HB 1502
House Human Services
January 23, 2023 | 2:30 pm

Good afternoon, Chairman Weisz and members of the House Human Services committee. My name is Sandy Tibke and I am the Executive Director of Foundation for a Healthy North Dakota.

I am providing testimony in opposition to HB1502. Our organization echoes the Department of Health and Human Services' concerns about the definition of experimental vaccination and the impact this classification will have on routine wellness vaccines. As Ms. Howell noted in her testimony, the criteria categorizing certain vaccines as "experimental" are of concern to those in the public health realm. If this bill is passed and these criteria are implemented, hospitals and healthcare facilities in this state would no longer be able to maintain all routine immunization requirements for their staff. This has grave implications for hospital administrators, healthcare employees, and patients.

Healthcare providers and associated staff are currently required to maintain up-to-date routine immunizations against infectious diseases. These requirements protect employees who, by virtue of their place of employment, are at risk of exposure to serious and sometimes deadly diseases. Hospital employees should not be put at further risk of injury or illness when multiple studies and trials (including historical clinical trials, which may not fit the criteria required by this legislation) have proven that vaccines are safe and they effectively reduce morbidity and mortality from infectious diseases.[1,2] Furthermore, the impacts of staff absenteeism due to vaccine-preventable illnesses such as measles and polio would place enormous strain on an already stressed and overextended workforce.

Removing these requirements would also impact patients. It is our organization's firm belief that individuals should not be placed at enhanced risk of disease transmission when seeking care for illness or injury.

This legislation, as written, based on a faulty definition of experimental vaccines, limits the decision-making capabilities of qualified medical professionals and impacts day-to-day operations related to ensuring staff and patients are protected from disease. Categorizing a long-trusted vaccine, like the one for polio, as "experimental" – which this bill would do, as the clinical trial that led to FDA approval does not fit the definition's criteria (it was not a full year long)* – stigmatizes routine wellness immunizations. This would have a devastating and far-reaching effect on all North Dakotans.

Thank you for your time today. I would be happy to answer any questions.

*The initial clinical trial for Jonas Salk's poliovirus vaccine did not last a full year.[3] The bill's definition, subpoint a. states as a criterion: "The pivotal clinical trial the United States food and drug administration relied on to approve the vaccine evaluated the safety of the vaccine *for at least one year* after the vaccine was administered against a control group that received either a placebo or another vaccine that meets the criteria under this subsection." [Emphasis added for clarity]

References

1. Evans SJW, Jewell NP. (2021, August 12). Vaccine effectiveness studies in the field. *New England Journal of Medicine.* Epub 2021. Retrieved January 22, 2023, from https://www.nejm.org/doi/full/10.1056/NEJMe2110605.
2. American Academy of Pediatrics. (2022, September 6). Vaccine safety: examine the evidence. *Healthy Children: Safety and Prevention.* Retrieved January 22, 2023, from https://www.healthychildren.org/English/safety-prevention/immunizations/Pages/Vaccine-Studies-Examine-the-Evidence.aspx.
3. Kurlander C, Juhl RP. (2020, September 16). Lessons from how the polio vaccine went from the lab to the public that Americans can learn from today. Retrieved January 23, 2022, from https://theconversation.com/lessons-from-how-the-polio-vaccine-went-from-the-lab-to-the-public-that-americans-can-learn-from-today-145604#:~:text=After%20months%20of%20meticulously%20analyzing,year%20after%20the%20trial%20began.