

The Legislature alone possesses the power to mandate new vaccines.

**WV Legislature
Code 16-3-4**

10 Injections

**DIPHTHERIA
POLIOMYELITIS
RUBEOLA
RUBELLA
TETANUS
PERTUSSIS**

Medical
Exemptions:
Physician's Letter

Background

- In 2008, DHHR used an **Interpretive Rule** change (64CSR95) to add three new vaccines – chickenpox (Varicella), mumps and hepatitis B – to the list of mandated shots.
- The new **rule** also gave **DHHR** power to **review requests for a medical exemption**, whereas before a letter from a doctor was sufficient.
- This rule change was implemented in spite of a promise made in writing that **DHHR “would allow for exemptions from immunizations”**(See Attachment).

**WV DHHR
Interpretive Rule**

36 Injections

**DIPHTHERIA
POLIOMYELITIS
RUBEOLA
RUBELLA
TETANUS
PERTUSSIS
VARICELLA
HEPATITIS B
MUMPS**

Recommended

**HPV
INFLUENZA
MENINGOCOCCAL**

Medical Exemptions:
Approved by DHHR

Why is DHHR attempting to bypass the Legislature and add Hepatitis B, Varicella, etc...?

Maybe money. Stephanie Cave, MD, explained in her book, "What Your Doctor May Not Tell You about Children's Vaccinations" (Warner Books, 2001). "The CDC has given **hundreds of millions of dollars** to state health departments in the form of immunization grants since 1965. When the Hepatitis B vaccine was added to the recommended list, the states could hope to get some of that money if they enforced mandatory vaccinations and tracked them...

Vaccines such as Hepatitis B are beneficial for school children, right? Hepatitis B is a blood-borne disease that is not common among schoolchildren. **At risk groups are men who have sex with men, sex partners of infected persons, injection drug users, etc...** In fact, the vaccine has proven more dangerous than the disease itself, such that the Association of American Physicians and Surgeons has found that **“For most children, the risk of a serious vaccine reaction may be 100 times greater than the risk of Hepatitis B.”**

If parents are given vaccination choices, they won't vaccinate and disease will return, right? According to the Institute of Medicine, Immunization Safety Review: Multiple Immunizations and Immune Dysfunction (2002), “The current emphasis on universal immunization recommendations and state mandates may not be appropriate or necessary. The experience of the 15 states that allow philosophic exemptions to required

immunization illustrates that **the availability of exemptions does not appear to be directly related to levels of immunization coverage**". Our country has a strong 50 year history of allowing exemptions in 48 states (except WV & MS) without compromising public health. Childhood immunization rates remain at or near record levels, with at least 90 percent coverage for all but one of the individual vaccines in the recommended series for young children, said the CDC's 2007 National Immunization Survey (NIS). Less than 2% of parents utilize exemptions.

How do other state health departments feel about exemptions? Greg Moore, a spokesman for the New Hampshire Department of Health and Human Services said in Jan 2007: "**All child vaccinations in New Hampshire are voluntary.** The state doesn't kick girls out of school because they didn't get a vaccine... And as a result, **the state has one of the highest rates of child immunization in the nation.** Dr. Reginald Finger, Kentucky Department For Public Health, Frankfort, KY, 1985-1997, State epidemiologist, 1989 - 1997. Said this in 2004; "**I feel that it worked very well for us,** the Religious exemption paid attention to the legitimate need of religious freedom which is an important thing in America, and 1/10 of 1% of families took a religious exemption for vaccines. **It was essentially a non factor in our immunization context.**"

Do Doctors and Nurses want forced vaccination? When faced with mandatory flu shots in Alaska, the Nurses Union filed a grievance saying; "**It is a basic right to say what is and isn't put in your body... Many nurses don't want to be forced to get a shot that carries health risks of its own and doesn't always work** " said Debbie Thompson, president of the Alaska Nurses Association. The American Nurses Assoc. has issued a statement saying that "This is a VOLUNTARY decision and **should be made without coercion**, intimidation, or fear of job discrimination. The **choice** to be vaccinated is a personal decision that must be made based on your individual situation both at work and at home."

WV has no law that requires Doctors and Nurses to get vaccinations. And they are the ones in closest contact with the sick and most likely to contract and transmit disease. According to the CDC, ONLY "six states require that health-care facilities offer influenza vaccination to HCP, and four states require that HCP either receive influenza vaccination or indicate a **religious, medical, or philosophical** reason for not being vaccinated".

**The Legislature needs to remedy WV's vaccination conflict.
HB 3069 is that remedy. 48 other states have been able to balance
public health and civil liberties.**

Contact WVVE.INFO for More Information