

TESTIMONY BEFORE THE OHIO SENATE FINANCE COMMITTEE

Re. Sub. H.B. 49, Creating FY 2018-2019 Ohio State Budget

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Chairman Oelslager and members of the Senate Finance Committee: Thank you for the opportunity to address you today about actions by the American Academy of Pediatrics (AAP) to change Ohio Revised Code 3313.671 through the legislative budget process, instead of a stand-alone bill. I live near Dayton, Ohio in Senator Lehner's district, and am a registered pharmacist with a Ph.D. in biopharmaceutics, specializing in pharmacology, toxicology, and drug kinetics. For the past 26 years I have learned that medical professionals learn very little about vaccines in their education.

RC 3313.671 addresses exemptions to vaccinations for K-12 school attendance. Changing this Ohio law through a budget amendment denies Ohio parents the right to express concerns to their lawmakers, not to mention the process violating Article II, Section 15(D) and possibly Article 1, Section 21 of the Ohio Constitution.

In its May 2017 "Immunization Policy Proposal" the Ohio Chapter of AAP states its goal to deny vaccine informed consent to Ohio families. Informed consent is a basic tenet of ethical medical practice.

The AAP has a history of serious financial conflict of interest with drug companies which manufacture vaccines. Please permit me to share a small fraction of such evidence:

- When vaccine makers could be sued for death and injuries caused by vaccines, AAP members served as highly paid expert witnesses to help defend the drug companies. Dr. Edward Mortimer, then at Case Western Reserve University, testified in a Stark County, Ohio court deposition of his and other AAP members assisting drug companies this way. Dr. Mortimer failed to disclose his ties to drug companies to *JAMA* (Journal of the American Medical Association), as did Dr. James Cherry from UCLA, who received nearly one million dollars from a vaccine manufacturer for his research (LA Times, 3/24/90, p. B3).
- In its 1990 report, "Are Scientific Misconduct and Conflicts of Interest Hazardous to Our Health?", the U.S. House Committee on Government Operations cited Drs. Mortimer and Cherry's lack of JAMA disclosures and conflicts of interest as a "danger to the public."
- Dr. Stanley Plotkin, inventor of the rubella vaccine (the "R" in MMR), testified in deposition that half of his income was derived from vaccine royalties.

- In the early 1980s AAP solicited its “friends in the business community” to build its new headquarters near Chicago. Over the next several years, hundreds of thousands of dollars were donated to AAP from drug companies, baby formula makers, and other companies.
- AAP worked with Congress to pass the National Childhood Vaccine Injury Act of 1986, which established a no-fault (and hence, no discovery) system to compensate those killed or injured by vaccines. The U.S. Taxpayer now shoulders vaccine makers’ liability costs. As of May 1, 2017 the Vaccine Injury Compensation Program has spent nearly \$3.7 billion.
- Vaccines represent an economic boon for pediatricians. Profitable well-baby visits are timed to coincide with vaccination schedules established by the AAP and the Centers for Disease Control and Prevention (CDC). Indeed, one pediatrician recently testified to the Minnesota state legislature that he personally loses hundreds of thousands of dollars in income every year for giving his patients the right to opt out of vaccines.
- Drug company lobbyists can wear different hats. In the late 1990s, while collecting between \$50,000-\$100,000 from vaccine maker Wyeth for Texas lobbying activities, the same lobbyist collected \$25,000-\$50,000 from the Texas chapter of the American Academy of Pediatrics to encourage new vaccine mandates in Texas. Unlike Texas, lobbying fees are not public information in Ohio.
- As a front for Merck's campaign to enact a chickenpox vaccine mandate in Illinois, the company established and bankrolled the Illinois Children's Health Coalition (IHC). Upon investigation, the IHC was found to be no more than a public relations gimmick. Merck's similar campaign moved to Ohio with the introduction of SB 254 in 2000, this time using the name Ohio Varicella Vaccine Coalition.
- Similar productions were staged during 1999 hepatitis B vaccine hearings in Ohio, and later in hepatitis B vaccine safety hearings in Washington, D.C. The Washington state-based PKIDS (Parents of Kids with Infectious Diseases) favored mandatory hepatitis B vaccine legislation in Ohio, testifying in 1999 at the Ohio Statehouse. Carrying identical scripts, these out-of-state PKIDS moms also testified a few weeks later at congressional hearings in our nation's capital.
- In January 2017 the journal *JAMA Internal Medicine* expressed concerns that such links between patient advocacy groups and drug companies threaten the public trust.

Severyn

In addition to the financial ties between AAP and the pharmaceutical industry, Ohio legislators should consider that vaccines don't always work and can be harmful. Recently publicized mumps outbreaks at Ohio colleges occurred largely in vaccinated students, as did recent measles and pertussis outbreaks across the country.

If the AAP wants to eliminate medical informed consent in Ohio, it should propose a stand-alone bill so that all sides can testify in legislative hearings, instead of using the back door legislative budget approach to sneak in what it cannot achieve in the light of day.

Thank you for your concern and attention. I look forward to answering any questions.

(See news clipping next page.)

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| DAYTON DAILY NEWS |

STATE DIGEST

FROM WIRE SERVICES

VACCINE NO HELP IN CINCY EPIDEMIC: Most of the children who became ill during a whooping cough epidemic in Cincinnati last year had been vaccinated against the disease, according to a study published Thursday. Children's Hospital Medical Center, in a study published in the *New England Journal of Medicine*, found that as many as 76 percent of the patients in some age groups were fully vaccinated. A new strain of the disease is suspected.