

2023 HOUSE HUMAN SERVICES

HB 1207

2023 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee Pioneer Room, State Capitol

HB 1207
1/23/2023

Relating to publication of vaccine adverse event data.

Chairman Weisz called the meeting to order at 2:31 PM.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Todd Porter, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich. All present.

Discussion Topics:

- Adverse reactions following a vaccination
- Collection and recording of data on adverse reactions
- Process of recording and publishing data
- Studies on vaccine adverse events

Rep. D. Anderson introduced HB 1207 speaking in favor of bill.

Cody Scible, with Burleigh County, spoke in support.

Alexis Wangler, citizen from Linton, North Dakota, spoke in support.

Marty Beard, North Dakota citizen, spoke in support.

Additional written testimony:

Sandy Tibke, Director of Foundation for a Healthy North Dakota, supportive testimony (#15043).

Lisa Pulkrabek, North Dakota citizen, supportive testimony (#15268).

Doug Sharbono, North Dakota citizen, supportive testimony (#15285).

Brian Gerhart, North Dakota citizen, supportive testimony (#15293).

Todd Kjelland, North Dakota citizen, supportive testimony (#15306).

Jewell Hamilton, North Dakota citizen, supportive testimony (#15328).

Chairman Weisz adjourned the meeting at 2:38 PM.

House Human Services Committee

HB 1207

1/23/2023

Page 2

Phillip Jacobs, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee Pioneer Room, State Capitol

HB 1207
2/8/2023

Relating to publication of vaccine adverse event data.

Chairman Weisz called the meeting to order at 3:51 PM.

Chairman Robin Weisz, Vice Chairman Matthew Ruby, Reps. Karen A. Anderson, Mike Beltz, Clayton Fegley, Kathy Frelich, Dawson Holle, Dwight Kiefert, Carrie McLeod, Todd Porter, Brandon Prichard, Karen M. Rohr, Jayme Davis, and Gretchen Dobervich. All present.

Discussion Topics:

- Committee work

Representative Anderson moved a DO PASS on HB 1207.

Seconded by Representative Frelich.

Roll call vote:

Representatives	Vote
Representative Robin Weisz	Y
Representative Matthew Ruby	Y
Representative Karen A. Anderson	Y
Representative Mike Beltz	Y
Representative Jayme Davis	Y
Representative Gretchen Dobervich	Y
Representative Clayton Fegley	Y
Representative Kathy Frelich	Y
Representative Dawson Holle	N
Representative Dwight Kiefert	Y
Representative Carrie McLeod	Y
Representative Todd Porter	Y
Representative Brandon Prichard	Y
Representative Karen M. Rohr	Y

Motion carries 13-1-0.

Bill carrier: Representative Davis.

Chairman Weisz adjourned the meeting at 3:53 PM.

Phillip Jacobs, Committee Clerk By: Leah Kuball

REPORT OF STANDING COMMITTEE

HB 1207: Human Services Committee (Rep. Weisz, Chairman) recommends **DO PASS** (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1207 was placed on the Eleventh order on the calendar.

2023 SENATE HUMAN SERVICES

HB 1207

2023 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Lincoln Room, State Capitol

HB 1207
3/8/2023

Relating to publication of vaccine adverse event data.
--

10:00 AM **Senator Cleary** called the hearing to order. **Senators Cleary, Clemens, K. Roers, Weston, Hogan** were present. **Senator Lee** was absent.

Discussion Topics:

- Database
- ND website system
- Federal website
- Vaccine collections

10:00 AM **Representative Bert Anderson**, introduced HB1207, and testified in favor verbally.

10:15 AM **Nizar Wehbi, North Dakota State Health Officer**, testified neutral verbally.

10:19 AM **Molly Howell, Immunization Director, ND Department of Health and Human Services**, provided information verbally.

10:27 AM **Nizar Wehbi**, provided additional information verbally.

Additional written testimony:

Stephen McDonough, Pediatrician in opposition #22840

10:38 AM **Vice Chairman Cleary** adjourned the hearing.

Patricia Lahr, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Lincoln Room, State Capitol

HB 1207
3/8/2023

Relating to publication of vaccine adverse event data.

11:05 AM **Senator Cleary** called the meeting to order. **Senators Cleary, Clemens, K. Roers, Weston, Hogan, and Lee** were present.

Discussion Topics:

- Database files
- Website links
- Fiscal note
- Accuracy

Senator Lee called for discussion.

Senator K. Roers will provide changes for a proposed amendment at the afternoon meeting on 3/8/2023.

11:17 AM **Madam Chair Lee** adjourned the meeting.

Patricia Lahr, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Human Services Committee
Fort Lincoln Room, State Capitol

HB 1207
3/8/2023

Relating to publication of vaccine adverse event data.
--

3:48 PM **Vice Chair Cleary** called the meeting to order. **Senators Cleary, Clemens, K. Roers, Weston** were present. **Senator Hogan** was absent.

Discussion Topics:

- Federal website

Senator Lee called for discussion.

Senator K. Roers moved to adopt the amendment LC 23.0081.01001
Senator Cleary seconded the motion.

Roll call vote.

Senators	Vote
Senator Judy Lee	Y
Senator Sean Cleary	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	AB
Senator Kristin Roers	Y
Senator Kent Weston	Y

Motion passed 5-0-1.

Senator K. Roers moved DO PASS AS AMENDED.
Senator Weston seconded the motion.

Roll call vote.

Senators	Vote
Senator Judy Lee	Y
Senator Sean Cleary	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	AB
Senator Kristin Roers	N
Senator Kent Weston	Y

Motion passed 4-1-1.

Senator Lee will carry HB 1207.

3:55 PM **Madam Chair** adjourned the meeting.

Patricia Lahr, Committee Clerk

March 8, 2023

DR
191
3-8-23

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1207

Page 1, line 2, replace "publication" with "the display"

Page 1, line 7, remove "publish, on a website maintained by the"

Page 1, remove lines 8 and 9

Page 1, line 10, replace "data for use on this website" with "prominently display, on a website maintained by the department, a link to the federal vaccine adverse event reporting system, along with instructions on how to report an adverse event and how to access state-specific data. The department may compile its own data for use on this website"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1207: Human Services Committee (Sen. Lee, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (4 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1207 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 2, replace "publication" with "the display"

Page 1, line 7, remove "publish, on a website maintained by the"

Page 1, remove lines 8 and 9

Page 1, line 10, replace "data for use on this website" with "prominently display, on a website maintained by the department, a link to the federal vaccine adverse event reporting system, along with instructions on how to report an adverse event and how to access state-specific data. The department may compile its own data for use on this website"

Renumber accordingly

2023 CONFERENCE COMMITTEE

HB 1207

2023 HOUSE STANDING COMMITTEE MINUTES

Human Services Committee
Pioneer Room, State Capitol

HB 1207
4/10/2023
Conference Committee

Relating to the display of vaccine adverse event data.

Chairman Prichard called the meeting to order at 9:42 AM.

Chairman Brandon Prichard, Reps. Karen A. Anderson, Dwight Kiefert, Chairman David A. Clemens, Senators Judy Lee, and Kent Weston present.

Discussion Topics:

- Federal website
- Access to information
- Compilation and display of data

Chairman Prichard called for a discussion on HB 1207.

Rep. Anderson moved to accede to the Senate amendments.

Seconded by Rep. Kiefert.

Motion carries 6-0-0.

Chairman Prichard to carry in the House.

Chairman Clemens to carry in the Senate.

Chairman Prichard adjourned the meeting at 9:51 AM.

Phillip Jacobs, Committee Clerk

**2023 HOUSE CONFERENCE COMMITTEE
 ROLL CALL VOTES**

BILL NO. 1207

House Human Services Committee

- Action Taken** **HOUSE accede to Senate Amendments**
 HOUSE accede to Senate Amendments and further amend
 SENATE recede from Senate amendments
 SENATE recede from Senate amendments and amend as follows
- Unable to agree**, recommends that the committee be discharged and a new committee be appointed

Motion Made by: Rep. Anderson Seconded by: Rep. Kiefert

Representatives					Senators				
	4/10		Yes	No		4/10		Yes	No
Rep. Prichard	X		Y		Sen. Clemens	X		Y	
Rep. K. Anderson	X		Y		Sen. Lee	X		Y	
Rep. Kiefert	X		Y		Sen. Weston	X		Y	
Total Rep. Vote					Total Senate Vote				

Vote Count Yes: 6 No: 0 Absent: 0

House Carrier Rep. Prichard Senate Carrier Sen. Clemens

LC Number _____ . _____ of amendment

LC Number _____ . _____ of engrossment

Statement of purpose of amendment

REPORT OF CONFERENCE COMMITTEE

HB 1207: Your conference committee (Sens. Clemens, Lee, Weston and Reps. Prichard, K. Anderson, Kiefert) recommends that the **HOUSE ACCEDE** to the Senate amendments as printed on HJ page 1208 and place HB 1207 on the Seventh order.

HB 1207 was placed on the Seventh order of business on the calendar.

TESTIMONY

HB 1207



HB 1207
House Human Services
January 23rd | 11:00 am

Good morning, Chairman Weisz and members of the House Human Services Committee. I am Sandy Tibke, the Director of Foundation for a Healthy North Dakota.

I am providing testimony in opposition to HB1207.

The Foundation for a Healthy North Dakota does not have any significant concerns, but the bill seems unnecessary as this is publicly available data currently linked on the North Dakota Health and Human Services website.

Vaccine Adverse Event Reporting System (VAERS) data is commonly misinterpreted, so educational materials and disclaimers should accompany any data published on the North Dakota Health and Human Services website.

Thank you for the opportunity to appear before you today. I would be happy to respond to any questions you may have.

Members of the House Human Services Committee,

“My name is Lisa Pulkrabek and I reside in District 31. I am asking that you please render a DO NOT PASS on House Bill 1207.”

Covid 19 has brought illness and death to the world but the vaccine that was rushed through “warp speed” has brought more pain, agony and death than the actual virus has. North Dakotans have a right to know the truth but frankly, I don’t trust the ND Dept of Health to tell us the truth. I feel that the health dept will skew the numbers, and not report the adverse effects and deaths due to the vaccine accurately. I feel that this will give the state agency another excuse to make it look like they are “protecting” the citizens but it will just be another waste of taxpayer money and resources.

Thank you for your consideration of this highly important matter and for your service to the state of North Dakota.

Lisa Pulkrabek

**Do Pass Testimony
of Doug Sharbono, citizen of North Dakota
on HB1207
in the Sixty-eighth Legislative Assembly of North Dakota**

Dear Chairman Weisz and members of the House Human Services Committee,

I am writing as a citizen and believe HB1207 is beneficial legislation. This legislation expands individual freedom and freedom of information. There has been a recent surge in the past two years of excess deaths since the Covid-19 vaccination has been available. Data will be beneficial for scientists and medical researchers to either prove or rule out adverse events due to the Covid-19 vaccination. Some in medicine and science say the Covid-19 vaccinations are all good with limited data. That is not adequate for me.

Please give HB1207 a Do Pass.

Thank you,

Doug Sharbono
1708 9th St S
Fargo, ND 58103

January 22, 2023

To Whom it May Concern:

I am writing in support of HB 1207. The last four years have been difficult for my family. We have done our best to protect the vulnerable members, which included a loss of my sister who was battling cancer, and small victories with protecting my now 84 year old mother from potentially getting a virus that would kill her.

In April of 2021, my Mother was convinced by friends of her own age to get a vaccination to protect her from COVID. She received the J & J shot one week prior to the announcement that it was causing blood clots in some recipients. By June, she started developing what appeared to be edema in her lower extremities. In August of that year, she was hospitalized with clots in both legs and lungs. She has since then had to take expensive blood thinners and now has been diagnosed with Lymphedema.

Lymphedema causes inflammation in both her feet and legs. The treatment has been proven to be both cumbersome and very expensive. She has many allergies and the normal treatment methods have caused great difficulties in trying to treat her. On top of this, her veins have become very frail from the blood thinners. Also, she will never be able to get knee surgery to fix her knees as there is no doctor that will perform it with her on the blood thinners.

The reason I am writing you is I take her to at least 2 doctor visits a week. In the privacy of the doctor's visits, most of the staff will agree that her condition was probably attributed to the side effects of the vaccine. Although those same doctors seem almost reluctant to speak to that fact in the hallways of the facilities in which they practice.

There are many people that I have spoken to that have experienced similar circumstances. I am not encouraged by doctors who are not allowed to formulate an opinion publicly. At the very least, there should be access made available to the public about stories such as these so the individuals are able to calculate their own approach to their medical decisions.

Sixty-eighth Legislative Assembly of North Dakota

Re: Testimony in favor of HB 1207

Attn: Representatives,

I, Todd Kjelland am writing in strong favor of passing House Bill 1207. In lieu of new information continuously being publicly revealed regarding all aspects of public and private handling of the Covid 19 medical "emergency" it is in the best interest of the North Dakota citizens to hold North Dakota Department of Health responsible for any and all harm caused by intentional withholding and/or promotion of discredited information.

HB 1207 would be a start to acquire transparency for medical tragedies. In addition I would like it to see a yearly independent audit of reported information to assure a website is reporting accurate numbers. Thank you for your time. It's a DO PASS for HB 1207 for me.

Todd Kjelland

701-331-2956

emocoach@live.com

Legislative Committee:

My Name is Jewell Hamilton. I live in Minot ND in district 3. I am writing to support HB 1207. I am strongly in favor of a data base the citizens of ND can access to track adverse Covid 19 Vaccine Reactions. Transparency and accurate data is essential for the health and well being of Every citizen of North Dakota.

Thank You

Jewell Hamilton

Testimony in opposition of HB 1207

Relating to publication of vaccine adverse event data.

Senate Human Services March 8, 2023

Senator Lee and committee members. My name is Stephen McDonough. I am providing testimony in opposition to HB1207.

I am a board certified pediatrician who worked in North Dakota for forty years, from 1980 to 2020. I worked at the NDDoH from 1985 to 2000 and served at times as the State Epidemiologist, AIDS/Project Director, Director of Maternal and Child Health and Chief Medical Officer. During the 1980s and 1990s, North Dakota had one of the best immunization programs in the country and was one of a handful of states to escape measles cases during the national measles outbreak of 1989 to 1990¹ and was the first state to eradicate Haemophilus influenzae type b infection known as Hib, the most common cause of childhood meningitis at the time.²

This bill is not needed as there is publicly available data currently linked on the NDHHS website.

So how many North Dakotans died of COVID because they didn't get the vaccine? An analysis by the Brown University School of Public Health estimated that **650 North Dakotans died a vaccine-preventable COVID death by April of 2022.**³ COVID vaccine are very safe and highly effective in preventing hospitalizations and deaths.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1207

Page 1, line 11 Vaccine benefit data - Website.

The department of health and human services shall publish, on a website maintained by the department, North Dakota data regarding the number of COVID vaccine preventable deaths annually
Renumber accordingly.

The North Dakota Legislature should be evaluating ways to counteract vaccine misinformation. HB 1207 needs to be amended or defeated.

Stephen McDonough MD

¹ Centers for Disease Control. Measles- United States, 1989 and First 20 weeks 1990. *Morbidity and Mortality Weekly Report*. 39:353-393 June 1, 1990

² Bisgard KM, Kao A, Leake J, Strebel PM, Perkins BA and Wharton M. Haemophilus influenzae Invasive Disease in the United States, 1994-1995: Near Disappearance of a Vaccine-preventable Childhood Disease. *Emerging Infectious Diseases* 4:229- 237, 1998 April-June

³ Simmons-Duffin S and Nakajima K (2022, May 13). This is how many lives could have been saved with COVID vaccinations in each state. *NPR*. <https://www.npr.org/sections/health-shots/2022/05/13/1098071284/this-is-how-many-lives-could-have-been-saved-with-covid-vaccinations-in-each-sta>