

House Industry, Business, and Labor Committee
Representative Jonathan Warrey, CHAIR
January 29, 2025

Chair Warrey and members of the House Industry, Business, and Labor Committee, my name is Lisa Pulkrabek, I live a few miles outside of Mandan in District 31. I am writing to you today asking for your support of HB 1454 - Relating to the medical liability of a government entity. Please pass this bill through your committee.

As far as I understand, this bill mainly affects vaccines, immunizations and biologics because the manufacturers of all other medical drugs, treatments and devices already can be held liable for death or injury the product may cause. Furthermore, beyond recent covid vaccines, I know of no drugs, interventions or medical devices that anyone is forced to take without their consent.

Back in 1986 the US Congress and President Reagan gave vaccine manufacturers immunity from being held liable for injuries and death that their vaccines caused. This was called: The National Childhood Vaccine Injury Act (NCVIA). Under the NCVIA, the National Vaccine Injury Compensation Program (NVICP) was created to provide a federal no-fault system for compensating vaccine-related injuries or death which effectively gave manufacturers open doors to create products that they didn't have to do rigorous testing on and didn't have to pay out for in court if a consumer sued them. (Up to this point, they were being sued for many millions of dollars each year and were at risk of losing their companies.) Under NCVIP they knew that the government would cover their backs and pay money to victims and their families! Well the NVICP has basically been a kangaroo court for nearly the last 40 years. It takes years to get a hearing before a judge and payouts are few and far between and usually only award a fraction of the money needed to restore the injured parties back to health - if that is even possible for them.

However, for the most part for the last 40 years, we as consumers have had the right to accept/purchase/take/give to ourselves and our children these vaccines if we chose to do so. Many American parents just blindly trust and accept whatever advice and guidance their personal doctors, the CDC, AMA, AAP, WHO, NIH and the rest of the governmental health agencies give them. They bring themselves and their children in for all the recommended immunizations. They get the shots and go on their way - many seemingly unharmed. But there are kids and adults who have severe adverse reactions to vaccines. In the case of this, the patient and the doctor's office or clinic that administered the vaccine should report the reaction to the Vaccine Adverse Event Reporting System (VAERS). Many clinic and hospital staff are not trained on the correct protocols on how and where to report. Still even if reported, that is not a lawsuit through NVICP, that must be done separately. Again, people have had the choice to take these medical interventions.

Fast forward to 2020 and the last four tumultuous years. As you should be aware, the US military, government agencies, schools, colleges and even private employers were forcing their students and employees to take the UNTESTED covid vaccine. This was in fact "forced" because the only other choice that many people had was to leave the job or school. The covid vaccine was not covered under the already over stressed NVICP system. Anyone who had an adverse reaction (For example: myocarditis, heart attack, stroke and many other things..... DEATH) well they were just plain out of luck.

So manufacturers aren't liable, the NVICP is a joke and doesn't cover covid vaccines - it only covers childhood vaccines, you are forced to take the untested product and you have a chance of serious illness, debilitating injury or death. Does that sound fair to you? Does it sound safe? Does it sound healthy? Does it sound like bodily autonomy? North Dakotans deserve better.

Now Trump is hoping to invest \$500B of our tax dollars into an AI company to create another vaccine for cancer of all things. This is going to be another disaster. I will not take that dangerous, untested shot either. But I digress. Vaccine companies are always cooking up the next immunization -these new ones mRNA, this is very detrimental to our bodies. How do we know and trust that the next vaccines down the line will be safe? We just have to take anything they throw out at us with no choices?

Enter HB 1454 - We want bodily autonomy. No person should ever be forced, coerced, guilted, bribed or incentivized into getting a medical treatment, medication, biologic, drug, vaccine or anything. We deserve to have the full, honest facts about the risks and benefits and then we can make an informed decision. If we know that the manufacturers have liability, then we can trust that they have done everything possible to ensure that their product is the safest it can possibly be. We can be certain that they stand behind their product and if we or our loved one is forced to take a vaccine to keep a job, or stay in school, and if they become injured or sick there is proper recourse!

Without liability, there can be no mandate! There can be no mandatory products without the manufacturers being liable for injury, harm or death.

Again I urge you to pass HB 1454 so that North Dakotans can continue to have the freedom to choose their injections or recourse if they are forced to take one. No governmental agency has the right to mandate such risky treatments.

Thanks for your time and consideration.

Lisa Pulkrabek