

**RESOLUTION SUPPORTING THE STRENGTHENING OF
IMMUNIZATION EXEMPTION LANGUAGE**

WHEREAS, Immunizations are heralded as one of the 20th century's most cost-effective public health achievements. Immunizations protect both individuals and the larger population, especially those people who have immune system disorders and cannot be vaccinated; and

WHEREAS, School vaccination requirements have been a key factor in the prevention and control of vaccine-preventable diseases in the United States; and

WHEREAS, All 50 states have adopted compulsory immunization laws for school children and also established some type of waiver or exemption; (1) and

WHEREAS, Forty-eight states allow religious exemptions (all but Mississippi and West Virginia); (2) and

WHEREAS, the Supreme Court noted in *Yoder*: “to have the protection of the Religion Clauses, the claims must be rooted in religious belief” (3) (406 U.S. at 215, 92 S.Ct. at 1533); and

WHEREAS, 20 states (Arizona, Arkansas, California, Colorado, Idaho, Louisiana, Maine, Michigan, Missouri, Minnesota, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Texas, Utah, Vermont, Washington, and Wisconsin) permit philosophic exemptions; (2) and

WHEREAS, in recent years, state legislatures have considered numerous bills to restrict the personal belief exemptions. In Washington, California and Vermont, parents who want to claim an exemption must now get a statement with the doctor’s signature stating they have discussed risks and benefits with parents. (1)

THEREFORE BE IT RESOLVED, that the Idaho Association of District Boards of Health support the strengthening of Immunization Exemption Language by removing the current philosophical/personal belief exemption to immunization requirements, or strengthening the exemption with additional education and signatory requirements.

Reference:

- (1) The Network for Public Health Law. Compulsory Immunization Waiver Requirements. May 2014.
- (1) The Network for Public Health Law. Exemptions from School Immunization Requirements: Western Region Resource Table. June 25, 2014.
- (2) National Conference of State Legislators. States with Religious and Philosophical Exemptions from schools immunization requirements. <http://www.ncsl.org/research/health/school-immunization-exemption-state-laws.aspx>. 2/23/15
- (3) Supreme Court ruling 406 U.S. at 215, 92 S.Ct. at 1533

Definitions:

Religious exemption indicates that there is a provision in the statute that allows parents to exempt their children from vaccination if it contradicts their sincere religious beliefs.

Philosophical exemption indicates that the statutory language does not restrict the exemption to purely religious or spiritual beliefs. For example may include: "moral, philosophical, parental or other personal beliefs,"

No constitutional right exists to either a religious or philosophic exemption to these requirements, although most states allow religious exemptions and several allow philosophic exemptions; "Religious" may be defined broadly enough to incorporate some amount of philosophic opposition but should not be interpreted to bring purely secular-based "philosophic" opposition to vaccination within the meaning of religion.