



November 16, 2005

Dear Representative:

I am writing on behalf of the American Nurses Association (ANA) to express our grave concerns about efforts to establish liability protections for manufacturers who develop countermeasures against agents of bioterrorism and pandemic flu without also providing for the education and prescreening of those vaccinated, as well as a comprehensive compensation program.

ANA is the full-service national association representing the interests of registered nurses (RNs) across the nation. Our membership includes those RNs who will be called upon to receive and administer these vaccines. ANA can not support a legislative effort that protects manufacturers but fails to cover those who will actually roll up their sleeves to receive these countermeasures.

Past experiences with broad scale vaccination campaigns have demonstrated the need for robust education and prescreening, as well as injury compensation. Just a few years ago, the Bush Administration called upon 500,000 health care workers to be vaccinated against the smallpox virus. Despite ANA's repeated calls to the contrary, the Administration initiated this effort in January 2003, without any meaningful prescreening or injury compensation program. In March 2003, a RN from Maryland and a health care worker from Florida died from heart complications shortly after receiving the smallpox vaccine. These cases represent the dire consequences of the lack of prescreening. Ultimately, fears about the side effects of the smallpox vaccine and the lack of a comprehensive compensation program discouraged RNs from participating in the program, which caused it to fall far short of its goal.

Today, ANA looks forward to working with you to develop a strong national campaign to improve bioterrorism and pandemic flu preparedness and response. Certainly the development of new vaccines and other countermeasures is one important component of this effort. These measures will be much more likely to succeed if those who receive and administer them are well prepared, and if these individuals are afforded the comfort of knowing that they will be compensated for injuries caused by their participation.

America's nurses urge you to take the time needed to develop a comprehensive biodefense program. Broad scale liability protections for biomedical manufacturers alone do not meet this goal, and will not be effective. Therefore, ANA urges you to withhold support for these liability protections until concerns about education/prescreening and compensation can be addressed.

Sincerely,

Rose Gonzalez, MPS, RN  
Director, Government Affairs