

SENATE BILL REPORT

ESHB 1703

As Reported by Senate Committee On:
Health & Long-Term Care, March 26, 2009

Title: An act relating to child immunization exemptions.

Brief Description: Concerning child immunization exemptions.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Pedersen, Green, White, Wood, Bailey, Moeller, Morrell, Walsh, Nelson and Kenney).

Brief History: Passed House: 3/09/09, 77-19.

Committee Activity: Health & Long-Term Care: 3/25/09, 3/26/09 [DP].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug, Ranking Minority Member; Becker, Fairley, Marr, Murray and Parlette.

Staff: Rhoda Donkin (786-7465)

Background: Before the first day of school, students at Washington's public or private schools (preschool through 12th grade) and children attending licensed day care must provide proof of immunization against certain vaccine-preventable diseases as determined by the Washington State Board of Health (BOH). However, a parent or guardian may exempt a child for one of several reasons including if a physician advises against a specific vaccine for a child, a parent certifies the vaccine conflicts with their religious beliefs, or the parent certifies that the parent has a philosophical or personal objection to the child's immunization.

Under the BOH rules, the required immunization schedule includes immunizations against ten diseases, with another disease, pneumococcal, added beginning July 1, 2009.

Nearly all states allow medical and religious exemptions from their school immunization requirements. According to the 2005 Centers for Disease Control and Prevention report, 20 states allow exemptions based on philosophical or personal objections.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: Modifications are made to the process of seeking personal or philosophical exemptions from required childhood immunizations. For this exemption, the parents or guardians must specifically document which vaccines they don't want their child to have, why they don't want them, and that they understand the child may be prohibited from attending school during an outbreak of the disease for which the child has not been immunized. Parents seeking personal or philosophical exemptions must also provide certification from a health care practitioner stating they have been told about the risks and benefits of immunizing their child.

In addition to physicians, naturopaths, physician assistants, and advanced registered nurse practitioners may provide either a medical exemption or the certification that they have fully informed parents about immunizations.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is a good step toward the goal of providing more information to parents who may otherwise seek a philosophical exemption without fully understanding the importance of vaccination. Our statewide vaccine rates are too low, and making philosophical exemptions a little harder to get may impact that rate. It's too easy to get a philosophical exemption from school-required vaccines. Most parent who get these exemptions are doing it out of convenience, not conviction. Besides the overall value of vaccination, they need to know what will happen to their child in case of an outbreak.

CON: This bill unreasonably imposes on a parent's right to protect a child against being vaccinated. We want it to be easier to opt out of vaccines; this makes it harder. We think vaccines are harmful and we shouldn't have to make our children be vaccinated in order to attend school. We need a better informed public, and more information of the risks of vaccines. Right now there is too much bias in favor of them and not enough information providing the whole picture. It is too cumbersome to require a parent who wants to opt out to get a signed certification from a health care provider that they have had a vaccine discussion. For some people, seeing their practitioner can take days and this could delay school entry.

Persons Testifying: PRO: Laurie Lippold, Washington Chapter of American Academy of Pediatrics; Lynn Nelson, School Nurses Association of Washington; Teresa Mosqueda, Children's Alliance; Susie Tracey, Washington State Medical Association; Sandi Swarthout, Washington Health Foundation.

CON: Senator Eric Oemig; Paul Nielson, citizen; Debra O'Conner, Ezra Eickmeyer, Citizens for Safe Birth; Ann Clifton, Mercury Awareness Team; Therese Holliday, Wyatt Holliday Foundation.