

# SENATE BILL REPORT

## SB 5841

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As Reported by Senate Committee On:  
Health & Long Term Care, February 22, 2019

**Title:** An act relating to protection against vaccine-preventable disease outbreaks.

**Brief Description:** Modifying certain vaccine provisions.

**Sponsors:** Senators Cleveland, Hunt, Darneille, Keiser, Randall, Conway, Kuderer, Van De Wege, Nguyen and Pedersen.

**Brief History:**

**Committee Activity:** Health & Long Term Care: 2/20/19, 2/22/19 [DP, DNP, w/oRec].

**Brief Summary of Bill**

- Eliminates the philosophical or personal objection exception for vaccines required to attend school or a licensed day care center.

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### SENATE COMMITTEE ON HEALTH & LONG TERM CARE

**Majority Report:** Do pass.

Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway, Dhingra, Frockt, Keiser and Van De Wege.

**Minority Report:** Do not pass.

Signed by Senators O'Ban, Ranking Member; Bailey and Becker.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Rivers.

**Staff:** Greg Attanasio (786-7410)

**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 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,

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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 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 the practitioner 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 vaccination requirements to attend school or a licensed day care center.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony:** PRO: Disease outbreaks threaten the health of unvaccinated children and those who cannot get vaccinated. People should be able to conduct their lives without fear of life threatening diseases. Most states do not offer this exemption and in those states there are fewer outbreaks. Vaccines are tested and continually monitored for their efficacy. Vaccine use has greatly reduced the number of cases of life threatening disease, but outbreaks continue to happen in communities where vaccination rates are low. The choice not to vaccinate jeopardizes the health of the entire community. Fear can lead to a choice to take a personal exemption, without consideration of potential harm. Resources used to combat outbreaks are diverted from other public health issues.

CON: There needs to be continuous research on vaccines and accepting the science as settled jeopardizes peoples' health. No one can guarantee a vaccine is safe so immunization should not be mandated. Vaccines have not been sufficiently tested similarly to other drugs. Herd immunity requires 95 percent of all people to be vaccinated, therefore just vaccinating

children will not reach that number. Eliminating the personal exemption will put children genetically susceptible to vaccine related injury at risk. There is no compelling reason to remove the exemption and it will not stop the spread of disease. Vaccinations are failing and there is no justification for removing the exemption. The current system of mandated vaccination benefits the pharmaceutical industry while exposing children to unsafe contamination.

**Persons Testifying:** PRO: John Wiesman, Department of Health; Robyn Rogers, FAAP, MD; Elias Kass, Naturopath; Roy Magnusson, PeaceHealth; Jon Blum, Clark County Councilor; Gary Goldbaum, WSMA.

CON: Gabe Blomgren, citizen; Del Bigtree, citizen; Bernadette Pajer, citizen; Theresa Deisher, citizen; Karl Kanthak, citizen; Jill Collier, citizen.

**Persons Signed In To Testify But Not Testifying:** CON: Robert Welch, citizen; Sonja Huebner, citizen; Megan White, citizen; Jaclyn Gallion, citizen; Jena Dalpez, Administrative Director Informed Choice Washington; Leah Houser, Informed Choice Washington; Robert Runnells, citizen; Susie Corgan, citizen; Kristina Mahan, citizen; Claire Wilbur, citizen; Sarah Heppner, citizen; Jenny Crichton, citizen; Karen Winter, citizen; Michele Bogue, citizen; Pami Garrett, citizen; Lacey Walter, citizen; Dr. John Mishko, citizen; Edgar M. Densmore, citizen; Steve Bova, citizen; Jeremy Wildhaber, citizen; Alissa Zavala, citizen; Jennifer Havens, citizen; Daniel Dawson, citizen; Brittany Fleming, citizen; Lisa Pipella, citizen; Amber Eleazar, citizen; Kebby Johnson, Informed Choice Washington; Janel Skreen, citizen; Kim Stadler, citizen; Julie Bates, citizen; Elizabeth McCall, citizen; Sarah Davis, citizen; Jaron Gentry, citizen; Erica Welti, citizen; Brian Thompson, citizen; Tracy Thompson, citizen; Julie Litvinov, citizen; Amber Wood, citizen; Miranda Davis, citizen; Nicole Rode, citizen; Adam Abraham, citizen; Errin Smith, citizen; Ashley Peckenschneider, citizen; Brady Corless, citizen; Kelton Corless, citizen; Mary D Burnett, citizen; Laralee Seargeant, citizen; Grant Keller, President, Terrabella; Catherine Beaupre, citizen; Candice Huggins, citizen; Natalie Shivley, citizen; Mary Abramson, citizen; Marisa Corless, citizen; Marin Corless, citizen; Samantha Lindstrom, citizen; Kimberly Lindstrom, citizen; Daniel Giles, citizen; David Devine, citizen; Brienne Champneys, citizen; Joshua Champneys, citizen; Lora Brady, citizen; Tamara Lindner, citizen; Meisha Dandrea, Dandrea Chiropractic; Jessica Clippinger, citizen.