

Professor of Pediatrics at the University of Vermont College of Medicine, and Medical Director of Clinical Ethics at the University of Vermont Medical Center.

Representative Lippert and members of the House Committee on Health Care,

Thank you very much for permitting me to testify today in favor of removing the philosophical exemption to the immunization requirement for day care and school attendance. My name is Dr. Robert Macauley, and I am a Professor of Pediatrics at the University of Vermont College of Medicine, and Medical Director of Clinical Ethics at the University of Vermont Medical Center.

I would like to talk with you this morning as a pediatrician, an ethicist, and a father. As a **pediatrician** I've seen children—both in this country and in sub-saharan Africa—suffer from vaccine-preventable illness. I can tell you that there is no emptier feeling than watching helplessly as a child suffers—and even dies—needlessly, from something that should never have happened. In Africa there are significant challenges to protecting children (such as funding, access to vaccines, and public health infrastructure), but none of these barriers exist in the United States. We have the ability to protect our children, so there is no excuse for not doing so.

As an **ethicist**, my job is to clarify complex issues and help people work through them. And I believe it is important before describing what I believe this debate is about, to highlight what it is not about. It is not about autonomy, because the children we're talking about are too young to make their own decisions or give informed consent. Their parents are tasked with making decisions on their behalf based on their perception of the child's best interests, which we call "parental permission."

This debate is also not about "forced vaccination." I fully support the legal right of parents to choose whether to have their children vaccinated, even if I don't happen to agree with the choice they end up making. As a society, we permit parents to make choices that go against medical advice all the time, in terms of what kids eat, how much TV they watch, and so on. If there are extras, I'd be delighted to wear the button sported by folks on the other side of the table, proclaiming that vaccine choice is a human right.

This debate is also not about revoking a human or civil right. As you all have heard, Vermont is in the *minority* of states that allow parents to decline vaccination on "philosophical" grounds, so by removing this exemption we would be moving into the mainstream, consonant with the practice of most other states.

This debate is also not about forcing children who've had adverse reaction to a vaccine to get more doses of that vaccine. The medical exception to school vaccine requirements is present in all fifty states, and must remain.

This debate is about the delicate balance of individual rights and the public good. From a public health perspective, there are situations when we're forced to restrict individual freedom, such as isolating patients with communicable diseases or quarantining individuals exposed to those diseases, as we all saw in the recent Ebola outbreak. But the freedom that we're discussing here is not whether a parent can refuse vaccination, but whether they can send their child to day care or school after having done so.

I'm a big fan of persuading over legislating. Lord knows we've tried, but studies have shown that for parents who refuse vaccination, providing additional information about the safety of vaccines and the risk of vaccine-preventable illness only leads them to become more entrenched in their views. And while making it harder to invoke the philosophical exemption has often led to decreased utilization of the exception in the minority of states that have it, the opposite has occurred in Vermont. Persuasion and procedures have failed to adequately protect Vermont's children.

Which brings me to the most important part of my testimony: that of a father. Three years ago my fully-immunized eldest daughter contracted pertussis, or whooping cough. It is well-known that no vaccine is 100% effective, and thus to protect all of our children—both those who are vaccinated and those who aren't, for whatever reason—we rely on herd immunity to stop outbreaks before they occur. But at the time my daughter attended a school that we subsequently learned—thanks to the legislation passed as a result of the last debate on this issue—had remarkably low rates of immunization, so much so that it prompted a prominent article in the *Burlington Free Press*.

Pertussis has been called the "100-day cough," and now I know why. I sat with my daughter while she stayed home in the days before antibiotics rendered her uninfected, and I cried with her as she tried desperately to get to sleep every night for the next three months, only to wake up coughing and coughing and coughing.

You will hear from Dr. Hockett and others about the risks of vaccine-preventable illness to children with immunodeficiencies or other contraindications to vaccination, and in no way do I want to equate my experience to theirs. But one thing we do share is the inability to protect our children. My wife and I took every possible step to keep our daughter safe—that most basic drive of every parent—and yet we were unable to do so, and she paid the price for that.

Mahatma Ghandi once said that "The true measure of any society can be found in how it treats its most vulnerable members." I would ask you whether anyone in our society is more

vulnerable than children who are so busy battling a life-threatening disease that they're not able to defend themselves against others, which is why we need to protect them every way we can.

The amendment before you isn't about taking away a parent's choice to vaccinate their child, which I enthusiastically support. The amendment simply says that parents who refuse a specific, limited set of vaccinations would not be able to imperil other children by sending their unimmunized children to school with them.