

Re: House Bill 1200
Senate Human Services Committee
March 8, 2023

Good morning, Chairwoman Lee and members of the Senate Human Services Committee.

My name is Kylie Hall. I work at North Dakota State University in the Center for Immunization Research and Education (CIRE) where I am the Operations Director. I am testifying today on behalf of North Dakota State University and our Center **in opposition** to House Bill 1200, and to provide considerations for an amendment.

As written, House Bill 1200 says that NDUS institutions may not promote student vaccination against COVID-19 or the receipt of an emergency-use authorized vaccine. Additionally, “promotion” is not defined in this bill, which will likely lead to confusion over what is and isn’t considered “vaccine promotion” on a college campus.

NDSU respectfully requests consideration of an amendment, which would remove Section 1, Subsection 1, Part b., which states that an institution under the control of the state board of higher education may not “Promote student vaccination against COVID-19 or receipt of an emergency-use authorized vaccine.”

When the COVID-19 vaccines first became available to college students, NDSU worked with Fargo Cass Public Health to hold optional, on-campus vaccination clinics for students. Educational materials were created and disseminated to students. Over 4,000 students chose to receive COVID-19 vaccines during March and April of 2021, and many of them were vaccinated during on-campus clinics. Since the initial vaccine rollout, students, staff, and faculty have also had the option of participating in on-campus COVID-19 vaccine booster events. If this bill were passed, vaccine information and these convenient and optional clinics could not be promoted to students.

If the above amendment is not considered, NDSU requests clarification on the definition of “promotion”. NDSU currently holds multiple contracts with the North Dakota Department of Health and Human Services aimed at vaccine education and outreach to various audiences, including but not limited to COVID-19 vaccines and college students. Does providing education about COVID-19 vaccines to college students in healthcare professional fields (medical, pharmacy, and nursing) qualify as promotion? Outside of these contracts, NDSU’s Student Health Service medical providers may recommend an FDA-authorized or FDA-approved COVID-19 vaccine to a patient. Is this considered promotion? If healthcare professional program clinical sites require COVID-19 vaccination for students, is making students aware of these requirements considered promotion?

DEPARTMENT OF PUBLIC HEALTH

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NDSU is an EO/AA university.

Finally, if there were ever an outbreak, epidemic, or pandemic impacting NDSU and only emergency-use authorized vaccines were available to prevent the disease, this bill would limit NDSU's ability to promote the vaccine to students and potentially limit the impact the disease has on our campus community. For example, NDSU has held table-top exercises as emergency planning for management of a case of Ebola virus potentially appearing on campus. Response would likely include the potential use of any emergency-use authorized vaccines to contain an Ebola outbreak. HB 1200 would prevent the use of this important containment measure for a deadly disease.

This concludes my testimony for House Bill 1200. NDSU respectfully requests consideration of our amendment.

Respectfully submitted,

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