

## **Critical Thinking - 4**

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### **Critical Thinking – 4**

Since the beginning, in the early 1960's, the Federal Government has pushed for childhood vaccinations starting with the polio vaccination efforts which began with the establishment of the first formal nationwide immunization program (Centers for Disease Control [CDC], 2023). However, during the past sixty years of research, scientific evidence, and a tremendous decline in vaccine preventable disease cases amongst the population, there is still fervent opposition to any mandates or requirements for people to obtain vaccinations with people looking to circumvent the law. This paper is an overview of the childhood vaccination mandate issue within California in its attempt to protect the state population through legislation, amendments, and policy changes and look at the outbreaks leading to these changes with the challenges faced by opposition leader campaigns.

### **Senate Bill (SB) 277**

Senate Bill (SB) 277, passed and signed into law on June 30, 2015, changed the guidelines and policies for state immunization requirements for school age children entering public school starting January 1, 2016. This bill also eliminated the personal belief exemption that had been in place since the early 1960's allowing for only medical exemptions (California Department of Education [CDE], 2022). The bill was introduced in response to a 2014-2015 Disneyland Measles outbreak as well as the increase in personal belief exemption rates and research showing a low measles vaccination rate in over a quarter of all California schools threatening herd immunity (Mohanty et al., 2019).

### **Enforcement**

According to the California Department of Public Health's (CDPH) Immunization Branch (2019), "Schools, and pre-kindergarten facilities are required to enforce immunization requirements, maintain immunization records of all children enrolled, and submit reports" (California immunization law section, para. 1). Additionally the CDPH (2023) notes, "AB 1797, a new California bill effective January 1, 2023, requires providers to enter immunizations they administer as well as a patient's race and ethnicity into the California Immunization Registry [CAIR] ("Requirement" section).

The state is also currently rolling out a vaccination database available for school personal called the School and Childcare Roster Lookup (SCRL) allowing access to student vaccination records upon enrollment determining if all required immunizations have been administered (CDPH, 2023, "SCRL" section).

### **Outbreaks**

While SB 277 was successful in raising immunization rates, there was a substantial increase in medical exemptions due to loopholes taken advantage of by unscrupulous providers and parents to the point the percentage of kindergartners with medical exemptions had quadrupled within three years (California Department of Health and Human Services [CalHHS], n.d.). In early 2019 there were numerous measles outbreaks across the country including California; 1203 cases were reported across thirty states. Findings of a 2017 analysis showed almost 750 schools in the state had less than a 90% vaccination rate required for herd immunity within children entering kindergarten (Vaccinate California, 2019).

### **Opposition**

The most ardent of opposition leaders came from the California Coalition for Vaccine Choice campaign that attempted to defeat the legislation; it continues to try and repeal SB 277 to this day (SB277.org). Additionally, four California parents along with an anti-vax group called A Voice for Choice sued the California Department of Education over the law in a bid to have a judicial ruling overturn it. They claimed, amongst other things, the law violated their rights to due process, a public education, privacy, and free exercise of religion under the California Constitution. Other vaccine opponents claim vaccinations cause a slew of childhood disorders, including autism, all with scientific evidence proving the contrary (Christophi, 2018)

### **Changes to BS 277**

Senate bill 276 was introduced in 2019 specifically strengthening oversight of school age vaccination calling for public health officers to review medical exemptions if one of three base indicators is present, one of which is if a physician who signed the exemption had written five or more exemptions during the year. During negotiations with the Governor's office in his bid to tighten the medical exemption regulations while also appeasing opposition groups, an accompanying bill SB 714 was negotiated; both sister bills were passed and signed into law (Lambert, 2019).

During the COVID-19 emergency several policies were enacted requiring vaccination and the anti-vax movement grew exponentially creating backlash against state rules and regulations. Currently Senator Wiener has introduced SB 866 allowing young people aged 12 and over to get vaccinated without parental consent. This would help alleviate both the conflict between teens who desire the needed vaccines and their parental guardians who hold anti-vax

views, increasing compliance garnering the end goal of herd immunity within the public population (Wiener, 2022).

### **Conclusion**

As with most any legislative policy enactment it has taken years of incremental evidence-based adjustments to fine tune itself garnering the desired outcome of protecting the public health of the citizen and population within the State of California. I am sure there will be additional amendments and policy adjustments in the future as deemed necessary upon analysis of the latest data available and trends within the general population and communicable disease outcomes.

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