

# HOUSE BILL REPORT

## HB 1703

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**As Reported by House Committee On:**  
Health Care & Wellness

**Title:** An act relating to child immunization exemptions.

**Brief Description:** Concerning child immunization exemptions.

**Sponsors:** Representatives Cody, Pedersen, Green, White, Wood, Bailey, Moeller, Morrell, Walsh, Nelson and Kenney.

**Brief History:**

**Committee Activity:**

Health Care & Wellness: 2/3/09, 2/13/09 [DPS].

### Brief Summary of Substitute Bill

- Requires a parent or guardian to provide specified information, including an explanation of the reason for the request, on certifications to exempt a child from school immunization requirements when the exemption is based on a philosophical or personal objection to immunization.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Cody, Chair; Driscoll, Vice Chair; Green, Hinkle, Kelley, Moeller, Morrell and Pedersen.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Ericksen, Ranking Minority Member; Bailey and Herrera.

**Staff:** Chris Cordes (786-7103)

**Background:**

Before or on the first day of attendance, children at Washington's public or private schools (preschool through the 12th grade) or licensed daycare centers must provide proof of immunization against certain vaccine-preventable diseases as determined by the Washington

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State Board of Health (BOH). However, a parent or guardian may exempt a child for one of several reasons:

- a physician certifies that a particular vaccine is not advisable;
- the parent or guardian certifies that his or her religious beliefs are contrary to the required immunization measures; or
- the parent or guardian certifies that he or she has a philosophical or personal objection to the child's immunization.

Under the BOH rules, the required immunization schedule includes immunization against 10 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 a 2005 Centers for Disease Control and Prevention report, 20 states allow exemptions based on philosophical or personal objections.

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### **Summary of Substitute Bill:**

Modifications are made to the certification that a parent or guardian must present to exempt a child from school immunization requirements when the exemption is based on a philosophical or personal objection to immunization. For this exemption, the parent or guardian must present the following certifications:

- a certification requesting the exemption, stating the vaccines for which an exemption is requested, providing an explanation of the reason for the request with a short explanation describing the strength and duration of the belief and demonstrating some understanding of the risks and benefits of vaccination, and acknowledging that the child may be prohibited from attending school during an outbreak of a disease for which the child has not been immunized; and
- a certification from a health care practitioner stating that the parent or guardian has received information about the benefits and risks of immunization.

In addition to physicians, health care practitioners who may provide either a medical exemption or the certification that the parent received information about the risks and benefits of immunization include naturopaths, physician assistants, and advanced registered nurse practitioners.

### **Substitute Bill Compared to Original Bill:**

The substitute bill: (1) deletes the notarization requirement for the documents that a parent must present to claim a philosophical or personal objection; (2) adds that a parent's certification must also state the particular vaccines for which an exemption is requested and the reasons for requesting the exemption, and include a short explanation stating the strength and duration of the belief and demonstrating some understanding of the risks and benefits of vaccination; and (3) makes various technical changes, including clarifying provisions related to the health care practitioners who may sign immunization exemptions and allowing the Washington State Board of Health to adopt rules defining persons other than parents or guardians who may be authorized to submit exemption requests.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Staff Summary of Public Testimony:**

(In support) In the last 10 years, the number of children claiming exemptions has risen from 2.7 percent to 6.3 percent. Often the exemption is an issue of convenience for the parent, when the exemption should be more thoughtful. This issue came about because of a resolution before the Washington State Medical Association. It is intended to make clear that parents have a responsibility for making an informed decision. Most parents, when properly informed about the risks and benefits of immunization, will choose immunization.

Recent research showed that states with easy exemptions had an increased use of them, but both medium and difficult exemption states were holding steady on exemptions. Suggested changes include: removing the requirement for notarizing the documents, which does not add any value, requiring some additional explanation from the parent, and clarifying the list of health care providers who can participate in requesting exemptions.

(Opposed) None.

**Persons Testifying:** Mary Selecky, Department of Health; Craig McLaughlin, State Board of Health; Rupin Thakkar, Washington Chapter of American Academy of Pediatrics; and Susie Tracy, Washington State Medical Association.

**Persons Signed In To Testify But Not Testifying:** None.