

February 23rd, 2021

Chairman Olson and the Senate Commerce Committee;

Thank you for considering SB 213. The intention of this bill is twofold:

- 1) To protect the freedom of choice for the individual (the employee),
- 2) To relieve another individual (the employer) from the liability of imposing medical procedures with inherent complications on an unwilling individual (the employee).

In today's Covid-19 environment, acceptance of the vaccine by the individual involves multiple factors.

- 1) The vaccine is labeled by the FDA as "experimental" introduced to the public only secondary to an emergency declaration. As a result, Phase III trials were not undertaken. Its safety profile is unknown, both short and long term.
- 2) The vaccine is of a type (mRNA) that has never been used in humans before.
- 3) The manufacturers and the FDA specifically distance themselves from the vaccine's ability to prevent the spread of Covid-19.
- 4) A large population of our society has a very, very small risk of an adverse outcome from contracting and recovering from the Covid-19 virus. The odds of the vaccine not conveying protection from contracting the virus is far more likely than experiencing long term sequela from contracting the virus.

The legal risk to an employer for mandating the vaccine has no limits if the employee experiences a bad outcome. As the long-term complications will not be known for decades, that employer liability has no chronological ceiling.

In the years preceding 1986, vaccinations across the board were being questioned strongly as to their safety. Lawsuits were prevalent with many large awards granted by the courts. Vaccine manufacturers began to leave the market. **The National Childhood Vaccine Injury Act of 1986 was signed into law by President Ronald Reagan on November 14, 1986. NCVIA's purpose was to eliminate the potential financial liability of vaccine manufacturers due to vaccine injury claims to ensure a stable supply of vaccines, and to provide arbitration for vaccine injury claims. Under the NCVIA, the National Vaccine Injury Compensation Program was created to provide a federal no-fault system for compensating vaccine-related injuries or death by establishing a claim procedure involving the United States Court of Federal Claims.**

To date, the National Vaccine Injury Compensation Program has paid out over \$4 billion in awards to injured citizens. The US Supreme Court ruled that vaccines are “unavoidably unsafe”.

Please join me in bringing legislative relief to both the employer and employee by supporting SB 213.

Thank you.

Senator Mark B. Steffen M.D.