

SB 276: FAQ

Removing doctors' rights, leaving at-risk children unprotected

Will SB 276 allow children access to a medical exemption “whenever there is a medical necessity”?

✗ NO.

If passed, more than 95% of children with legitimate, valid medical exemptions written by licensed physicians will be denied entry to any public or private school. Under SB 276 only “CDC Contraindications & Precautions”, i.e. anaphylaxis or encephalopathy, will qualify for permanent medical exemptions — leaving victims of seizures, encephalitis, and severe nerve injury after inoculations completely unprotected by the state. Concerningly, there are many children who have been awarded compensation by the federal Vaccine Injury Compensation Program (VICP) who **would not qualify for a medical exemption** under SB 276. (*source: CDC*)

Will SB 276 preserve “honesty and integrity” in the doctor/patient relationship?

✗ NO.

If passed, SB 276 will remove a doctor’s right to use his or her medical training, years of experience, and professional discretion to decide if a child is at-risk for suffering adverse events to inoculation. Instead, this complex medical decision will be in the hands of an arbitrary state health officer, who is NOT a physician, and who has never even examined the child. This leaves doctors in a moral predicament: knowing their duty to their patient is to “first do no harm” yet these at-risk children will be forced to vaccinate again or be removed from school under 276.

Are a “few physicians creating clusters of unvaccinated individuals”?

✗ NO.

There are a limited number of physicians in the state who are specialists in vaccine safety evaluations, thus writing more medical exemptions. However, the three CA counties with the highest number of medical exemptions—Orange, San Diego and Los Angeles counties—all have 95 - 98% vaccination coverage for DTaP, MMR, Polio, Hepatitis B, and Varicella. This is because many children with medical exemptions are already vaccinated, but suffered an injury; others have exemptions due to proof of immunity. As a result, clusters of completely “unvaccinated individuals” in schools or counties are extremely rare. (*source: CDPH*)

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Is the CA Medical Board unable to investigate reported claims of “questionable medical exemptions” without the parents releasing medical records?

NO.

When the Medical Board initiates an investigation on a “questionable” exemption, they request the child’s medical records from the doctor’s office. If consent is not given by the parents, the Board goes to a judge to release the records — something that is approved in 100% of such cases. And because the Medical Board is a state regulatory and oversight agency, they are exempt from the usual requirements of HIPAA, according to CA law. (*source: mbc.ca.gov*)

Are “hot spots” leading to outbreaks of disease in California schools?

NO.

California has higher rates of cumulative and individual disease coverage now than it did in the year 2000, when measles was declared eliminated. In 2000, there were more than double the counties with pockets of unvaccinated and 25% fewer students vaccinated for measles, with no outbreaks. The current statewide average for MMR coverage in California is very high at 96.9%. According to testimony from the bill’s author, **there has not been a single disease outbreak originating in California schools due to “pockets of unvaccinated”** and not a single outbreak has been traced back to a child with a medical exemption. On the contrary, in early 2019, there was a pertussis (whooping cough) outbreak in two high school campuses where 50 out of 50 students were fully vaccinated—none of the 18 students with exemptions caught the disease. Despite claims of a correlation between “hot spots” and incidence of disease, state data shows otherwise: the five CA counties with the highest number of 2018 pertussis cases had 95 - 98% DTaP 4+ dose coverage. (*source: CDPH*)

SB 276 is Unnecessary

- 1.** Vaccination rates are extremely high, both countywide and statewide. Rates of medical exemptions are only 0.7% for CA Kindergartners, dropping to 0.4% by 7th grade. (*source: CDPH*)
- 2.** Current law already achieves the balance between high vaccination coverage and protecting the children who have suffered reactions or cannot be vaccinated.
- 3.** CDC contraindications & precautions are far too narrow, and will exclude over 95% of children with valid, legitimate medical exemptions for many other severe reactions.
- 4.** Genetically susceptible, vaccine-injured, and at-risk children need to be protected by the state with medical exemptions, and licensed physicians are the only ones qualified to write them.