

HB 1469 Testimony  
Human Services Committee  
January 25, 2021 2:30 p.m.

Good afternoon, Chairman Weisz and members of the Human Services Committee. My name is Kylie Hall, and I am here to testify in favor of this bill. I have a Master's Degree in Public Health and have worked at the North Dakota State University Center for Immunization Research and Education for the past 5 and 1/2 years. I would like to make clear that my comments today are not on behalf of NDSU.

I feel uniquely qualified to testify on this bill. In 2015 and 2016, I led a study in North Dakota that produced [recommendations](#) for how to improve school immunization rates. The study engaged nearly 200 immunization stakeholders in North Dakota, including healthcare providers, school administrators and staff, public health staff, legislators, and parents.

In 2015-2016, only 90% of children were up-to-date with school immunization requirements, approximately 3% had an exemption on file, and nearly 7% of students were non-compliant with school requirements. Children who are noncompliant with state immunization requirements are 1) not up-to-date with school required immunizations, 2) do not have an immunization record on file at the school, 3) are not immunized, and/or 4) do not have an exemption on file at the school.

Because of ND's large noncompliant population, our final report said that school enforcement of immunization requirements had the greatest potential to increase immunization rates in North Dakota, as nearly 7% of kindergartners were non-compliant. However, we also said that North Dakota's steady increases in exemption rates should not be ignored, and a policy change may be needed if immunization rates do not meet goals and enforcement alone does not work.

So where are we today? The NDDoH has implemented many of the recommendations laid out in the report. North Dakota's preliminary MMR immunization rates for the '20-'21 school year are approximately 93.22%. While our rates have increased from the '15-'16 school year, this number is down from 94.75% last year. Our exemption rates have reached 4% this school year, and just under 3% of children are noncompliant. We still do not meet the goal of having 95% of children up-to-date with their immunizations, and I believe it is time for North Dakota to consider making changes to their immunization exemption policy.

I want to make clear that this discussion is not about removing any of the three exemptions currently available in North Dakota (medical, religious, personal belief).

There are some other things I would like to share that may aid in your acceptance of this bill.

As has already been stated, North Dakota has one of the most liberal vaccine exemption laws in the country. All parents have to do is sign the exemption form, which is readily available on the [NDDoH website](#).

Statement of Exemption to Immunization Law	
In the event of an outbreak, exempted persons may be subject to exclusion from school or childcare facility.	
<input type="checkbox"/> <b>Medical (Med) Exemption:</b> (Indicate vaccine above, requires physician signature) The physical condition of the above-named person is such that immunization would endanger life or health or is medically contraindicated due to other medical conditions.	
<input type="checkbox"/> <b>History of Disease (HD) Exemption:</b> (Indicate vaccine above, requires physician signature) To the best of my knowledge, the above named person has had prior infection as indicated by prior diagnosis or laboratory confirmation.	
Physician Signature:	Date:
<input type="checkbox"/> <b>Religious (Rel), Philosophical/Moral (PBE) Exemption:</b> (Indicate vaccine above, requires parental signature)	
Parent/Guardian Signature:	Date:

\* Medical = Med, History of Disease = HD, Religious = Rel, Philosophical/Moral = PBE

During our study, we heard from many immunization stakeholders that we know parents are **abusing** our current exemption process. In North Dakota, we know that there are some schools that hand this form out to parents who need to be in compliance. Parents are also using the form out of convenience if they have children that may be partially immunized but are not up to date OR parents may not be able to get immunization records from their healthcare providers/other states so they file exemption forms. This is troublesome.

As we sit here in 2021, I think it is time for us to address our rising exemption rates and remove the convenience option for parents. North Dakota has tried so many things to try and boost rates. Enforcement. Resources to aid schools in determining compliance. Setting clear expectations and deadlines. While rates have improved, exemptions have also continued to increase. We are at-risk for outbreaks. County-level measles vaccination rates range from 75%-100%. School level measles vaccination rates range from 0%-100%. It's time for a change. As many of our stakeholders said during our study, "It should be harder to get the exemption than it is to get the vaccine."

So what would this bill do? It would make it a little bit harder to get an exemption. It means that parents can't just sign the form. It gives them one extra step. This bill will likely not change the minds of those with deep-held philosophical beliefs against vaccination. But if parents do have questions about vaccines, they deserve to receive evidence-based information in order to make an informed decision. Additionally, parents will no longer be able to sign the form out of convenience. It will encourage parents to obtain immunization records or get their kids in for their booster doses.

You might also be wondering: What have other states done when faced with similar challenges, and have they seen improvement? There are a few states that allow personal belief exemptions that have started to require an educational component for exemptions. Currently, 16 states allow exemptions for kindergarten entry. Only 15 of these states allow exemptions for MMR, Washington allows PBEs for all vaccines except MMR.

In 2009, Washington State required parents get a healthcare provider signature on their exemption form. After 18 months, exemption rates had decreased by 25%.

In Oregon in 2014, a new law required parents to receive education via healthcare provider or online module. In the first year: exemption rates decreased by 15% (from 7.1% to 6.0%).

In 2015, Michigan introduced a new law that required in-person education for parents wanting an exemption. In the first year, exemption rates decreased by 35%. Still today, exemption rates are 25% lower than they were in 2014.

Finally, I'd like to point out that outbreaks of vaccine-preventable diseases are costly to contain. In Minnesota in 2017, 79 cases of measles cost the state \$2.3 million to contain. Increasing exemption rates and pockets of undervaccination are putting our state at risk. It's time to address our rising exemption rates and implement policies that increase immunization rates.

Link to full study:

[https://www.ndhealth.gov/Immunize/Documents/Schools/ImmunizationandExemptionPoliciesandPracticesinNorthDakota\\_20160615.pdf](https://www.ndhealth.gov/Immunize/Documents/Schools/ImmunizationandExemptionPoliciesandPracticesinNorthDakota_20160615.pdf)