



# NHCSL

THE NATIONAL HISPANIC CAUCUS OF STATE LEGISLATORS

## RESOLUTION

No. 2019-17

### Call for States to Remove Non-Medical Vaccination Exemptions

Reported to the Caucus by the NHCSL  
Healthcare Task Force  
Rep. Louis Ruiz (KS), Chair

**Sponsored by Rep. Andres Vargas (MA)**

Unanimously ratified by the Caucus on December 5, 2019

1 **WHEREAS**, the World Health Organization lists vaccine hesitancy as one of the top  
2 ten threats to global health;<sup>1</sup> and,

3 **WHEREAS**, vaccinations are a safe way to prevent individual sickness and to  
4 prevent the sickness of others around the vaccinated individual;<sup>2</sup> and,

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<sup>1</sup> See *Ten threats to global health in 2019*, available at <https://www.who.int/emergencies/ten-threats-to-global-health-in-2019>

<sup>2</sup> See below for sources which express vaccine safety and rigorous standards for vaccinations:

- See Vaccines.gov, *Vaccine Safety*, available at <https://www.vaccines.gov/basics/safety>
  - Explains the testing and evaluation process for vaccines and how they are monitored after they are released to the public. It also discusses the various vaccine reporting systems such as the Vaccine Adverse Events Reporting System (VAERS).
- See Healthy Children.org, *Vaccine Safety: The Facts*, available at <https://www.healthychildren.org/English/safety-prevention/immunizations/Pages/Vaccine-Safety-The-Facts.aspx>
  - According to Healthy Children, most childhood vaccines are 90 to 99 percent effective in preventing disease. They also discuss the role the Federal Drug

5 **WHEREAS**, there are numerous scientific, peer-reviewed studies that conclude  
6 there is no link between autism and vaccines;<sup>3</sup> and,

7 **WHEREAS**, herd immunity or community immunity is the principle that if one gets a  
8 vaccination, one will also prevent oneself from transmitting the disease to others,  
9 particularly those who are allergic to the vaccine;<sup>4</sup> and,

10 **WHEREAS**, because it is an indirect form of protection, for community immunity to  
11 be effective in partially protecting unvaccinated individuals, a minimally high  
12 percentage of the population must be vaccinated at a rate that varies by disease, for  
13 example measles requires 90 to 95 percent of the population to be vaccinated;<sup>5</sup>

14 **WHEREAS**, some individuals do not vaccinate due to state legislation permitting  
15 religious, medical, philosophical, or personal exceptions; and,

16 **WHEREAS**, some individuals allergic to vaccine contents have no choice but to rely  
17 on community immunity; and,

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Administration takes in reviewing all aspects of vaccine development. If the vaccine does not pass the standards for effectiveness, the FDA will not license the vaccine.

- See WebMD, *Vaccines: A Safe Choice*, available at <https://www.webmd.com/children/vaccines/immunization-overview#1>
  - According to WebMD, the United States has the "safest, most effective vaccine supply in history". The article discusses how rarely serious side effects occur and the greater risk of not receiving immunizations.
- See Pam Belluck and Reed Abelson, *By the Numbers: Vaccines Are Safe* (June 18, 2019), available at <https://www.nytimes.com/2019/06/18/health/you-should-get-vaccinated.html>
  - According to Belluck and Abelson, the National Vaccine Injury Compensation Program has received only two claims for every million immunizations containing the measles vaccine. This minute amount of claims is evidence of vaccine safety.
- See National Foundation for Infectious Diseases, *Vaccine Science & Safety*, available at <http://www.nfid.org/about-vaccines/vaccine-science>
  - The National Foundations for Infectious Diseases explains the safety testing process for vaccines and the systems in place to monitor the post-licensure safety of vaccines.

<sup>3</sup> See PublicHealth, *Vaccine Myths Debunked*, available at <https://www.publichealth.org/public-awareness/understanding-vaccines/vaccine-myths-debunked/>

The article discusses the debunked Andrew Wakefield study and how there are misconceptions surrounding vaccinations.

<sup>4</sup> See Oxford Vaccine Group, *Herd Immunity: How does it work?* (April 26, 2016), available at <https://www.ovg.ox.ac.uk/news/herd-immunity-how-does-it-work>

It is important to note that direct vaccination is still a primary defense to diseases and one should not only rely on herd immunity. Also, herd immunity only works for diseases that are spread directly between people ("contagious"), like measles.

<sup>5</sup> See Sebastian Funk, *Critical Immunity Thresholds for Measles Elimination* (Oct. 19, 2017), available at [https://www.who.int/immunization/sage/meetings/2017/october/2\\_target\\_immunity\\_levels\\_FUNK.pdf](https://www.who.int/immunization/sage/meetings/2017/october/2_target_immunity_levels_FUNK.pdf)

Population in this context means the people the unvaccinated person is not regularly in contact with.

18 **WHEREAS**, there is actually no major world religious tradition that is against  
19 vaccinations;<sup>6</sup> and,

20 **WHEREAS**, according to the World Health Organization, about 21.1 million deaths  
21 were prevented between 2000-2017 due to measles vaccination;<sup>7</sup> and,

22 **WHEREAS**, in 2019 alone, there have been over 1,000 cases of measles across 28  
23 states,<sup>8</sup> which is the highest number in over three decades;<sup>9</sup> and,

24 **WHEREAS**, the vast majority of individuals who are diagnosed with measles were  
25 not vaccinated; and,

26 **WHEREAS**, the abuse of religious and personal/philosophical exemptions have  
27 enabled diseases such as measles to reemerge into the population; and,

28 **WHEREAS**, 61 of the 71 confirmed measles cases in the 2019 Washington state  
29 outbreak were unimmunized individuals;<sup>10</sup> and,

30 **WHEREAS**, the measles outbreak in Washington forced Gov. Jay Inslee to declare a  
31 state of emergency and ordered hundreds of students in Clark County to stay  
32 home;<sup>11</sup> and,

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<sup>6</sup> See Occupational Health Clinic, *Immunizations and Religion* (Aug. 27, 2013), available at <https://www.vumc.org/health-wellness/news-resource-articles/immunizations-and-religion>  
Vanderbilt University Medical Center explains positions various religions have regarding vaccination.

<sup>7</sup> See World Health Organization, *Measles Fact Sheet* (May 9, 2019), available at <https://www.who.int/news-room/fact-sheets/detail/measles>  
Explains signs and symptoms of measles and also the global impact of measles.

<sup>8</sup> See Reid Wilson, *Fight over vaccine exemptions hits state legislatures* (July 7, 2019), available at <https://thehill.com/homenews/state-watch/451831-fight-over-vaccine-exemptions-hits-state-legislatures>

The article discusses contemporary pushes from state legislatures in removing non-medical exemptions for vaccines.

<sup>9</sup> Jacqueline Howard and Debra Goldschmidt, *US measles outbreak is largest since disease was declared eliminated in 2000* (April 25, 2019), available at <https://www.cnn.com/2019/04/24/health/measles-outbreak-record-us-bn/index.html>

Discusses the United States measles cases in 2019 and how the number of cases is the highest it had been since the disease was declared eliminated in 2000.

<sup>10</sup> See Ryan Blethen, *Measles outbreak in Clark County declared over; 71 cases confirmed* (April 29, 2019), available at <https://www.seattletimes.com/seattle-news/health/measles-outbreak-in-clark-county-declared-over-71-cases-confirmed/>

Describes the Clark County measles outbreak and the actions public-health officials took to combat the outbreak.

<sup>11</sup> See Felix Gussone, MD and Jane Weaver, *Clark County, Washington to declare measles outbreak over*, available at <https://www.nbcnews.com/health/kids-health/clark-county-washington-declare-measles-outbreak-over-n998641>

Also describes the Clark County measles outbreak in Washington.

33 **WHEREAS**, another measles outbreak in New York City forced city health officials to  
34 set a 1,000-dollar fine on individuals whom fail to vaccinate themselves or their  
35 children;<sup>12</sup> and,

36 **WHEREAS**, to decrease the number of measles cases and other preventable  
37 diseases, state legislatures have begun to remove personal and religious belief  
38 exemptions from school immunization requirements; and,

39 **WHEREAS**, according to the National Conference of State Legislatures, 45 states,  
40 Washington D.C., and Puerto Rico currently grant religious exemptions and another  
41 15 states currently allow personal exemptions;<sup>13</sup> and,

42 **WHEREAS**, Maine H.P. 586,<sup>14</sup> New York 2371A<sup>15</sup>, and Washington H.B. 1638<sup>16</sup> have  
43 all been successfully enacted and have removed religious and personal exemptions  
44 from the state’s school immunization requirements; and,

45 **WHEREAS**, in addition, 23 other states have also introduced legislation to remove  
46 religious exemptions from school immunization requirements.<sup>17</sup>

47 **THEREFORE, BE IT RESOLVED**, that the National Hispanic Caucus of State  
48 Legislators understands that vaccines are safe and protect the individuals receiving  
49 them; and,

50 **BE IT FURTHER RESOLVED**, that the health of everyone around the vaccinated  
51 individual will also benefit, especially those who unfortunately cannot vaccinate due  
52 to allergies, but also the health of everyone else through community or herd  
53 immunity; and,

54 **BE IT FINALLY RESOLVED**, that NHCSL calls on the remaining states that have not  
55 removed religious and personal/philosophical exemptions from their school

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<sup>12</sup> See Angelica LaVito, *New York City cites 84 people for refusing to vaccinate amid measles outbreak* (May 7, 2019), available at <https://www.cnn.com/2019/05/07/new-york-cites-84-people-for-refusing-to-vaccinate-amid-measles-outbreak.html>

Describes how public health officials in NYC faced the measles outbreak and how to enforce vaccinations.

<sup>13</sup> See National Conference of State Legislatures, *States with Religious and Philosophical Exemptions from School Immunization Requirements* (June 14, 2019), available at <http://www.ncsl.org/research/health/school-immunization-exemption-state-laws.aspx>

Examines which states have religious exemptions, which states have personal/philosophical exemptions, and which states only have medical exemptions.

<sup>14</sup> See Bill HP 586, *An Act to Protect Maine Children and Students from Preventable Diseases by Repealing Certain Exemptions from the Laws Governing Immunization Requirements*, available at <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0586&item=5&num=129>

<sup>15</sup> See Bill 2371A, *An Act to amend the public health law, in relation to exemptions from vaccination due to religious beliefs*, available at <https://legislation.nysenate.gov/pdf/bills/2019/A2371A.pdf>, available at <https://malegislature.gov/Bills/191/HD4284>

<sup>16</sup> See HB 1638, *An Act Promoting immunity against vaccine preventable diseases*, available at <https://app.leg.wa.gov/billsummary?BillNumber=1638&Year=2019>

<sup>17</sup> See note 9

56 immunizations requirements, to remove these clauses and to halt the abuse of these  
57 currently available exemptions.

58 THE NHCSL EXECUTIVE COMMITTEE UNANIMOUSLY APPROVED THIS  
59 RESOLUTION ON AUGUST 3, 2019 AT ITS SUMMER MEETING IN SANTA FE, NM.

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61 THE NATIONAL HISPANIC CAUCUS OF STATE LEGISLATORS UNANIMOUSLY  
62 RATIFIED THIS RESOLUTION ON DECEMBER 5, 2019, AT THE ANNUAL MEETING  
63 IN SAN JUAN, PR.

