CQ State Report

Needles Not For Everyone

Vaccination policies can pit personal beliefs against community health

California may be in the vanguard of a movement of parents who resist vaccinating their children against measles and other communicable diseases, but they're going to have a tougher time avoiding the immunizations starting next summer.

On June 30, California Gov. Jerry Brown signed a bill that will eliminate both personal and religious exemptions for the inoculations starting on July 1, 2016. The state joined West Virginia and Mississippi as the only ones not allowing religious or personal exemptions for the vaccine.

A key impetus for change in California came with an outbreak of measles traced to Disneyland late last year that infected 117 people nationwide since Jan. 1. At least 28 of the patients, including 18 children, were intentionally unvaccinated, according to the Centers for Disease Control and Prevention.

That outbreak led lawmakers in many states to re-examine the wisdom of allowing parents' personal and religious views to exempt their children from the measles-mumps-rubella vaccine, which the CDC says is up to 97 percent effective.

California's move leaves 47 states where a child can be exempted from receiving a measles vaccine for almost any religious or other personal reason cited by parents.

"There are many that would say states are better off removing religious exemptions and dealing with a personal exemption that's more tightly controlled," says Diane Peterson, associate director for immunization programs at the Immunization Action Coalition.

PRICKLY ISSUE: Californians protest stricter vaccine law.

Rich Pedroncelli/AP Photo

Tighter requirements are catching on, but only slowly amid parental concerns

Depending on the state where they live, parents can pursue three kinds of exemptions to keep their children from being vaccinated: medical, religious or philosophical belief.

Medical exemptions apply to children unable to receive vaccines due to a verifiable illness, and states generally require a doctor's certification.

The border between religious and philosophical exemptions can be blurry.

Christian Science and Church of Christ are religions that believe in faith-based healing and oppose vaccines.

But in many states, the faith-based exemptions don't require membership in an organized religion; any personal belief system, even those that have no strictures against vaccination, can qualify.

The philosophical exemption is the one most used by parents who cite reports linking vaccines to diseases including autism, although those studies have been discredited in the medical community. The most recent refutation of the autism link came in April from the Journal of the American Medical Association.

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American Medical Association.

"Some dozen studies have now shown that the age of onset of [autism spectrum disorder] does not differ between vaccinated and unvaccinated children, the severity or course of ASD does not differ between vaccinated and unvaccinated children and now the risk of ASD recurrence in families does not differ between vaccinated and unvaccinated children," wrote Bryan H. King, a psychiatrist at the University of Washington, in an editorial accompanying the April JAMA article.

But a small group of parents still have doubts, which many scientists see as the echo of a 1998 article in the Lancet medical journal by Andrew Wakefield. Retracted by the Lancet in 2010 because of its flawed science, the article helped spark a persistent backlash against the MMR vaccine.

Those doubts have an impact. If enough children in any state are not vaccinated, the overall resistance to the disease can be compromised, according to the CDC.

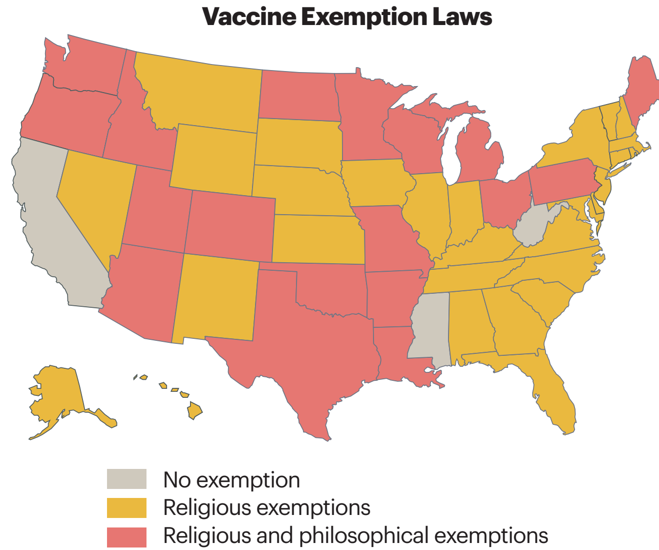
Hence, the legislative efforts. Because so many lawmakers view religious exemptions as sacred, philosophical exemptions have become a more frequent target for elimination, Peterson says.

In Illinois, Republican Gov. Bruce Rauner has had a bill sitting on his desk since June that would require parents to give specific religious objections that conflict with immunization requirements. The bill would require parents or guardians to write out their specific religious objections and get a health care provider's signature. They'd also have to submit an exemption certificate for their child before kindergarten, sixth grade and entering high school. School officials would determine if the exemption request constitutes valid religious objection. Illinois doesn't have a personal philosophical exemption.

Blocked Shots

After a 2014 measles outbreak, states are tightening up on vaccination requirements. California ended religious and philosophical exemptions and Vermont pulled back on philosophical exemptions in laws set to take effect in July 2016. The map shows the status of exemptions in all states.

Vaccine Exemption Laws



Source: National Conference of State Legislatures

Meanwhile, the New Jersey legislature is debating a measure that would rein in religious exemptions by requiring parents or guardians to write out which of their religious beliefs are being violated by vaccines. The statement would have to be notarized and they would have to acknowledge the risks and benefits of vaccination. The exemption would also require a signed letter from a doctor who counseled the parents about the risks and benefits of vaccination.

Connecticut enacted a measure similar to the proposal in New Jersey that requires parents to have their religious belief statements notarized and to review vaccine education information provided by the state's Department of Public Health.

Signed in May, Vermont's new law to repeal the philosophical exemption also requires schools to report immunization rates. Vermont sustained the exemptions for religious views.

South Dakota passed a new law in March that requires a child's immunization records to be shared among schools and health providers unless the parent refuses to disclose them.

Vaccine-related bills in several other states failed to gain traction. Arizona, Missouri and Texas had bills that focused on how schools report immunization rates to parents. But those bills stalled.

In Minnesota, House members were unable to pass a bill that would have required parents claiming a personal belief exemption to get a physician's statement saying they knew about vaccine risks and benefits.

Barbara Loe Fisher, executive director of the National Vaccine Information Center, a clearinghouse for anti-vaccine information, says that eliminating the religious and personal belief exemptions are violations of civil liberties.

Despite the new law in California, she says, the debate sparked public awareness about vaccine requirements and has caused opposition groups to form.

"This is concerning a lot of people when the government can force you to put something into your or your child's body and can't guarantee it can't harm you or can work," Fisher says.

Mary Jo Perry, co-director of Mississippi Parents for Vaccine Rights, says that she understands this from experience. Her youngest son had seizures within three days of getting eight vaccines in the same day. Perry says that while providers don't know which one caused the seizures, not having any choice in spacing out the shots didn't help. On top of that, she had to fight with the Mississippi Department of Health, write letters and go to three doctors to get a medical exemption.

Strict vaccine laws in Mississippi and West Virginia have helped those states boast the nation's highest child vaccination rates. But those gains come with consequences for freedom, insists Perry, who suggests that California will soon discover it "made a really big mistake."

Opponents there have been cleared by the state to begin gathering petitions to force a statewide referendum on the law in November 2016. If they get enough signatures by Sept. 28, the law will be suspended until the vote.

Perry, whose group has been around for three years, says there are many parents who are not pro-vaccination or anti-vaccination. Many, she adds, "just want personal choice."

— Marissa Evans