

**HB 1200**

Senate Human Services Committee

March 8, 2023

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Chair Lee and members of the Senate Human Services Committee. My name is Dr. Joshua Wynne and I am the Vice President for Health Affairs at the University of North Dakota and Dean of the UND School of Medicine and Health Sciences. I am here today on behalf of the University of North Dakota (UND) and its School of Medicine and Health Sciences (SMHS) and the other allied health educational programs in the North Dakota University System (NDUS) in providing **neutral** testimony related to House Bill 1200 and to request considerations for amendment.

My primary concern with HB1200 is with section 1(b). It states that NDUS institutions may not *promote* student vaccination against COVID-19 or the receipt of an emergency-use authorized vaccine. The word “promote” is not clearly defined and will likely cause confusion within the School of Medicine and Health Sciences as well as more broadly across the entire NDUS. When we educate students about the benefits and risks of anything, we are sharing information to educate students. If the information – the scientific data – clearly provides indisputable evidence that favor a vaccination, will the discussion in an educational setting be defined as “promoting” the vaccine?

A much larger question relates to academic freedom and what is done in the classroom. It will be difficult for the institution to know or regulate what an individual faculty member may say based on his or her assessment of the extant scientific literature.

Accordingly, I would encourage this committee to consider an amendment that removes Section 1, subsection 1, Part b.

Finally, there is a subset of this bill that relates to individual faculty members who are both clinicians and educators. I will use myself as an example. I work for UND full-time but I practice at Sanford Health utilizing a sub-contract arrangement between UND and Sanford Health. I have urged and will continue to urge appropriate patients to get appropriate vaccinations, including for COVID-19, in my role as a physician. But am I functioning to some extent as a UND faculty member when I do this? Might I be prevented from doing so by this bill as I might be felt to represent UND in some way?

In summary, the word “promote” in HB 1200 could be construed to mean many things that could negatively impact the educational and clinical operations of UND’s School of Medicine and Health Sciences and public health providers and educators across the NDUS.

This concludes my testimony for HB 1200.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Josh Wynne". The signature is fluid and cursive, with a large initial "J" and "W".

Joshua Wynne, M.D., M.B.A., M.P.H.  
VP for Health Affairs, University of North Dakota  
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