

HCS HB 1641 -- VACCINATION REQUIREMENTS

SPONSOR: Coleman (32)

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Judiciary by a vote of 9 to 2.

The following is a summary of the House Committee Substitute for HB 1641.

This bill states that an employer, as defined in bill that requires an employee to undergo or provide proof of receiving a vaccination against any disease as a condition of employment or continued employment is liable for damages or injury arising from the required vaccination.

This bill contains an emergency clause.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that so many people are having to make a life choice that they really do not want to make, and they are being forced to make a choice even when they are close to retirement. People who are close to retirement are forced to get another job, even though their job opportunities are limited because of age and then what do you do? An example is people in the military. What do you do if you do not get the vaccine? If no one wants to stop the mandates, then let us put in some liability. Employers do not have risk, "Big Pharma" does not have risk, "Big Government" does not have risk, so the only person who has risk is the employee. Not all employees across the board can go get another job. A lot of businesses would not have instituted a mandate if it were not for the threat of the federal government. Some of the arguments in the supreme court were that this does not affect people who are 100% remote but employees are definitely being fired even though they are 100% remote. Some people are being required to be tested if they are not vaccinated but the people who test positive are still required to come into work so why the test mandate? There are also doctors who are unable to administer alternative medical treatment because it is not being covered. Kansas HB 2001 was passed and it implemented a civil penalty for the employer if the employer unlawfully denies a religious exemption or medical accommodation. There is no similar leverage in Missouri. In Kansas, the penalty actually gets employers to engage and find accommodations. Health care workers who were on the front line are now also being thrown out of work for not getting the vaccine. Since the vaccine does not protect

others or make one less contagious, this does not make residents any safer. All it does is make them less safe because there are fewer, more over-worked employees. This is not going away, just like the flu is not going away. We live with it and we deal with it. Missouri SB 51 (2021) from last year took away all employer liability so they can run rampant and require whatever they want with mandates.

Testifying for the bill were Representative Coleman; Andrew Craig; Angelique Chaverri; Delores Self; Hannah Huff; Heather Brown; Lisa Brassfield; Mary Cremer; Mary Haley; Michelle Ann Jolly; Norma J Marshall; Scott Heiser; Stacey Heiser; Stacy Griffin; Tammy L O'Connor; Tracy Kemp; Alice Crockett; Angela Brune; Arnie C. Dienoff; Jaime Johnson; Janet Hennessey; Jennell Houts; Jennifer Stock; Katie Becker; Peter Brune; Melinda Clark-Sann, Law Offices of Melinda Clark-Sann; Kristine Shilt, Renz Law; Cathy Boero; and Kristina Ginn.

OPPONENTS: Those who oppose the bill submitted their testimony in writing, which can be found online.

Testifying against the bill were Labor-Management Council of Greater Kansas City; Ian K. Hornstra, MD, PhD; Jennifer Gore; Paul Leykamp; Kansas City Chamber of Commerce; Sheryl Foster; Missouri Retailers Association; Missouri Tire Industry Association; Missouri Grocers Association; Missouri Chamber of Commerce and Industry; St. Louis Area Business Health Coalition; Mo Health Care Association; Associated Industries of Missouri; and Mo State Medical Association.

OTHERS: Others testifying on the bill submitted their testimony in writing, which can be found online.

Testifying on the bill was LeadingAge Missouri.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.