

States Tightening Loopholes in School Vaccine Laws; Aim Is to limit opt-outs

Education Week, May 14, 2014

As outbreaks of preventable diseases have spread around the country in recent years, some states have been re-evaluating how and why they allow parents to opt their children out of vaccines required for school attendance.

Requiring vaccines before school admission has been a key component of a decades-long campaign that had nearly rid the United States of some of its most severe illnesses, from the measles to whooping cough, public-health experts say. But they also warn that broad "personal belief" exemptions that don't relate to a child's medical condition or a family's religious beliefs have made it too easy to bypass vaccines, poking a sizable hole in the public-health safety net.

While some parents act out of a sense of personal conviction, others do so simply because they don't have time to schedule an appointment, said Stephanie L. Wasserman, the executive director of the Colorado Children's Immunization Coalition, an Aurora, Colo.-based group that seeks to increase vaccine coverage in the state.

"We want to close that convenience loophole," she said. "When you choose not to immunize, there are consequences not only to your child and your family; there are consequences to your community as well."

Since 2011, Washington, Oregon, California, and Vermont have revised their personal exemption processes.

In Colorado--a state with one of the highest opt-out rates in the country and the most recent one to examine its vaccine-exemption policies--a bill passed this month would draw schools into the public health fight.

House Bill 1288, which has not yet been signed by the governor, will require schools to collect information about their vaccination rates and to provide it to parents upon request. The state's permissive school choice laws would allow parents to transfer their children--including immune-compromised children who are not able to be vaccinated--to schools with higher vaccination rates, advocates for the legislation said.

And making the information publicly available could hold schools accountable for enforcing existing laws and encourage them to promote vaccinations through efforts like school-based health centers and pop-up clinics at school registration events, Ms. Wasserman said.

"We think it fits in the education reform model that places parents in the role of making decisions based on quality," Ms. Wasserman said of the reporting requirement. "It's an innovative part of the bill,

and other states are already taking a look at it."

National Picture

All states require a schedule of vaccines that a child must have before he or she can be enrolled in school. Every state allows exemptions from vaccines for medical reasons, and all but Mississippi and West Virginia allow exemptions for religious reasons, according to the Centers for Disease Control and Prevention in Atlanta.

Public health experts find the most fault with personal exemptions, also known as philosophical exemptions, which are in place in 19 states. Those exemptions typically allow parents to opt out of vaccinating their children by signing a one-time form and without disclosing a reason.

And the number of parents claiming such exemptions has grown over the last decade, with high concentrations of exemptions in states with especially permissive policies.

Some parents, including those who opposed tightening restrictions on Colorado's personal exemption, argue that it's their right to make medical decisions for their children, regardless of the reason.

The movement to opt out of all or some vaccines has spiked in recent years, in part because of scientifically unproven claims that vaccines are linked to autism and because of misinformation spread online, vaccine proponents say.

And as vaccines have been effective at largely wiping out the diseases they are designed to prevent, the public has grown less concerned about those diseases, Glen J. Nowak, the director of the Center for Health & Risk Communication at the University of Georgia in Athens said in a conference call with public-health advocates.

For some parents, that kind of progress tips the scale of concern away from illnesses and toward any possible side effects associated with the vaccines.

"One of the things that happens with low disease awareness is increased focus on risks" of vaccines, Mr. Nowak said.

In addition, immunization schedules have grown more complicated, and some people are resistant to any form of government mandate, Mr. Nowak said.

Waning 'Herd Immunity'

Data from the federal Centers for Disease Control and Prevention show that, in 2012, between 90 percent and 95 percent of kindergarten students in most states had received two doses of the measles, mumps, and rubella (MMR) vaccine. The data showed the same range of coverage for most states for the diphtheria, tetanus toxoid, and acellular pertussis (DTaP) vaccination.

By contrast, just 85.7 percent of Colorado kindergartners had received the MMR vaccine, and just 82.9 percent had the DTaP vaccination, the data show. Of the Colorado students whose parents claimed an exemption, 93 percent chose the personal belief exemption.

Vaccination rates that low fall below the threshold of what is required for what's known as "herd immunity" or "community immunity," which requires immunization rates of between 90 and 95 percent for most vaccines, Ms. Wasserman said.

A portion of every population is unable to be vaccinated because they are too young or because their immune systems are too fragile. Through "herd immunity," a critical mass of the population is immunized, helping to protect those without vaccines and to slow potential contagious outbreaks, according to the CDC.

Low immunization rates can directly affect schools, Ms. Wasserman said. In many states, public health officials have required unvaccinated students to stay home during outbreaks. In April, local health officials in Ohio warned parents that unvaccinated students may have to stay home for 25 days or longer if the region's mumps outbreak spreads into schools.

"By not having kids in seats, you're impacting their ability to have the instruction time and the teaching time," Ms. Wasserman said.

In Colorado, many students missed extended periods of school in 2012 and 2013 as the state faced a surge of cases of pertussis, or whooping cough. The state's health department reported 415 cases of pertussis in 2011, a number that grew to 1,494 in 2012 and 1,035 in 2013.

Public health officials blamed low vaccination rates and a change in the vaccine in the 1990s that made it less effective for some.

Other Approaches

States with permissive personal exemption policies have opted to amend them in recent years, rather than eliminating them all together. In 2011, Washington passed a bill requiring parents to obtain a doctor's signature before claiming a personal exemption. In 2012, California passed a similar law.

Under Oregon's law, passed last year, parents must now obtain a doctor's signature or complete an online education module before claiming a personal exemption.

Colorado's bill originally included a similar "informed exemption" requirement, but lawmakers amended that portion out of the bill after hours of emotional testimony from parents who oppose vaccinations and appeals from parents and medical professionals who support them.

Opponents called the medical counseling requirement "a re-education campaign," "brainwashing," and "propaganda."

The National Vaccine Information Center, a Sterling, Va.-based organization "dedicated to the prevention of vaccine injuries and deaths," said that, "under the guise of public education," the bill "makes it legal for the state to brand a minority of citizens as intellectually or morally inferior and serves to harass and coerce citizens making health care decisions for their minor children."

After the amendments, the bill still would require the Colorado Department of Public Health and Environment to create a process for sharing and analyzing immunization data. It would also require the state's board of health to create an online education module that parents can consult for information about vaccines and to re-evaluate how frequently parents have to submit exemption forms.

Discussion groups assembled by the Colorado Children's Immunization Coalition to evaluate the state's policies supported requiring parents to reauthorize exemptions on a schedule that mirrors a child's vaccination schedule, Ms. Wasserman said.

This would give parents an opportunity to reconsider their decision and remind those who opted out for reasons of convenience that they still need to vaccinate their children, she said.

"People are often adopting this option without having a deeply held personal belief," she said of the personal exemption. "We wanted to close that convenience loophole and also offer opportunities to get science-based, research-based, credible information out there about the importance of vaccines."

A spokesman for Colorado Gov. John Hickenlooper, a Democrat, said last week that his office has not yet received the bill, and he will review it before signing it.

Evie Blad

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Source Citation

Blad, Evie. "States Tightening Loopholes in School Vaccine Laws; Aim Is to limit opt-outs." *Education Week* 14 May 2014: 1. *Student Resources in Context*. Web. 9 Feb. 2015.

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Gale Document Number: GALE|A369200938