

MINUTES
SENATE HEALTH & WELFARE COMMITTEE

DATE: Wednesday, March 04, 2026
TIME: 3:00 P.M.
PLACE: Room WW54
MEMBERS PRESENT: Chair VanOrden, Senators Harris, Bjerke (Bjerke), Zuiderveld, Lenney, Shippy, Blaylock, Keyser, and Wintrow
ABSENT/ EXCUSED: None
NOTE: The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
CONVENED: **Chair VanOrden** called the meeting of the Senate Health and Welfare Committee (Committee) to order at 3:06 p.m.
MINUTES APPROVAL: **Senator Blaylock** moved to approve the Minutes of February 10, 2026. **Senator Wintrow** seconded the motion. The motion carried by **voice vote**.

S 1346 **IMMUNIZATIONS - Adds to existing law to establish a moratorium on certain uses of human gene therapy products.** **Senator Shippy** explained this bill proposed a two year moratorium on mRNA-based COVID-19 products for pregnant women and children. He emphasized that it was not a blanket ban but a precautionary step to allow further evaluation of safety evidence. This approach relied on cited expert opinions and studies on potential risks to reproductive health, pregnancy outcomes, and child development. He stated there were concerns raised that mRNA products were authorized under emergency provisions and might not meet standard safety and manufacturing requirements. He explained that states had the precedent and responsibility to deviate from federal guidance in order to protect public health. The bill was presented as consistent with medical freedom, as it would not ban all treatments but temporarily suspend specific products while allowing alternatives and ongoing clinical trials. He addressed counter-arguments regarding parental rights by asserting that the State routinely restricted potentially harmful substances for children. In closing, he asked the Committee to consider sending the bill to the 14th Order for possible amendment to clarify implementation without altering the intent.

DISCUSSION: **Senator Wintrow** cited language in the bill that stated "individual human gene therapy products may be exempted from the provision of the section if the Legislature determines after reviewing the safety data" and asked how legislative review would be conducted. **Senator Shippy** stated it would be a simple process. A company would bring their product and safety data, which would presumably prove long-term safety. The germane committee would review safety information with IDHW and amend the legislation as necessary. **Senator Wintrow** responded she did not think there was a mechanism for the proposed review process.
Senator Keyser asked what sources would be used for the safety data the Legislature would review. **Senator Shippy** explained the specification and definition of credible data was one amendment he hoped to make in the 14th Order. The germane committee would evaluate the data and create a process with IDHW to reinstate products listed in the moratorium.

Acting Senator Bjerke (Bjerke) requested an explanation of the specific gene therapies addressed by the legislation. **Senator Shippy** stated it applied to any human gene therapy product used for immunization purposes. **Senator Keyser** clarified the bill only pertained to vaccinations. **Senator Shippy** stated this bill did not apply to genetic disorders, only four infectious diseases indications.

Chair VanOrden requested clarification on the statement made that other states and entities had taken similar actions. She asked if it was the full state, the county, or a health district. **Senator Shippy** explained that 28 states used preemption to decline adopting new standards issued by the Centers for Disease Control and Prevention (CDC). Instead they established state-specific guidelines reflecting their decisions on what was safe for children. **Chair VanOrden** asked for clarification on what was said in the opening remarks. **Senator Shippy** stated it was not unprecedented for a state to break away from federal recommendations and to review safety data to make state determinations as 28 jurisdictions had done this year. **Chair VanOrden** asked if these jurisdictions were following the original guidelines rather than the new guidelines. **Senator Shippy** stated these jurisdictions were following the original guidelines before the federal government changed these recommendations. **Chair VanOrden** asked whether it was implied that this bill would accomplish the same objective the 28 jurisdictions had achieved. **Senator Shippy** stated the principle was the same. However, the objective was not exactly the same.

Senator Harris asked how jurisdictions going against federal recommendations would influence interstate commerce. **Senator Shippy** stated he was unsure how interstate commerce would be affected. He added that when drafting the bill he reached out to the CDC and they stated this bill would not alter anything procedurally.

Acting Senator Bjerke (Bjerke) asked if all gene therapies fell under the emergency authorization. **Senator Shippy** stated the moratorium would be placed on specific gene therapies that were authorized by emergency channels. **Acting Senator Bjerke (Bjerke)** clarified if the moratorium was put in place, Senator Shippy had stated there were alternative protein and antigen-based options. She asked if these alternatives were readily accessible. **Senator Shippy** stated he was unsure but would find out.

TESTIMONY: **Dr. Christina Parks, Dr. James Thorp, Nicolas Hulscher, MPH, Laura Demaray, Gordon Wilkerson, and Xavier Figueroa,** testified in favor of **S 1346**.

Stephen Montamat, Amaya Donahue, Stephanie Nemore, and Primo Castro, Biotechnology Innovation Organization, testified against **S 1346**.

DISCUSSION: **Senator Lenney** asked if mRNA technology was a gene therapy. **Mr. Figueroa** stated they were called gene therapies in the Stage 1 filings of both Pfizer and Moderna in 2018 and 2020 and the FDA believed them to be gene therapies. He explained the FDA later changed the language.

Senator Shippy responded to testimony that the FDA should be the sole authority over medical decisions and that state or local governments should not intervene in child health matters. He argued that states and local health districts routinely had a role in safeguarding child health and safety. The legislation would address products authorized under emergency use without sufficient long-term safety data for children. He stated the bill was a form of state intervention to ensure adequate safety evaluation and protect children. He requested the bill be sent to the 14th Order for possible amendment to refine language and to ensure unintended consequences were avoided.

Senator Harris stated the bill exempted human gene therapy for cancer and genetic disorders. He asked if these therapies were safe for cancer and genetic disorders, why they were not safe for infectious diseases. **Senator Shippy** stated his understanding was that infectious disease human gene therapies targeted the entire body as apposed to specific cells targeted by cancer or genetic disorder human gene therapies.

Senator Zuiderveld asked why the length of two years was chosen and if the moratorium would be lifted after two years even if safety findings were unknown. **Senator Shippy** stated the two year period provided enough time for safety data to be brought forward, but it was not so long that it suppressed innovation and the development of new technologies. He explained if the products had not been deemed safe it would be prudent that they not be administered to children. He explained the request to amend the bill was to clarify the language regarding the mechanism to ban use of the products.

Senator Blaylock asked if he was aware US Health and Human Services Secretary Robert F. Kennedy Jr. required all vaccine companies to conduct new clinical trials and the information from those studies would be available in a couple of weeks. **Senator Shippy** expressed appreciation for federal action while emphasizing the State's immediate duty was to protect citizens. He noted the hope that State measures would encourage further action by the federal government. **Senator Blaylock** acknowledged the desire to prompt federal action but expressed concern about proceeding without expert input. She noted that a federal advisory committee of qualified professionals was imminently reviewing the data and may be better suited to make informed decisions on this matter.

Senator Harris asked whether the bill was specific to mRNA vaccines or would also include chicken pox, rabies, and hepatitis A vaccines. **Senator Shippy** stated it was his understanding that the bill was not intended to target other vaccines and was not limited to specific mRNA vaccines.

MOTION: **Senator Lenney** moved to send **S 1346** to the 14th Order of Business for possible amendment. **Senator Zuiderveld** seconded the motion.

DISCUSSION: **Senator Wintrow** expressed concern that the Legislature lacked the expertise to adequately review complex scientific evidence, suggesting such evaluation would require a trusted body of specialists. She voiced uncertainty about making significant decisions and indicated a need for caution. She explained it may be prudent to hold the bill in Committee.

Senator Keyser stated adverse event data was raising safety concerns, particularly for children. He supported the intent and the exemptions for cancer and genetic disorder treatments. He noted the need for improvements, especially in clarifying safety data standards and acceptable clinical trials. He stated he would support the motion.

Senator Zuiderveld argued that, although legislators were not experts, they routinely relied on expert input in other policy areas and should do so in this case. She emphasized the need to carefully evaluate the issue, citing concerns about expedited federal actions. She noted that government appropriately regulated certain parental decisions. She supported further study with expert guidance and suggested refining the language to address concerns.

Senator Harris agreed with testimony characterizing the bill as government overreach into patient-provider medical decision-making, and stated that such treatments should remain a matter of individual choice. He also expressed concern that the definition of human gene therapy products was overly broad and thought it would benefit from greater specificity.

Acting Senator Bjerke (Bjerke) expressed support for the intent but was concerned with the language. She recommended clearer provisions, a more narrowly defined scope of gene therapy, and clarification of how the Legislature would review safety data potentially through amendments.

Chair VanOrden emphasized the importance of parental rights. She expressed concern that the proposed moratorium and oversight were complex and required the review committee members had advanced medical expertise. She was also disappointed a completed bill was not presented in Committee after two years, suggesting it should have been ready for the floor without needing further amendments.

**ROLL CALL
VOTE:**

Senator Lenney requested a roll call vote on the motion to send **S 1346** to the 14th Order of Business for possible amendment. **Senators Zuiderveld, Lenney, Shippy, Keyser, and Acting Senator Bjerke (Bjerke)** voted aye. **Senators Harris, Blaylock, Wintrow, and Chair VanOrden** voted nay. The motion carried.

ADJOURNED: There being no further business at this time, **Chair VanOrden** adjourned the meeting at 4:25 p.m.

Senator VanOrden
Chair

Madyson Crea
Secretary