair Lee, and Members of the Human Services Committee,

I am writing today on behalf of the Biotechnology Innovation Organization (BIO), a national trade association for the biotechnology industry, representing over 900 companies and academic institutions involved in the research and development of innovative healthcare, agriculture, industrial, and environmental biotechnology products. BIO membership includes vaccine developers and manufacturers who have worked closely with the public health community to support policies that help ensure access to innovation and life-saving vaccines for all individuals.

BIO and our member companies would like to express our **opposition to HB 1306, HB 1307, and HB 1320**, as these bills put North Dakotans at risk of preventable diseases.

Legislative efforts related to vaccines should focus on continuing to extend protection from these diseases and their side effects to all North Dakotans. The Legislature serves a critical function in passing laws to protect the people of North Dakota. Decisions to change the immunization laws should be held to high standards of evidence-based scientific deliberation. Prohibiting the State, employers, and schools from implementing any immunization requirements will have a detrimental effect on public health in North Dakota, particularly in the middle of a pandemic. North Dakota has experienced a high toll from the COVID-19 pandemic, particularly when cases spiked to a 16% positivity rate in November and December.<sup>1</sup> As COVID-19 vaccination begins and there is hopefully an end to the pandemic coming soon, we must remain vigilant against other infectious diseases. Removal of vaccine requirements risks outbreaks of measles,

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<sup>1</sup> <https://www.health.nd.gov/diseases-conditions/coronavirus/north-dakota-coronavirus-cases>



pertussis, and influenza. Such outbreaks put lives at risk and are accompanied by great economic costs to the State<sup>2</sup> and society.<sup>3</sup>

HB 1305 is based upon false claims that vaccines are linked to sudden infant death syndrome (SIDS) and autism spectrum disorder (ASD). Potential links between vaccines and these conditions have been extensively studied, with no association found. In fact, studies have found that immunization may have a *protective* impact against SIDS. A metaanalysis of existing research in 2007 found that immunizations were associated with *halving* the risk of SIDS.<sup>4</sup> Similarly, a 2001 study in the United Kingdom found immunization lowered the odds of SIDS<sup>5</sup> and a 1995 study in New Zealand found unimmunized infants had a higher risk of SIDS<sup>6</sup>. Additionally, more than nine studies have been conducted to investigate any possible connection between vaccines and ASD, all finding no association.<sup>7</sup> Thimerosal, the vaccine preservative alleged to cause autism was removed from all pediatric vaccines between 1999 and 2001, yet autism rates continue to rise.<sup>8</sup> Rather than continuing to look for a connection to vaccines, research should be done investigating the actual causes of these conditions.

HB 1307 and HB 1320 would restrict the ability of employers and schools to implement vaccination requirements. North Dakota's school entry requirements allow for freedom of choice by offering exemptions based upon personal beliefs. However, the choice to delay or reject some vaccines entirely is not just a personal decision. When we choose to not receive vaccines or vaccinate our children, we put ourselves and others in our community at risk for serious disease. Putting others, such as those who are immunocompromised or too young to receive vaccines, at risk for vaccine-preventable disease arguably presents a challenge to their personal freedom to go to the store, to school, or anywhere else they come into contact with their community without the possibility of contracting a dangerous, preventable illness. All North Dakotans deserve the right to freedom from preventable infectious diseases.

Individuals understandably have concerns about the unprecedented pace of development of COVID-19 vaccines. Time has been saved through prioritization of resources toward COVID-19, novel technologies that have been more efficient, public-private collaboration, and clinical trial phases happening in parallel rather than in sequence. These vaccines enrolled the same number of individuals in clinical trials as trials for other vaccines and the FDA and CDC have maintained their high standards. Therefore, individuals should be confident that there have not been shortcuts in testing

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<sup>2</sup> <https://www.cdc.gov/mmwr/volumes/66/wr/mm6646a3.htm>

<sup>3</sup> <https://www.worldbank.org/en/news/feature/2020/06/08/the-global-economic-outlook-during-the-covid-19-pandemic-a-changed-world#:~:text=Businesses%20might%20find%20it%20hard,by%20almost%208%25%20in%202020>

<sup>4</sup> <https://www.ncbi.nlm.nih.gov/pubmed/17400342>

<sup>5</sup> <https://www.bmj.com/content/322/7290/822.short>

<sup>6</sup> <https://adc.bmj.com/content/73/6/498>

<sup>7</sup> <https://www.cdc.gov/vaccinesafety/pdf/cdcstudiesonvaccinesandautism.pdf>

<sup>8</sup> <https://www.cdc.gov/vaccinesafety/concerns/autism.html>



the safety and efficacy of these vaccines and such concerns should not lead to overreaching policies that impact the use of all vaccines.

Vaccinations have led to steep decreases and eradication of many significant infectious diseases such as polio, measles, mumps, pertussis, and haemophilus influenza type B (Hib). Immunizations are our best protection against preventable disease and can help North Dakotans live longer, healthier lives.

BIO and our member companies urge the Committee to oppose HB 1306, HB 1307, and HB 1320. We stand ready to help in any discussion of legislation to strengthen immunizations and to share our knowledge of activities and initiatives from around the country.

Sincerely,

/s/

John Gregory Hoke

Director, State Government Affairs

cc: Rep. Jeff A. Hoverson  
Rep. Dwight Kiefert  
Rep. Lisa Meier  
Rep. Matthew Ruby  
Rep. Mary Schneider  
Rep. Kathy Skroch  
Rep. Bill Tveit  
Rep. Greg Westlind  
Sen. JoNell A. Bakke  
Sen. Dick Dever  
Sen. Kathy Hogan  
Sen. Tim Mathern  
Sen. Jessica Unruh-Bell