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Montana Nurses Association Prevails in Landmark Vaccination Trial

HELENA, MT— A federal court judge ruled in favor of the Montana Nurses Association (MNA) following a landmark trial about the role of vaccines in keeping Montana patients and healthcare workers safe. Judge Donald W. Molloy’s ruling enjoins Montana House Bill 702 in healthcare settings in Montana, which had prohibited virtually all vaccination requirements for healthcare workers.

“The Montana Nurses Association fights for its patients and its members, whether it’s in the hospital, clinic, or the courtroom,” said Vicky Byrd, RN, CEO of the Montana Nurses Association. **“The Court’s order is a win for all Montanans—young or old, healthy or sick—who no longer need to worry about government interference with the safety of their healthcare in Montana.”**

MNA joined with the Montana Medical Association, hospitals and physicians’ offices, and individuals across Montana to challenge House Bill 702, which prohibited ordinary vaccination requirements in healthcare settings like the MMR, Hepatitis B, and TDap vaccines. It also prohibited healthcare settings from using immunization status in response to an outbreak, or to accommodate immunocompromised patients and staff.

The Court ruled that House Bill 702 was invalid under the Americans with Disabilities Act, the Occupational Safety and Health Act, and unconstitutional under the United States and Montana Constitutions’ guarantee to equal protection under the law. The law had exempted certain long term care facilities from its novel requirements, while imposing them in other healthcare settings, which arbitrarily made some settings less safe.

“House Bill 702 and this case were never about just COVID. Hospitals and doctors’ offices should be able to make their own decisions about whether to require something like the MMR or hepatitis vaccine,” said Raph Graybill of Graybill Law Firm, PC, lead counsel for MNA. **“The Court’s decision ensures that Montanans can obtain safe, quality healthcare without arbitrary government interference.”**

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