

Good Morning Chairman Warrey , vice chairs Johnson and Ostlie, and all the members of the House Industry, Business and Labor Committee.

For the record, I am Representative Donna Henderson from District 15, and I am here to present House Bill 1454.

This is a bill that would assure that individuals would not be mandated to receive liability-free medical products. Now this bill was written with vaccines in mind, but can apply to other medical products as well.

In the last several years we have learned of a significant rise of serious injuries and death due to certain vaccinations. I would bet we all know someone personally that suffered a serious injury or death due to a medical product such as this. There are some that have submitted their testimony in support of this bill that attest to that fact. There are probably some in this room that plan to share their personal stories in support of this bill. I could recite pages of data, the same data you can find from reputable sources that could argue the safety of certain vaccines, but this bill is focused on one thing- liability.

Just weeks ago, on December 30th 2024, our North Dakota Attorney General, along with Attorney Generals from 13 other states, wrote a letter to the Health and Human Services Department in Washington DC. This letter references the COVID-19 Vaccine Injury Compensation Program. It chastises the federal government for the

fact that vaccine manufacturers have no liability in regards to vaccines. They state they are disappointed that the federal government is favoring manufacturers over the health of its citizens. It asks for due process for all those harmed, and states that it is unfair that their only recourse is to file a claim with the Countermeasures Injury Compensation Program (CICP). So I thank our Attorney General for publicly acknowledging this problem that would be corrected by the passage of this bill.

Is there any business in this entire state, that you are forced to do business with, that is not liable for harming you?

Is there any other product out there that you cannot recover damages if you are hurt by their products?

No. Everything has some sort of liability.

This bill simply says that someone needs to be liable if the medical product is forced on you.

This bill is not saying you can't offer, or voluntarily take any medical product you want, this bill is not saying you shouldn't voluntarily take any medical product you want, this simply says if you are going to mandate it- meaning forcing someone to take it, there has to be liability for potential damages. Someone has to be liable if it is to be mandated.

Also, to be clear, this bill is not talking about immunization requirements in schools and universities. Those institutions are not affected with this bill as recommended immunizations are not mandated at this time. Anyone can file an exemption for medical, religious and philosophical reasons. My son attended a college in North Dakota from 2021- 2023 without receiving the recommended immunizations by filling out his exemption form. This bill is only related to forced vaccinations. Again, it does not change the recommended vaccine schedule for schools and universities.

Now I don't know what those in opposition will say- but nothing anybody can say would remove the fact that liability is a requirement for every product except one. Why is that? This bill would put it in code for every medical product and make liability universal, across the board, like it should be.

Now if something does happen, the person still has to prove it to the court that they were damaged by the medical product. It's still a big hill to climb. But this bill at least gives to North Dakota citizens, an opportunity, if they are in that position, that they were required to receive a medical product against their will, it gives them, or their family a recourse to move forward. Because right now in our state, we don't have that. This bill protects ND citizens, which is really our job to do.

So- there is some opposition testimony online for this bill, last time I looked, it was all from State Agencies. None from North Dakota citizens. I would argue the current system protects the State agencies, the bill I am proposing protects North Dakota citizens. This bill won't impede the State Agencies from their ability to access

records or hinder investigations or change how they serve their consumers. They simply can't justify forcing someone to receive a medical product against their will with no liability in the name of convenience or protecting their bottom line. It's hard to argue that this bill is not in the citizen's best interest.

No one. And I mean no one should be opposed to this bill. Because we are not restricting anyone's ability to do anything. This is completely about liability, and protecting people who are not in a position to protect themselves.

With that, Mr Chairman, I thank you for this opportunity to present House bill 1454 and I would welcome any questions.