

## TESTIMONY

HB 1391

House Human Services

February 4, 2025

Jessica Doty, UND Director of Student Health Services

Chair Ruby and Committee Members:

My name is Jessica Doty, Director of Student Health Services at the University of North Dakota. I am writing to oppose HB 1391 and share concerns about how the broad concept of 'health status' as a protected status in this bill would challenge the protection of the campus' public health. There would be direct conflict in protecting public safety and managing health-related situations as we try to protect health status. Health status is a broad and inherently vague concept. Without clear limitations, 'health status' could encompass a wide range of conditions, including temporary illnesses, lifestyle-related health issues, and subjective health perceptions. The lack of specificity of the definition of 'health status' in this proposed bill creates legal uncertainty and administrative challenges for employers, businesses, and institutions.

Examples of how this bill would negatively affect a college campus can be illustrated with very real threats such as an active tuberculosis case or a positive hepatitis A infection within the campus community. At an institution of higher education, the protection of public health occasionally comes with requiring a person with a certain 'health status' to stay away from the classroom or workplace to protect others. Currently, a person with an infectious disease would be isolated from going to classes or working at their on-campus job, perhaps at the dining center or student union. With the changes proposed in HB1391, the campus would no longer be able to

require a person with a transmittable condition to stay home during an infectious period. The campus would be faced with the difficult decision of having a person continue working while actively infectious. In these situations, it is almost guaranteed that the communicable condition will spread to many others on campus, shutting down classrooms, dining halls and public gathering spaces altogether.

Additionally, with the passing of this amendment, a student in a health sciences major with a contagious disease that is completing clinical rotations for their program would not be required stay home and could continue caring for immunocompromised populations. The risk of spreading a communicable disease like measles through a vulnerable population could be devastating to an entire community in this scenario, as well as many other situations.

We respectfully request a Do Not Pass on HB1391.