

SUBJECT: Requiring human papilloma virus education programs and information

COMMITTEE: Public Health — favorable, without amendment

VOTE: 9 ayes — Delisi, Laubenberg, Jackson, Cohen, Coleman, Gonzales,
S. King, Olivo, Truitt

0 nays

WITNESSES: For — (*Registered, but did not testify*: Elizabeth Brenner, Texas Association of Planned Parenthood Affiliates; Betty Jo Edwards, Texas Association of Obstetricians and Gynecologists; Randall Ellis, Legacy Community Health Services; Curtis Fuelberg, Planned Parenthood of Houston and Southeast Texas; James Gray, American Cancer Society; Sandra Haverlah, Planned Parenthood of North Texas; Paula Littles, Texas AFL-CIO; Heather Paffe, Texas Association of Planned Parenthood Affiliates; Vicki Perkins, CHRISTUS Santa Rosa Children's Hospital; Denise Rose, Texas Children's Hospital; Tom Smitty Smith, Public Citizen, Inc.; Catherine Wilkes, CHRISTUS Health; J. Brent Bullock; Leola Canada; Marc House; Amanda Vail; Margaret R. Walsh.

Against — Merry Lynn Gerstenschlager, Texas Eagle Forum; (*Registered, but did not testify*: Linda W. Flower, Texas Physicians Resource Council)

On — David Lakey, Department of State Health Services; (*Registered, but did not testify*: Jack Sims, Department of State Health Services; Dawn Richardson, Parents Requesting Open Vaccine Education; Moira Dolan, Medical Accountability Network; Vicki Bone; Tracey Buchanan; Amy Sweet; Michelle Taylor)

BACKGROUND: The human papilloma virus (HPV) is the most common sexually transmitted infection and may develop into cervical or other cancers. On February 2, 2007, Gov. Rick Perry issued Executive Order No. RP-65, which ordered the health and human services executive commissioner to mandate vaccination against HPV for all female children prior to admission to the sixth grade. RP-65 also authorized the department to implement a public awareness campaign to educate the public about the vaccine and the vaccination process.

Health and Safety Code, ch. 163, requires The Texas Department of Health (now the Department of State Health Services) to create a model public health education program regarding sexual conduct and substance abuse.

DIGEST: HB 1379 would require the Department of State Health Services (DSHS) to use existing funds to produce and distribute informational materials explaining the effectiveness, availability, and contraindications of HPV vaccines approved by the U.S. Food and Drug Administration.

The bill also would require DSHS to add specific content regarding HPV to the course materials and instructions included in the model public health education program. The HPV content would have to include information regarding:

- the method of transmission of HPV;
- who may be infected with HPV;
- that younger women are at a higher risk to contract HPV;
- how HPV can lead to genital warts, cervical cancer, and other diseases; and
- the continued need for women to undergo pap smear testing even if they have received an HPV vaccination.

The bill would take effect September 1, 2007.

SUPPORTERS SAY: HB 1379 would provide the integral education component of the effort to minimize the spread and harmful effects of HPV. A great deal of misinformation has been spread about HPV vaccination. DSHS is an objective body with the expertise and resources to disseminate only the most scientifically accurate information regarding HPV vaccines. Materials created by the department would provide the public with sound information to make the most appropriate decisions regarding whether or not to vaccinate themselves or their children against HPV.

In addition, the bill would require the program to include valuable and objective information regarding the transmission of and health concerns associated with HPV. About 6.2 million Americans acquire a new genital HPV infection each year, and these infections can lead to genital warts and cancer in both men and women. Increasing public awareness about how HPV can be contracted and that men and women can face similar health

consequences would help people to engage in behaviors that could prevent infection.

DSHS already has created and distributed materials for a variety of conditions, including smallpox and hepatitis B, and already has prepared an HPV brochure. It also distributes vaccine information statements for immunizations required by the Centers for Disease Control. The distribution of informational materials regarding HPV vaccination would not place an extra demand on the DSHS's financial resources if the department added information on HPV vaccines to the large volumes of health literature it already distributes. The bill appropriately would leave to the department's discretion and expertise the dissemination of informational materials in a way that has proven effective with other health literature.

OPPONENTS
SAY:

While the concept of increased education regarding HPV and HPV vaccines is good, HB 1379 would impose an unfunded mandate on DSHS to distribute informational materials and would fail to specify an effective approach to heightening public understanding regarding HPV. The department already has a budget stretched by many priorities. DSHS should not have to locate funds for the cost of creating and distributing additional educational materials without additional resources.

If the mandate to create new informational materials and programs was not accompanied by a plan for implementation, any resources expended on such efforts could be wasted. Educational outreach would be most effective if it targeted specific populations and focused on teaching medical practitioners the most appropriate way to inform their patients about the facts of HPV. Brochures alone are not an effective education tool because many people do not understand health issues thoroughly unless they have access to a health care professional who can address their questions. Without specific direction, the informational materials prepared in response to the requirements of this bill could be created in a way that reflected the department's tight budget, rather than in a way that facilitated the most effective ways to share information.

NOTES:

A related bill, HB 1098 by Bonnen, et al., which would prohibit mandatory immunization against HPV as a condition for admission to school and preempt a contrary executive order issued by the governor, passed the House on second reading yesterday and is scheduled for third reading consideration today. During consideration of HB 1098, the House

adopted an amendment by Rep. Castro that would require educational materials about the HPV vaccine to be distributed by schools to parents or guardians during the immunization schedule.

Another related bill, HB 215 by Farrar, et al., would require each female student enrolling in grade six to be fully immunized against HPV virus and would require dissemination of information on HPV to parents and female students. This bill has been referred to the Public Health Committee. The companion bill, SB 110 by Van de Putte, has been referred to the Senate Health and Human Services Committee.