
Good morning, Chairman Weisz and members of the House Human Services Committee. I am Sandy Tibke, Director of the Foundation for a Healthy North Dakota. I am providing testimony in opposition to HB1406.

The Foundation for a Healthy North Dakota supports monitoring and studying vaccine safety; however, the proposed study in this bill is already occurring at a national level, and these studies are publicly available. Also, there are robust vaccine monitoring systems in place at a national level that provides publicly available data, including Vaccine Adverse Event Reporting System (VAERS), Vaccine Safety Datalink (VSD), and the Clinical Immunization Safety Assessment (CISA) Project. Therefore, a state-specific study would cost taxpayers money to replicate work that is already being done. The recommendation of this study is based on another state's unpublished, non-peer-reviewed research, which is now being criticized by numerous experts.^{1,2,3}

Additionally, this bill would limit the ability of the North Dakota Health and Human Services (NDHHS) agency to promote any messenger ribonucleic acid vaccine (mRNA) vaccination, including potential, future cancer-preventing vaccines. Other mRNA vaccines in development include one for respiratory syncytial virus (RSV), which our state has recently experienced a surge of cases and hospitalizations.⁴

This bill's proposal to require our state's Health and Human Services agency to compensate individuals with "any physical injury" after a COVID-19 vaccination is also addressed at the national level. There is an existing compensation program to direct claims of vaccine injury called the National Vaccine Injury Compensation Program (VICP), and the Countermeasures Injury Compensation Program (CICP) handles COVID-19 vaccine injury claims. We do not need to use state taxpayer dollars to handle any claims of vaccine injury for North Dakotans due to this. Also, the VICP streamlines the process for individuals with vaccine-injury claims so that it is easier and more efficient to manage and be compensated.

Based on the definition of "medical product" in Section 2 of HB 1406, this legislation would apply to all, not just COVID-19, testing and treatment during declared emergencies. We shouldn't limit testing and treatment for citizens of North Dakota.

In conclusion, the Foundation for a Healthy North Dakota absolutely supports prioritizing vaccine safety for the citizens of our state. The study and monitoring of this is done at a

necessary and appropriate degree at the national level through the robust vaccine monitoring systems mentioned as well as the many studies focused on the safety of the COVID-19 vaccine. The VICP exists to handle the concern of vaccine injury claims, and the COVID-19 vaccine is a covered countermeasure under the CICP.

Thank you for the opportunity to speak to you today. I am happy to now answer any questions you may have for me.

References:

1. Dyer, O. (2023, January 16). *Covid-19: Florida's surgeon general used "careless" research practice in recommending against vaccination, his university finds*. The BMJ. Retrieved January 20, 2023, from <https://doi.org/10.1136/bmj.p1110>.
2. Diamond, D. (2022, October 13). *Experts slam Florida surgeon general's warning on coronavirus vaccines*. The Washington Post. Retrieved January 20, 2023, from https://www.washingtonpost.com/health/2022/10/11/florida-surgeon-general-ladapo-covid-vaccines/?utm_source=substack&utm_medium=email.
3. *A critical review of Florida's new vaccine analysis*. You Can Know Things. (2022, October 11). Retrieved January 20, 2023, from <https://youcanknowthings.com/2022/10/09/a-critical-review-of-floridas-new-vaccine-analysis/>.
4. ND Health and Human Services recommends measures for RSV Prevention. Health and Human Services North Dakota. (n.d.). Retrieved January 20, 2023, from <https://www.hhs.nd.gov/news/nd-health-and-human-services-recommends-measures-rsv-prevention>.