



Ohio Chapter

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Chairman Huffman, Vice-Chair Gavarone, Ranking Member Antonio and members of the committee, thank you for the opportunity today to speak in support of House Bill 559, a bill which, if enacted, will strengthen Ohio's immunization laws to strike a better balance between parental rights and the overall health and well-being of Ohio's children.

My name is Dr. Sarah Denny and I am here today on behalf of the nearly 2,900 members of the Ohio Chapter of the American Academy of Pediatrics as the advocacy co-chair of the Ohio AAP, and I am also representing Nationwide Children's Hospital where I work in the emergency department along with the entire network of children's hospitals; the Ohio Children's Hospital Association, and finally and most importantly, I am here today as a mom to advocate on behalf of my 3 children – each of which is 100% vaccinated.

In 2005, Ohio ranked number 3 in the nation when it came to national immunization rates. That same year, we enacted a legislative mandate to require the varicella, or chicken pox, vaccine, which, while a tremendous thing for Ohio's children, it also then changed Ohio's law and allowed for parents to simply "opt out" of vaccines for the school mandate, not for medical or religious reasons like it had stated in the past, but solely for the purpose of their choice not to get their child vaccinated, or as we have come to learn, sometimes forgetting to turn in a form to the school. When this happened, Ohio became only one of 16 states for allows for this type of vaccine school exemption, and only one of eight who allow for an exemption with no other required documentation, and our immunization rates in this state plummeted, with the worse being in 2014 when we had the second worse rate in the country!

While the Ohio AAP as an organization 100% supports a parents right to make the decision whether or not to vaccinate their child, we believe strongly that this informed decision should be that – an actual informed decision made after careful consideration and scientific fact presented, along with clear documentation for the purposes of better data to allow for the state to be able to react accordingly in the case of an outbreak – and that is why we support the bill to Improve Ohio's Immunization Processes.

I want to provide a quick overview of what this bill does and what it does not do. First, what the bill includes is the following:

- First, it requires the Ohio Department of Health to develop a standardized immunization form to be used by health care providers when documenting a child's immunization history.
- Second, it requires the completed form to be provided to a school when a child begins kindergarten, seventh grade, or twelfth grade and to a child care provider after the child's enrollment.
- Third, and very importantly, it 100% maintains the right of a child's parent to decline an immunization for reasons of conscience, including religious

convictions, but requires the parent and a healthcare provider – doctor, nurse practitioner, or health dept nurse, to sign the form when declining the immunization to ensure that a conversation about vaccines has taken place. In other states such as Michigan, families are actually required to not only sign a form, but to sit through a one hour presentation to opt out. We felt a conversation with a health care provider was much more appropriate for families in Ohio. This information can not be obtained by reading a website or a brochure, it needs to be a dialogue so that families can ask questions and get factual information.

- Fourth, requires each immunization form reported to the Department by a school district or preschool program to include, by disease, the percentage of students immunized against the disease and the percentage who are not.
- Fifth, requires the Department to publish on its website, by school and school district, the summary information reported by each district or program – this is only a SUMMARY – no personal information would be shared about a child or family. This summary is currently already shared and is available by public records request, but in the case of family who has concerns about sending their immunocompromised child to a school with a poor immunization rate, they are NOT easily able to find that information.
- The bill does not change the diseases against which a student must be immunized. It also maintains the exceptions available under existing law to the immunization requirements. These include reasons of conscience (including religious convictions), natural immunization, and medical contraindications.

In summary, I hope it is clear from what I outlined – this bill standardizes the opt-out process and strengthens reporting. Establishing a standardized form and requiring a conversation with a healthcare provider are essential to ensure that parents have all the appropriate medical and scientific information prior to making health care decisions such as immunizing their child.

The Ohio Immunization Process Improvement Plan establishes a process identical to how immunization entry forms are handled for state licensed childcare centers. States that have standardized their process have seen a 35% decrease in opt-outs of vaccines in just one year. By streamlining how data regarding immunizations is handled and reported so public health officials, parents of immunocompromised children, and other stakeholders will know the opt-out rate at each school building, we would also be accomplishing a critical piece of public health. As noted in numerous recent media reports, Ohio does not currently have reliable data regarding the number of children who have been exempted from immunization requirements at the school district and school building level. As a result, the ability to effectively respond to a disease outbreak is jeopardized. Much of this breakdown is due to inconsistent handling of immunization forms and the transfer of information between school districts, local health departments, and the state.

What this bill clearly does NOT do is:

- It does NOT impact current exemptions or mandate new vaccines.
- It does NOT in any way change the ability of parents to make decisions regarding whether or not to immunize their child.
- It does NOT permit a student's vaccine status or any personally identifiable information to be made public.

Recently we have heard that the opposition to this bill has spread statements to the effect that this bill would somehow violate constitutional law, but their claims are undeniably false. This law merely REINSTATES some protections to children in Ohio, and actually doesn't go anywhere close to what the Ohio law stood for in 2005 when reasons for opt outs were more limited. They also claim we will publish private data on families to allow for harassment again violating their rights. As I already explained, no private data is currently shared, nor are we suggesting such a thing.

I started my testimony by telling you our current immunization rates. I want to end it now by reiterating that fact along with another. In 2005, Ohio ranked 3rd in the nation in immunization rates before having opt outs for philosophical purposes, and in just 13 years, we now rank 39th. We have seen outbreaks of measles that were 3 times the size of the Disneyland outbreak, we had the largest mumps outbreak in the country and we repeatedly see new outbreaks of pertussis. We can no longer afford to put the jeopardy of Ohio's children health at risk by allowing our immunization rates to get worse, and this bill allows us to work toward improving our rates and protecting Ohio's children, while at the same time preserves the rights of parents to make their decisions for their child. As you all know, immunizations are one of the most significant healthcare achievements in history. They are safe, effective and supported by the vast majority of parents and voters. Please support this bill to improve the health and well-being of Ohio's children.