

House Bill 1458
Human Services Committee
February 4, 2025

Good morning, Chairman Ruby and members of the Human Services Committee. My name is Kylie Hall, and I live in District 45 in North Fargo. I am writing to state my opposition to this bill. I have a Master's Degree in Public Health and have worked at the North Dakota State University Center for Immunization Research and Education for the past 9 and 1/2 years. I would like to make clear that my comments today are not on behalf of NDSU.

My biggest concern with this bill is that it would make it nearly impossible for healthcare providers to administer live vaccines in the state. Live vaccines that are routinely given in the state are against diseases such as measles, mumps, rubella, varicella (chickenpox), rotavirus and influenza (nasal spray). International travelers may also receive live vaccines against typhoid, yellow fever, or tuberculosis.

So why does this bill apply to the vaccines mentioned above? Because to create those vaccines, the pathogens are weakened, or attenuated, so they can no longer cause disease in a healthy individual but they can replicate and cause an immune response. In rare instances, live virus vaccines can cause an extremely mild case of the disease the vaccine was trying to prevent against, and there is the theoretical risk that the person who becomes infected from vaccination could spread the disease to others. Let me be clear - this would be an extremely rare occurrence, but the way the bill is written with the words "potential infection" and "attenuated virus or bacteria" - it would apply to routine vaccines.

As HB1458 stands - a healthcare provider COULD administer a live vaccine if they get written consent from each individual that may potentially be exposed to the self-spreading virus or bacteria. This is logistically very challenging. I am unsure how we would go about obtaining written consent from young children. I am also unsure how we would go about receiving written consent from anyone who may potentially be exposed to the self-spreading pathogen. Imagine a situation where a young child receives the live, oral rotavirus vaccine at a clinic, and then the child proceeds to go back to daycare, home to multiple siblings, and attends a family gathering in the days following vaccination when that virus is replicating and stimulating the immune response. At this point in time, there is a very small, but potential risk of spreading this virus to others. Are you really going to request written consent from everyone this person encounters? When you think about it, it is practically impossible to implement the requirements of this bill.

We also need to consider what this bill could do to immunization rates. Providers won't want to administer vaccines for fear of violations. Parents will forgo vaccination when they learn they could be in violation of this bill because they vaccinated their child with a live, attenuated

vaccine. Vaccination rates would quickly decrease, and children will suffer from many vaccine-preventable diseases.

Please vote “do not pass” on HB 1458.

Respectfully submitted,

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