



October 29, 2021

The Montana Nurses Association filed suit against the State of Montana today, challenging recently-enacted House Bill 702 which endangers nurses, undermines safe working conditions in healthcare, and interferes with the provision of high-quality healthcare in Montana.

The nurses' suit comes as Montana faces the worst rates for hospitalizations and death from COVID-19 in the United States.

“Nurses are Montana’s frontline healthcare providers, and we have a professional commitment and ethical duty to ensure that Montana nurses are safe at work and can focus on what they care most about: providing high quality safe healthcare to our patients,” said Vicky Byrd, MSN, RN, CEO of the Montana Nurses Association.

MNA’s complaint comes just weeks after a coalition of doctors, healthcare clinics, and patients filed suit in Montana federal district court seeking to limit the reach of HB702 in hospitals and doctor offices. MNA’s complaint, filed under the same case number, would extent that relief to all healthcare settings in Montana where nurses work.

HB702, enacted during the 2021 legislative session, limits the ability of employers in healthcare settings to provide accommodations to workers and patients based on their vaccine statuses. Experts, including the MNA, have warned that HB702 will create serious risks for healthcare workers and their patients, regardless of whether they are immunocompromised or not.

“Immunizations are not new to nurses and other healthcare professionals.” Byrd said. **“Immunization is one of the many ways we have practiced safely in all healthcare environments. HB 702 compromises the safety of patients and the safety of the nurses and healthcare providers.”**

MNA’s suit emphasizes that:

- HB702 does not just target COVID-19 vaccines, but applies to ALL vaccines including those against largely eradicated diseases in the United States.
- The suit is not designed to allow employers to fire healthcare workers who are unvaccinated, but rather allows healthcare settings to make reasonable accommodations that HB702 prohibits.

MNA’s suit was filed before the Hon. Donald W. Molloy at the United States District Court for the District of Montana in Missoula, where the doctors’ and patients’ case is currently pending.

Vicky Byrd, MSN, RN
CEO
vicky@mtnurses.org
406-459-2915

📍 20 Old Montana State Highway ~ Clancy, MT 59634
☎ 406-442-6710 📠 406-442-1841 🌐 www.mtnurses.org