

HOUSE BILL REPORT

HB 1638

As Reported by House Committee On:
Health Care & Wellness

Title: An act relating to promoting immunity against vaccine preventable diseases.

Brief Description: Promoting immunity against vaccine preventable diseases.

Sponsors: Representatives Harris, Stonier, Robinson, Macri, Jinkins, Cody, Thai, Davis, Appleton, Doglio, Frame, Stanford, Bergquist, Santos and Tarleton.

Brief History:

Committee Activity:

Health Care & Wellness: 2/8/19, 2/15/19 [DP].

Brief Summary of Bill

- Removes the philosophical or personal objection exemption for the measles, mumps, and rubella vaccine.
- Allows proof of disease immunity through laboratory evidence or history of disease to substitute for immunization.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass. Signed by 10 members: Representatives Cody, Chair; Macri, Vice Chair; Davis, Harris, Jinkins, Riccelli, Robinson, Stonier, Thai and Tharinger.

Minority Report: Do not pass. Signed by 4 members: Representatives Schmick, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; Chambers and Maycumber.

Minority Report: Without recommendation. Signed by 1 member: Representative DeBolt.

Staff: Jim Morishima (786-7191).

Background:

A child is prohibited from attending a school or licensed day care center unless one of the following is presented prior to the child's first day: (1) proof of full immunization; (2) proof

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of the initiation and compliance with a schedule of immunization; or (3) a certificate of exemption. Full immunization includes vaccines for chickenpox, diphtheria, measles, German measles, haemophilus influenza type B disease, hepatitis B, mumps, pneumococcal disease, polio, tetanus, and whooping cough. The certificate of immunization status form published by the Department of Health allows laboratory evidence of immunity (titer) to substitute for the required immunization. The form also allows a verified history of chickenpox to substitute for the chickenpox vaccine.

In order for a child to be exempt from all or part of the immunization requirement, one of the following must be presented:

- a written certification signed by a health care practitioner that a particular vaccine is not advisable for the child (the child must receive the vaccine if it ceases to be contraindicated);
- a written certification signed by a parent or legal guardian that the signator's religious beliefs are contrary to the required immunization; or
- a written certification signed by a parent or legal guardian that the signator has either a philosophical or personal objection to immunization of the child.

An exemption form must also include a statement signed by a health care practitioner stating that he or she provided the signator with information about the benefits and risks of immunization, unless the parent or guardian demonstrates membership in a religious body or church in which the religious beliefs or teachings preclude a health care practitioner from providing medical treatment to the child. "Health care practitioner" is defined as a licensed allopathic or osteopathic physician, naturopath, physician assistant, or advanced registered nurse practitioner.

Summary of Bill:

A philosophical or personal objection may not be used to exempt a child from the measles, mumps, and rubella vaccine.

Proof of disease immunity through documentation of laboratory evidence of antibody titer or a health care provider's attestation of a child's history of a disease sufficient to provide immunity against that disease constitutes proof of immunization for that specific disease.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This issue crosses all lines. The measles outbreak in Washington is larger and faster than any in history. Measles can spread quickly leaving the vulnerable unprotected. Adverse health impacts of measles can include hearing loss, pneumonia, encephalitis, or even death. Measles is also extraordinarily contagious. Measles is a serious cause of death for children worldwide. The current measles outbreak is diverting needed health care and community resources. People are afraid of going out in public. People who have compromised immune systems depend on the rest of us to stay safe; this is known as community or herd immunity. Ninety-five percent of people need to be vaccinated to achieve community immunity. People who choose not to be vaccinated are putting infants and cancer survivors at risk. The measles vaccine is 97 percent effective; adverse effects are rare. The measles vaccine has no relation to autism. States with tighter exemptions to the vaccine have fewer infections. Most of the people who were infected in this current outbreak were unvaccinated; this was a preventable outbreak.

(Opposed) Vaccines are classified as unavoidably unsafe. This is not a one in a million issue. Ten to 15 percent of people can be adversely affected by vaccines. The consequences can include encephalitis and even death. More kids die from vaccines themselves than measles. The number of deaths from the measles is overstated and the number of deaths from vaccines is understated. This is deliberate. Vaccine manufacturers are protected from legal liability under federal law. Congress is in the thrall of the vaccine manufacturers. Eliminating vaccine exemptions puts a large minority of people at risk. The problem is not low vaccination rates, it is high vaccination rates. Measles is no longer dangerous because of modern health care. Infants are already protected because of passive immunity. Prior to the measles vaccine, immunity rates were already high. Washington already has high vaccination rates, but ignores the unintended consequences of this type of bill. States that have removed the personal exemption do not have 100 percent vaccination rates. Removing exemptions will force people to go underground. Vaccines are not perfect products. Not everyone who receives a vaccine will become immune, so you cannot achieve herd immunity through vaccines. People who come from outside of the country cause outbreaks. Disease control is the key. This bill forces medical interventions on people without informed consent. The increase in the number of mandatory vaccines has caused an explosion of diseases, including food allergies and autism. Vaccines are not subject to double-blind placebo studies and have inadequate safety testing. People who object to vaccines are not free riders; they are people with strongly held objections to vaccines.

Persons Testifying: (In support) Representative Harris, prime sponsor; Representative Stonier; John Wiesman, Department of Health; Rupin Thakkar, American Academy of Pediatrics; Roy Magnusson, PeaceHealth System; John Blom, Clarke County Health Department; and Gary Goldbaum.

(Opposed) Toni Bark; Brian Hooker, Focus for Health; Robert Kennedy, Children's Health Defense Fund; and Mary Holland, New York University School of Law.

Persons Signed In To Testify But Not Testifying: Susie Corgan; Jaclyn Galion; Bernadette Pajer; Nicole Sadowski; Karl Kanthak; Jena Dalpez; Leah Houser; Andrea Stein; James Lyons-Weiler; Amber Moffitt; Christie Nadziejka; Sonja Huebner; Megan White; Eric Ranger; Launa Johnson; Amber Wood; Kate Bauwer; Timothy Webb; May Neagle; Jason Kinley; Tom Saeman; Paula Bryant-Trerise; Adalbert Jarzyna; Victor Carpenter; James Bryant-

Trerise; Lacey Walter; Grant Keller; Radona Devereaux; Misty Flowers; Luke Yamaguchi; Cynthia Stewart; Andrea Tainter; Kelly Larson; Violet Lee; Anik St Martin; Marisa Corless; Brady Corless; Russell Clifton; Bernadette Pajer; Marin Corless; Camille Corless; Ralph Havens; Breauna Sagdal; Erin Pattillo; Karen Rawlins; Ann Davis; Laurie Frear; Bethany Schoeff; Natalie Chavez; Janell Nunez; Kimberly Gibbs-Egan; Brian Thompson; Laurie Olson; Amy Markhoff; Ari Anthony; Lani Ladbon; Amanda Dangerfield; LeAnn Hollmuller; Amy Baron Hatch; Stephanie Wright; Erin Smith; Robert Runnells; and Krista Cooper.