



# WHAT ABOUT “FRAUDULENT” MEDICAL EXEMPTIONS?

## NEW STUDY

A new study in 2018, reviewing medical exemptions in California after SB 277, found **the majority of the 60 medical board complaint cases** that investigated medical exemptions **were closed because of no violations found**, insufficient evidence to pursue disciplinary action, or lack of supporting evidence.

## FINDINGS

The study, conducted from 34 interviews with health officers across the state, reported that most participants found **few or no medical exemptions that they believed were problematic**. Exemptions labeled as “suspicious” were because doctor-provided reasoning did not fit the extremely narrow list of CDC contraindications. However, according to state law, “family medical history for which the physician does not recommend immunization” IS a legally valid reason for writing a medical exemption.

**SB 276 IS UNNECESSARY • DOCTORS KNOW PATIENTS BEST**

## MEDICAL BOARD COMPLAINTS

**60 COMPLAINTS • MAJORITY DISMISSED • NO VIOLATIONS**

sites used to instruct parents on how to get physicians to approve medical exemptions. To date, the California Medical Board has received 60 complaints regarding medical exemptions since the implementation of SB277. A majority of cases have been closed because of no violations being found, insufficient evidence to pursue disciplinary action, or the inability to proceed because of a lack of supporting evidence. (K. Kirchmeyer, personal

<https://pediatrics.aappublications.org/content/142/5/e20181051>

## “PROBLEMATIC” MEDICAL EXEMPTIONS?

**CA HEALTH OFFICERS FOUND FEW OR NO PROBLEMATIC EXEMPTIONS**

care providers signing medical exemptions (**Table 4**). Most participants reported seeing few or no medical exemptions that they believed were problematic. The most commonly reported conditions that participants described as suspicious were family history of allergies and family history of autoimmune disorders because these are not medical contraindications to immunization according to the Advisory Committee on Immunization Practices.<sup>10</sup> However, participants did acknowledge that although they might not agree that

*\*If there are any invalid medical exemptions found, the CA Medical Board can address them individually under current law -- without punishing the rest of the medically-fragile children with legitimate exemptions.*

## GETTING A MEDICAL EXEMPTION IS NEXT TO IMPOSSIBLE • DOCTORS ARE AFRAID

Few doctors will write medical exemptions for cases they feel are medically necessary due to fear of being unjustly punished by the medical board—even though SB 277 authors promised the medical board “would not go after doctors.” As a result, there are a limited number of brave doctors who end up writing valid medical exemptions for vaccine-injured patients and their at-risk siblings, because they are the only ones in the state who will.