



The above public health advocates and organizations write in support of Assembly Bill 2371/Senate Bill 2994 which would clarify that the only permissible exception from New York’s vaccination requirements is for patient medical conditions that would place patients who are immunized at risk for adverse outcomes. Immunizations protect infants, children, adolescents, and adults from preventable diseases and are considered the cornerstone of public health.

Vaccines, one of the most successful and cost-effective public health interventions, have saved countless lives and are responsible for preventing more than 2.5 million deaths each year. Without immunizations, dangerous diseases would become more rampant, the public health system would be overburdened with treatment costs, and child deaths would increase dramatically.

Universal immunization or herd immunity is an essential component of disease control throughout the world. When an individual is immunized that person contributes to universal immunization and helps to protect those individuals who are not able to be immunized, such as medically fragile patients or newborns and infants that are too young to receive immunizations.

Complacency and a reduction in vaccination can cause diseases previously thought to be eliminated from the developed world to reemerge. According to the Centers for Disease Control and Prevention, there have been over 700 confirmed cases of measles from January 1 to April 29, 2019 in 22 states. This is now the greatest number of measles cases reported in the U.S. since the CDC declared measles eliminated in 2000.

As of April 24, 2019, there are 232 confirmed measles cases in various counties in the state OUTSIDE of New York City; and the New York City Department of Health and Mental Hygiene has confirmed that 390 people, including two pregnant women, have been infected with measles. Local authorities in affected counties and in New York City have declared that they are facing a public health emergency. New York State is at the center of this outbreak. The CDC has confirmed that as of April 26, 2019 there have been 704 confirmed measles cases in 22 states. New York State is at the center of these measles cases.

Anyone can become infected with measles, but the virus is more severe in infants, pregnant women, and people whose immune systems are weak. Complications of measles include diarrhea, ear infections, pneumonia (infection of the lungs), encephalitis (swelling of the brain), premature birth or low-birth-weight in pregnancy, and death. By ensuring that there are only medical exemptions from immunizations as other states have recently mandated, New York State will be taking a significant step to ensure that all New Yorkers are protected from this disease and many other vaccine preventable diseases.

The U.S. Supreme Court has long held that a state can mandate vaccines and accompany those vaccine mandates with a criminal fine for those not in compliance. More broadly, the court ruled that the state can impose “reasonable regulations” to protect the public health, even when such regulations interfere with individual rights. The case – *Jacobson v. Massachusetts*, has since been a staple of public health law. Throughout the years, there have been challenges to this case, but the court continues to maintain this precedent.

The medical and public health organizations and patient and parent advocates listed above seek to maintain the hard-won immunization gains over the last century and to continue to improve on the successes of the past—an important step is the elimination of the religious exemption from the public health law. It must be understood that asserting religious exceptions to vaccinations impacts not only those asserting the exception, but also those who interact with them who may not have received the vaccination due to medical reasons or who are too young to even be immunized. Under proposed legislation, parents would continue to maintain the legal right to refuse immunizations for themselves and their children. However, they would not have the right to send their children to licensed infant and child care programs or to public school and expose other young children, students and staff.

We urge your support of this legislation on behalf of all New Yorkers.

Public Health Organizations Supporting Immunizations

American Academy of Pediatrics, NYS District II, Chapters 1, 2 & 3
American Nurses Association - New York (ANA-NY)
Associated Medical Schools of New York
Autism Science Foundation
Citizen Committee for Children of New York, Inc.
Children's Defense Fund-New York
Erie County Department of Health
Ithaca Is Immunized
Kimberly Coffey Foundation
Nurses Who Vaccinate
March of Dimes
Meningitis B Action Project
Medical Society of the State of New York
Nurse Practitioner Association New York State
New York American College of Emergency Physicians
NY Chapter American College of Physicians
NYS Academy of Family Physicians
NYS Association of County Health Officials (NYSACHO)
NY Occupational and Environmental Medical Association (NYOEMA)
NY State Neurological Society
NY State Neurosurgical Society
NYS Ophthalmological Society
NYS Society of Otolaryngology-Head and Neck Surgery
NYS Public Health Association
New York State Society of Anesthesiologists, Inc.
The New York State Radiological Society
Schuyler Center For Analysis and Advocacy
The Children's Agenda