

HB 37 -- IMMUNIZATIONS

SPONSOR: Pollock (123)

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Elementary and Secondary Education by a vote of 10 to 6. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 7 to 2.

This bill makes changes to existing statute regarding immunization requirements.

Under current law, immunization requirements apply to children attending private, parochial, or parish schools. This bill removes such schools from immunization requirements, and instead applies immunization requirements to just public schools.

The bill prohibits the Department of Health and Senior Services from promulgating rules regarding immunization requirements for any immunization not specifically listed in the bill.

The bill allows a student to attend school if he or she can provide evidence of acquired immunity.

The bill clarifies that a student at a public elementary or secondary education school, a public institution of higher education, or a daycare can attend school by submitting a written religious or conscientious belief statement or submitting a religious or conscientious belief exemption form developed by the Department; the school or daycare cannot require any additional conditions before accepting the exemption.

The bill requires the Department to create an informational brochure that outlines the process for obtaining an exemption to immunization requirements. The Department must also develop a standard religious or conscientious belief exemption form. The brochure and form must be available on the Department's website.

Under current law, students of public institutions of higher education residing in on-campus housing are required to get a meningococcal vaccine. This bill changes that requirement to require the vaccine only for students living in publicly-owned property.

Under current law, immunization requirements apply to a child attending private or parochial daycare centers, preschool, or nursery schools caring for 10 or more children. This bill removes such schools from immunization requirements, and instead applies the requirements just to public daycare centers, preschools, or

nursery schools (regardless of the number of children).

Current law also requires immunizations for such children against any preventable childhood illness specified by the Department; this bill changes the immunization requirement to the same illnesses required to be vaccinated against for public school children.

The bill states that for purposes of child abuse, "abuse" and "neglect" does not include a decision to not immunize a child.

Under current law, a child who does not receive medical treatment for the sole reason of the legitimate practice of religious beliefs of the child's parents cannot be found to be an abused or neglected child. The bill says that a child not receiving immunizations due to religious or conscientious beliefs of the child's parents, cannot be a contributing factor for a finding of abuse or neglect. Additionally, a child not receiving immunizations cannot be a contributing factor in the Children's Division's decision to accept a report of abuse or neglect or to investigate or conduct a family assessment.

The Board of Registration of Healing Arts, within the Department of Commerce and Insurance, cannot initiate a contested hearing or refuse to issue or renew a license on the basis of or in retaliation for any health care provider licensee or applicant providing a medical immunization exemption statement or certification.

A health care provider cannot deny life-saving treatment to a child under 18 on the basis of the child not being immunized if the child has an immunization exemption for medical reasons or due to religious or conscientious beliefs.

This bill is similar to HB 2380 (2020) and HCS HB 711 (2019).

PROPOSERS: Supporters say that school districts and the Department of Health are coordinating against parents that don't want to vaccinate, and forcing parent's to comply or even lie about religious exemptions that they may not have. There is a long history of infringement on parental rights with regards to the choice for vaccinations and recent changes make it very difficult for parents to protect their children in the manner they feel is appropriate.

Testifying for the bill were Representative Pollock; Adrienne Phillips; Amanda Walker; Amy Cato; Arminta Phelps; Bernadette Winkler; Bev Ehlen; Carolyn J. Lenz-Tucker, MD, NP; Christina L. Sloan; Clif Ehlen; Connie Larson; Connie Smith; Dana Crowder; Debra Kohl; Debra L Cochran; Denis Michael Boles; Dominie Sabatino-Donat;

Donna Meyer; Elizabeth Wilson; Emily Hunkins; Gina McDonald; Holly Neske; Jaclyn Riebold; Janet Dabbs; Jill M Syrigos; Judith Kay Brown; Kelly Stilts; Kimberly A Braun; Kimberly Fritsche; Kristen Lewis; Linus Baker; Madeline Frisch; Marcia Niekamp; Maria Jansen; Marisa Westbrook; Mary Julia Blaxton; Mitchell Schubert; Patricia L Vogler; Paula Juelich; Richard E Sloan; Sara Bohnert; Sarah Gilbert; Steve Smith; Wendy Wisniewski; Rebecca Boerner; Kim Williams; Michael Hartman; Nancy Noecker; Amber Blue; Audrey Newberry; Brittany Miller; Caroline Waltman; Diane Marriott-Holly; Dianna Vance; Elfrieda Peninger; Haven Howard; Jen Pagano; Jeni St. Onge; Linda Stillings; Margaret; Nathanael Miller; Rachel Yost; Raya Shafer; Tammy Myers; Thomas Newberry; Tiffany Mason; Tim Shafer; Angelica Ittzes; Amanda Vickers; Megan Guillen; Ron J. Calzone; Sherman C. Graves; Kristina Ginn; Heather Brown ; Laura Hausladen; Megan Schwartz; Audrey Baker; Desiree Darling; Dina Croy; Jeremy Maxwell, Dc; Julia Croy; Tracy Siegel; and Mallory Terry.

OPPONENTS: Those who oppose the bill say that public health is an important issue for all children and that vaccinations are vital to protect those that are immunocompromised and to prevent outbreaks of disease. The current practice is to educate those in the health care community to promote vaccinations and not to belittle or enter into a debate with those that are immunization resistant.

Testifying against the bill were Amy Cato; Missouri Nurses Association; Missouri Center For Public Health Excellence; Lynelle Phillips, Select One; GlaxoSmithKline; Nathan Beckett; Nicole Cope, Missouri Immunization Coalition, Inc.; Peggy Karleskint, BSN RN, Missouri Association of School Nurses; Shelby Ostrom, Mid America Immunization Coalition; Missouri Association of Osteopathic Physicians & Surgeons (MAOPS); Susan Luina; Kids Win Missouri; Missouri Chapter, American Academy of Pediatrics; Missouri Pharmacy Association; Teri Hansen; Terri Baker; BJC Healthcare (St. Louis Children's Hospital); Missouri State Medical Association; Arnie C. Dienoff; Debra Serr; and Missouri Academy of Family Physicians.

Written testimony has been submitted for this bill. The full written testimony can be found under Testimony on the bill page on the House website.