

ONE HUNDRED SEVENTH LEGISLATURE - SECOND SESSION - 2022
COMMITTEE STATEMENT
LB906

Hearing Date: Thursday January 27, 2022
Committee On: Health and Human Services
Introducer: Hansen, B.
One Liner: Require employers to provide for vaccine exemptions and provide duties for the Department of Health and Human Services

Roll Call Vote - Final Committee Action:
Advanced to General File with amendment(s)

Vote Results:

Aye:	6	Senators Arch, Day, Hansen, B., Murman, Walz, Williams
Nay:		
Absent:		
Present Not Voting:	1	Senator Cavanaugh, M.

Oral Testimony:

Proponents:

Senator Ben Hansen
Gary Anthonie
Allie French
Charlotte Ralston
Debra Chapplelear
Ryan Chapplelear
Lauren Borcyk
Patrice Quadrel
Geoffrey Friesen
Margaret Wall
Richard Wall
Ben Stangl
Anne Sumner
Carleen Barger
William Barger
Haile Kucera
David Splonskowski
Chris Kreikemeier
Elina Newman
Jennifer Krahulik

Representing:

District 16
Department of Health and Human Services
Nebraskans Against Government Overreach
Self
Self
Self
Self
Self
Self
One Heart One Mind
One Heart One Mind
Self
Self
Self
Face Friendly Nebraska
Self
Self
Self
Self

Opponents:

David Watts
Dexter Schrodt

Representing:

Nebraska Medical Association
Nebraska Medical Association

Neutral:

Kristen Hasselbrook
Ashlee Hendrickson

Representing:

Nebraska Chamber of Commerce
Nebraska Health Care Association

Summary of purpose and/or changes:

LB 906 would require the Department of Health and Human Services (DHHS) to develop a vaccine exemption form for employees. Employees could claim an exemption based on his or her strong moral, ethical, or philosophical beliefs or conviction. If an employer requires employees to be vaccinated, the employer must also allow for such an exemption. The employer may also require the employee to be periodically tested and wear or use personal protective equipment, at the employers expense.

Employer is defined as a person with 20 or more employees each day in 20 or more calendar weeks per year. It includes the State of Nebraska, governmental agencies, and political subdivisions, or any agent of any of the above organizations. It does not include the United States government, Indian tribes, or bona fide private membership clubs.

Explanation of amendments:

AM 1729 would strike the original provisions of LB 906 and become the bill.

AM 1729 would define 'COVID-19' as the novel coronavirus identified as SARS-CoV-2 or any that has mutated from it. It would also define 'employer' as a person engaged in industry who has one or more employees, any party whose business is financed in whole or in part by the Nebraska Investment Finance Authority Act, including the State of Nebraska, its governmental agencies, and political subdivisions. 'Employer' does not include the United States of America, an Indian tribe, or a private membership club.

AM 1729 would require the Department of Health and Human Services (DHHS) to develop an vaccine exemption form for an individual to claim an exemption for receiving a COVID-19 vaccine. The form shall include a declaration by the individual that a health care practitioner has provided the individual with a signed written statement that the vaccine would be medically contraindicated, medical necessity requires delay of vaccination, or receiving the vaccine would conflict with individual's sincerely held religious belief, practice, or observance.

An employer must allow for the above exemptions to an employer policy that requires vaccination against COVID-19. The employer may require an employee granted such exemption be periodically tested for COVID-19 or wear personal protective equipment, or both, each at the employers expense.

Section 2 is the emergency clause.

John Arch, Chairperson