

HOUSE BILL REPORT

SHB 2706

As Passed House:
February 11, 2010

Title: An act relating to exemption from immunization.

Brief Description: Concerning exemption from immunization.

Sponsors: House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Bailey, Driscoll, Johnson, Morrell, Hinkle, Green and Kenney; by request of Governor Gregoire).

Brief History:

Committee Activity:

Health Care & Wellness: 1/19/10, 1/29/10 [DPS].

Floor Activity:

Passed House: 2/11/10, 82-15.

Brief Summary of Substitute Bill

- Revises the form used to exempt a child from school immunizations to include a statement signed by a health care practitioner stating that the practitioner has provided information about the benefits and risks of immunization.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Cody, Chair; Driscoll, Vice Chair; Bailey, Clibborn, Green, Hinkle, Kelley, Moeller, Morrell and Pedersen.

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

Staff: Chris Cordes (786-7103).

Background:

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.

Before or on the first day of attendance, children at Washington's public or private schools (preschool through 12th grade) or licensed daycare centers 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 submit a certification form to exempt a child, in whole or part, if:

- a physician certifies that a particular vaccine is not advisable for the child;
- 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 school immunization schedule includes immunization against 11 diseases: diphtheria, tetanus, whooping cough, polio, measles, German measles, mumps, chickenpox, hepatitis B, influenza type B, and pneumococcal disease.

Nearly all states allow medical and religious exemptions from their school immunization requirements. There are 20 states allowing exemptions based on philosophical objections, according to a Centers for Disease Control and Prevention report covering 2007-2008.

Summary of Substitute Bill:

The certification form used to exempt a child from school immunization requirements is revised, beginning with forms used on or after the bill's effective date. The form must include a statement to be signed by a health care practitioner stating that the health care practitioner gave the person signing the certification form information about the benefits and risks of immunization.

In addition to physicians, the following health care practitioners are permitted to certify a medical exemption from immunization or to sign the statement acknowledging giving information about the risks and benefits of immunization: naturopaths, physician assistants, and advanced registered nurse practitioners.

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 is a modified version of last year's bill, now being offered by the Governor who is frustrated by the state's low rate of vaccination. It is important that parents requesting exemptions from vaccination requirements be informed of the risks and benefits, including information about vaccine safety and efficacy. This requirement could help connect families to medical homes.

Because we rarely see many occurrences of vaccine-preventable diseases, people quit worrying about them. But there have been disease outbreaks that create a risk to the herd immunity that protects kids with medical exemptions. It is hard to find child care where all the children are fully vaccinated.

The parental exemption requests in Washington have increased to one of the highest exemption rates in the country. Most exemptions are based on a philosophical concern. Parents should be making thoughtful decisions, not decisions based on convenience and the need to take care of missing vaccination records. Exemption rates are lower in school districts that do a better job of administering the school immunization program.

The bill could be amended to clarify that it does not apply to exemptions submitted in the past.

(Opposed) Populations genetically susceptible to mercury in vaccines need protection from harm.

Persons Testifying: (In support) Jonathan Seib, Governor's Policy Office; Mary Selecky, Secretary of the Department of Health; Beth Harvey, American Academy of Pediatrics - Washington State Chapter; Suzi Tracey, Washington State Medical Association; Lan Nguyen, Children's Alliance; Sydney Zvara, Association of Washington Health Plans; Lynn Nelson, School Nurses Organization of Washington; Ginny Heller, Within Reach; and Anthony Chen, Tacoma Pierce County Health Department.

(Opposed) Ann Lipton, Mercury Awareness Team of Washington.

Persons Signed In To Testify But Not Testifying: None.