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Chairman Huffman, Vice Chairman Gavarone, and members of the House Health Committee,

Today I am writing to express my concerns with HB559 - Changes to School Immunization Requirements. As an elected member of the Ohio State Board of Education I will be sharing some background information on the subject before you. This information is presented on my own behalf and not that of the State Board of Education.

Last year a group of parents and healthcare providers brought to the State Board of Education's attention changes in interpretation of the newly reauthorized Federal Child Care Development Block Grant that were being used to deny parents who chose not to vaccinate their child for religious or conscientious reasons access to a federally funded preschool program. Parents were denied access on the basis that the conscientious and religious exemption waiver they had signed and presented didn't actually extend to vaccination decisions for their child, despite current Ohio laws regarding conscientious and religious exemptions. This was a clear violation of a parent's right to make medical decisions for their child.

In April 2017, the Ohio State Board of Education passed a resolution stating our collective support for a parent's right to make decisions regarding the immunization of their child and urging the Ohio Legislature, Congress, and the Department of Health and Human Services to respect parental rights related to exemptions from immunizations.

At the federal level there were four states (Ohio, Michigan, Minnesota and Wisconsin) singled out for this exceptional interpretation of the Child Care Development Block Grant. Our states were told that conscientious and religious exemptions no longer applied despite state laws to the contrary. A State Board of Education Member from Michigan (also affected by the interpretation) and I sat down with administrators in the United States Department of Health and Human Services (USHHS). We presented the issues parents were experiencing, the resolution passed by the Ohio State Board of Education, and explained Ohio's current exemption law. We were very pleased to receive a letter several weeks later that USHHS had reviewed the federal requirements and determined that parents indeed have a right to religious and conscientious exemption from vaccination and that they were correcting their guidance to our respective states.

I am concerned that HB559 will lead to discrimination against parents who choose not to vaccinate their children based upon reasons of conscience or religious convictions. Parents have the utmost stake in their child's health and wellness. Many parents already feel intimidated and harassed by medical "professionals" when they question or raise concerns about seemingly common procedures. Requiring a physician or other "approved" medical personnel to sign a form essentially giving their permission for the parent to utilize their own religious or conscientious objection insults a parent's right

to make informed decision. It demeans their intelligence, diligence and loving care for their own child! The determination that the parent needs “extra guidance” is based on an assumption that the state immunization mandate fits all children and that their parents cannot possibly know what is best for them! This is demeaning and ignores the care demonstrated by the parent who already went the extra mile to obtain and sign the exemption form for their child’s records. Additionally, it most certainly undermines a parent’s conscientious and religious right when someone else must “sign-off” on that right for them. Is this our new definition of the “free practice of religion?”

The expansion of mandatory, state-level reporting also creates both an unfunded mandate and a significant data privacy concern. There is no minimum number of students for the percentages of immunized and non-immunized students that are required to be reported and posted on the local and state websites. This creates a situation where the “N-size” of the group may be small enough to allow some people to identify specific children, even without more specific personally identifiable information. The long standing standard in education has been 30 students. This has recently been moved to 10-15 students in some situations, however, reports have also been received that students were identifiable to other community members without information specifically considered “personally identifiable,” simply because the number of students was so small. Does this violate HIPPA or FERPA laws by violating a child’s medical privacy?

While HB559 may be well intentioned to streamline the vaccination exemption system and create a state level analysis of the number of students who aren’t vaccinated, as written it undermines the rights and privacy of the family.

Thank you,

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