



February 14, 2024

Opponent Testimony SB 390- In Person

The Kansas School Nurse Organization (KSNO) **opposes SB 390-** Enacting the conscientious right to refuse act to prohibit discrimination against individuals to refuse medical care and creating a civil cause of action based on such discrimination; repealing the authority of the secretary of health and environment to quarantine individuals and impose associated penalties. Kansas already recognizes two exemptions from vaccination, medical and religious. KSNO supports keeping these two exemptions in our law as they work well for Kansas students. KSNO also wants KDHE to retain the ability to enact all public health safety measures that are necessary to protect the public from the effects of communicable diseases, including severe illness and death. KDHE should be able to follow the best evidenced based practice in dealing with any communicable disease including mandatory quarantines. Quarantines are effective and necessary for outbreaks of measles, tuberculosis, ebola, and many other illnesses.

K.S.A. 72-6262 has two exemptions:

- (1) Medical: An annual written statement signed by a licensed physician stating the physical condition of the child to be such that the tests or inoculations would seriously endanger the life or health of the child.
- (2) Religious: A written statement signed by one parent or guardian that the child is an adherent of a religious denomination whose religious teachings are opposed to such tests or inoculations.

These two exemptions allow parents and physicians to exempt children from mandatory vaccines to attend school or childcare facilities already. The National Association of School Nurses has a [position statement about immunizations](#) that KSNO agrees with: "It is the position of the National Association of School Nurses (NASN) that immunizations are essential to primary prevention of disease from infancy through adulthood and that childhood vaccinations are an effective way of preventing serious childhood illnesses(U.S. Department of Health and Human Services [USDHHS], 2017). NASN supports elimination of all exemptions except those necessary for valid medical contraindications." While KSNO supports this NASN statement, we recognize that the current religious exemption is important to many families and would not seek to change it.

KSNO opposes any bill that encourages a weakening of the mandatory vaccine policies school districts and childcare facilities follow now. Childhood vaccines have done such a good job of reducing the incidence of once common illnesses that many people have never seen those illnesses, but due to weakening vaccine laws and anti-vaccination efforts by some groups, these illnesses are increasing, as can be seen in this article from [The World Health Organization](#) and in this [CDC data on outbreaks in the United States in 2019](#).

Kansas School Nurses believe in following evidenced based practice to keep students in school, healthy and learning. Immunizations that reduce transmission of contagious illnesses are the best strategy we

have to prevent outbreaks that cause children to miss school and parents to miss work. The economic costs of a measles outbreak in Clark County, WA was presented in the [Pediatrics Journal Volume 147, Issue 4, April 2021](#) and was estimated to be \$3.4 million.

The Kansas immunization schedule is determined by the advice of the Advisory Committee on Immunization Practices which consists of members across the United States who have expertise in vaccinology, immunology, pediatrics, internal medicine, nursing, family medicine, virology, public health, infectious diseases, and/or preventive medicine; one member is a consumer representative who provides perspectives on the social and community aspects of vaccination. [ACIP Current Membership Roster | CDC](#)

The majority of Kansans want to strengthen vaccine exemptions, not weaken them. [In a recent poll](#), 67% of Kansans reject the idea that we should add more wellness vaccine exemptions. Although 56% agree in principle that there should be a religious exemption, they believe the religious exemptions should be stricter in the following ways:

- 61% want religious leader documentation
- 65% want both parents to approve an exemption
- 64% want there to be an annual exemption review

At the end of December 2023, a measles outbreak occurred in Philadelphia starting in an unvaccinated individual who had traveled out of the country. That individual then spread it to several other unvaccinated individuals and it then spread further in a daycare center because one of the confirmed cases attended day care disregarding quarantine and exclusion instructions (<https://www.phila.gov/2024-01-04-health-department-reports-additional-measles-exposures/>) If this bill passes, not only will we have more unvaccinated individuals, we will also be unable to enforce quarantines, which can lead to outbreaks like this in Kansas as well.

Please vote “NO” on SB 390 in order to continue to prevent outbreaks of childhood illnesses that put a strain on childhood learning, as well as the economy from increased Kansas dollars spent on healthcare for both acute and chronic outcomes.

Kimberly Martin, RN, MEd, BSN
KSNO Legislative Chair
On behalf of the Board of the Kansas School Nurses Organization