



The American Association of Nurse Attorneys

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How Might Laws on Mandatory Immunizations Change in 2015

It is the time of year when state lawmakers submit bills for evaluation, discussion and enactment. Mandatory immunization -- whether the person to be immunized is a child or a health care worker -- is controversial. All states currently have some requirement that school children be vaccinated before they can attend class. The U.S. Centers for Disease Control recommends that all health care workers be immunized against certain diseases. Some states allow employers of health care workers to require immunization as a condition of employment. Some parents and some health care workers do not want to be forced into immunizing children or being immunized.

The arguments for and against mandatory immunization have been covered extensively in the news media. Briefly, the proponents of mandatory immunization say:

- The data on effectiveness of immunizations are positive.
- Data show that there are relatively few side effects.
- The majority of the population must be immunized to keep such diseases as measles from re-emerging as a significant public health threat. Health care worker immunization is necessary to prevent transmission of influenza to patients.
- When immunization is mandatory, immunization rates rise. When exemptions are difficult to obtain, immunization rates rise.
- The opponents of mandatory immunization say:
- The pharmaceutical industry cannot be trusted to come up with effective vaccines which won't harm the recipient.
- Immunized individuals still may get the disease.
- Immunized individuals sometimes suffer serious side effects.
- No school, employer or government body should be able to force an individual to take an unwanted medication.

In 2015, state legislators will be taking another look at this issue. Here are some of the ways state laws may change:

- Documented education on the risks and benefits of immunizations may be required before a parent may decline to immunize his or her child or before a health care worker may decline the immunizations required by employers. This education most likely would be documented through a visit with the family's health care provider.
- Access to vaccinations may be increased. For example, states may authorize funding so that vaccinations may be conducted on-site in the schools.
- Current exemptions may be eliminated or limited. States now offer one or more of three types of exemptions to mandatory vaccination. Exemptions may include a medical exemption, a religious belief exemption and a personal choice exemption.
- Exemptions may be expanded.



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- Exemptions may be made more difficult to obtain. For example, in order to get an exemption, parents may need to document that they have been to a health care provider and had the risks and benefits explained.
- Schools and child care facilities may be required to publicly post their vaccination rates.

The current requirements and possible exemptions in each state are found at U.S. Centers for Disease Control, "School Vaccination Requirements, Exemptions & Web links" at <http://www2a.cdc.gov/nip/schoolsurv/schImmRgmt.asp> and "State Immunization Laws for Healthcare Workers and Patients at <http://www2a.cdc.gov/vaccines/statevaccsApp/default.asp>.

From a public health perspective, The American Association of Nurse Attorneys supports mandatory immunizations. TAANA also urges every individual to review the laws of his or her state, consider the pros and cons of mandatory immunization and call, e-mail or write the state senator or representative to express an opinion.