

- SUBJECT:** Requiring TDH to coordinate a statewide vaccination education campaign
- COMMITTEE:** Public Health — favorable, without amendment
- VOTE:** 9 ayes — Capelo, Laubenberg, Coleman, Dawson, McReynolds, Naishtat, Taylor, Truitt, Zedler
- 0 nays
- SENATE VOTE:** On final passage, March 12 — voice vote
- WITNESSES:** For — Lynn Langley, Texas Medical Association and Texas Medical Alliance; Susan McMahan; (*Registered, but did not testify*): Julie Boom, MD, Texas Children’s Hospital and Texas Pediatric Society; Melody Chatelle, Children’s Hospitals and Related Institutions of Texas; Robert Feather, Cook Children’s Health Care System; Aron Head, Amerigroup Texas, Inc.; Greg Hoke, Wyeth Vaccines; Holly Jacques, Merck & Co, Inc.; Mazie Jamison, Children’s Medical Center of Dallas; Carrie Kroll, Texas Pediatric Society; Sister Michele O’Brien, CHRISTUS Santa Rosa Healthcare; Bryan Sperry, Children’s Hospital Association of Texas; Marcela Urritia, National Council of La Raza; Rosie Valadez McStay, Texas Children’s Hospital; Armando Villareal, United Farm Workers of America, AFL-CIO; James Willman, Texas Nurses’ Association; Lynda Woolbert, Coalition for Nurses in Advanced Practice; Ana Yanez-Correa, LULAC-Texas; Frankie Milley; Jane Penrod.
- Against — Dawn Richardson, Parents Requesting Open Vaccine Education; (*Registered, but did not testify*): Merry Lynn Gerstenschlager, Texas Eagle Forum; Ken Clark; Allison Hill; James King; Jim Wilson.
- On — Sharilyn Stanley, MD, Texas Department of Health.
- BACKGROUND:** The Texas Department of Health (TDH) is part of the Texas Immunization Partnership, which includes representatives from medical groups, consumer organizations, parents, pharmaceutical companies, and other interested parties. The partnership developed a state plan for increasing childhood immunization rates in Texas, identified barriers, and provided

recommendations for improvement. Health and Safety Code, ch. 161, subch. A, governs immunizations.

**DIGEST:** SB 40 would mandate that TDH establish an ongoing statewide education program to educate the public about fully immunizing children. TDH would be required to increase coordination among public and private entities that have an interest in immunization.

The bill would take effect September 1, 2003.

**SUPPORTERS SAY:** SB 40 reflects the work of a stakeholder group of immunization advocates brought together by TDH to develop a plan for increasing immunization rates at minimal cost. The Shots Across Texas public education campaign in the 1990s was successful in raising awareness of vaccination and, consequently, immunization levels rose, but levels have fallen again since the initiative ended. The state should utilize this proven method, but in an ongoing manner, to educate parents and encourage vaccination.

TDH's coordination would add value to the current efforts of foundations and businesses that operate immunization initiatives. A unifying theme or name could be developed to synergistically tie the currently separate programs together and increase their collective impact, without requiring the input of more resources.

Over the longer term, SB 40 would help TDH improve vaccination rates. Texas consistently ranks near the bottom in rates of immunization for children under two years of age — 42nd among states according to 2001 National Immunization Survey (NIS) data. Texas has a long way to go in improving vaccinations, but this bill would be a big step in the right direction.

From a public health standpoint, Texas has a compelling interest in raising childhood immunization rates. Diseases such as polio once were commonplace, but they have been virtually eradicated due to widespread programs of immunization. Such programs only work, however, when participation in them is universal. If significant numbers of parents fail to realize the importance of immunizing their children, it could allow crippling and potentially fatal illnesses, such as polio, to regain prevalence in Texas. The education campaign proposed in SB 43 would help prevent this outcome.

Side effects to immunizations are uncommon and generally mild, and clinical evidence linking immunizations to autism is extremely thin. Parents need to know the facts about immunizations and take steps to protect their children — and all the children of Texas — by ensuring that their kids receive the schedule of immunizations offered through TDH and recommended by respected medical societies.

**OPPONENTS  
SAY:**

SB 40 would not require balanced information to be included in the public education campaign. Rather, it would mandate a program whose goal is full immunization, a misguided goal for public health policy because it does not lead to a healthy outcome for some children. A more appropriate goal would be improving the health of children. The one-size-fits-all approach of this bill fails to recognize the health needs of individual children.

Vaccines are pharmaceutical products just like other drugs, with side effects and contraindications. Whether to vaccinate should be a choice between parents and doctors, and parents should not feel pressure from the state to fully vaccinate their kids. Vaccines are potentially harmful to children, and there is evidence linking them to autism. Some parents elect not to vaccinate their children for religious or health reasons, for which an exemption is available, yet this legislation ignores exemptions in favor of full vaccination. This bill would encourage TDH to give incomplete and biased information to parents about their children's health care, while doing nothing facilitate truly informed decision making. Immunizations are not for everyone, and it would be inappropriate for the state to spend its resources encouraging all parents to have their children fully vaccinated.

The NIS data ranking Texas 42nd among the states is misleading because Texas has lower mandatory vaccination levels than recommended by federal law. Even if all children in Texas were 100 percent immunized according to state levels, the state would still rank poorly simply because of how the measure is calculated. If Texas' immunization rate was recalculated based on immunization requirements in state law, it would be clear that there is no immunization crisis in Texas.

TDH already is overworked, and adding additional duties without funding would make it more difficult for them to perform their current functions.

**NOTES:**

Two related bills were set on the General State Calendar for April 29. HB 1926 by Capelo would require TDH to conduct and facilitate public awareness campaigns designed to raise the statewide childhood immunization rate, and HB 1920 by Capelo would establish provider education programs relating to immunizations and the Vaccines For Children program.

A related bill also has been set on Wednesday's General State Calendar. SB 43 by Zaffirini, would require TDH to report to the Legislature the results of a best practice pilot program to boost immunization rates.