



**Kansas Hospital
ASSOCIATION**

TO: Senate Public Health and Welfare Committee

FROM: Karen Braman, Senior Vice President Clinical and Strategic Initiatives

DATE: Feb. 5, 2025

RE: Senate Bill 19

The Kansas Hospital Association (KHA) appreciates the opportunity to submit written comments in opposition to Senate Bill 19.

Kansas hospitals remain committed to ensuring the safety of all patients, staff, and visitors entering a hospital facility. Kansas hospitals employ nearly 100,000 Kansans to provide quality, safe and effective care in their communities.

The KHA has concerns about Senate Bill 19 as we believe the bill would remove critical public health mitigation strategies and vaccinations that keep Kansas citizens, including healthcare workers, safe from infectious disease and healthy to continue performing their jobs, contributing to the Kansas economy and keeping their families safe.

Vaccines have been demonstrated throughout history to effectively decrease the transmission of infectious diseases and reduce their spread across a population. Public health interventions to stop the spread of highly contagious diseases, including vaccinations, are why Kansans and other citizens across the country do not suffer from the scourge of diseases like measles, hepatitis, polio, and other vaccine-preventable illnesses common in third-world countries. If implemented, Senate Bill 19 puts our progress in stopping the spread of infectious diseases at risk.

We have seen in the recent past several instances of measles across the country that were quickly contained through effective public health measures that prevented widespread disease. Recently the Centers for Disease Control and Prevention listed 241 cases of whooping cough (pertussis) in Kansas in 2024, compared to 66 cases in 2023¹. There is an ongoing tuberculosis outbreak in Wyandotte County that has been reported as one of the largest in recorded history in the United States.² As of January 17, public health officials reported 66 active cases and 79 latent infections in the Kansas City, Kansas, metro area since 2024. Most of the cases have been in Wyandotte County, with several reported in Johnson County. Not only is stopping the spread of these diseases important for public health but economic health as well.³ For example, a 2021 study in the journal *Pediatrics* examining a 75-case measles outbreak found that the overall costs associated with the outbreak were estimated at \$3.4 million, including public health response and productivity losses.³

Further, SB 19 takes away the freedom of private businesses to decide what is in the best interest of their patrons and employees. Employers have the right to protect their employees and customers and establish employee qualifications, which can include health and safety standards. Each employer faces different levels of exposure to infectious disease and, therefore, should set their own policies about what is required to work at any given place of employment. These are private negotiations between employers and employees, and we believe that SB 19 stands in the way of private employer-employee decisions.

KHA opposes Senate Bill 19, and we thank you for your consideration of our written comments.

¹ Weekly cases* of notifiable diseases, United States, U.S. Territories, and Non-U.S. Residents week ending December 14, 2024 (Week 50).

² Kansas tuberculosis outbreak is now America's largest in recorded history. Topeka Capital-Journal. January 24, 2025.

³ Societal Costs of a Measles Outbreak. Pike, Melnick, Gastanaduy et al. *Pediatrics* (2021) 147 (4): e2020027037.

Heather DeMaranville BSN, RN, M Ed.
School Nurse
Written Testimony – Opponent
Senate Public Health & Welfare Committee
Senate Bill 19
February 5, 2025

Chairperson Gossage, Members of the Committee:

Thank you for the opportunity to testify in opposition to SB 19. I am writing to you in opposition of Senate Bill 19 due to the health and safety consequences it could have on the school communities, especially for vulnerable populations. Our goal should always be to protect our students, however, this bill jeopardizes our ability to keep them safe. We need to work to prevent the spread of disease, however, those who are unvaccinated are more likely to contract and spread contagious diseases, contributing to the outbreak's severity and duration. Excluding unvaccinated children helps contain the outbreak and protect those who are vaccinated or unable to be vaccinated because of other health issues.

The school has a responsibility to uphold public health measures and schools play a crucial role in promoting public health. Excluding unvaccinated individuals during outbreaks is a public health measure to protect the health and well-being of everyone in school settings. While the primary focus is protecting others, excluding unvaccinated individuals during an outbreak also protects them from contracting the disease.

Outbreaks lead to additional problems for student learning. They can lead to school closures, disruptions to learning, and increased absenteeism. Excluding unvaccinated individuals can help minimize these disruptions for the majority of students and allow schools to operate more smoothly. Students need to be able to be at school to learn and to feel safe doing so.

Ethically speaking, we must all look to the greatest good for the greatest number, because every student and staff member in our schools is important. Excluding unimmunized individuals during an outbreak is a precautionary measure to safeguard the health and well-being of the entire school community. By limiting the spread of disease, and protecting vulnerable individuals, schools can create a safer and healthier learning environment for everyone.

I have spent the past twenty-four years working to protect the students at my school and I do not want to stand by and see something like this have a negative impact on even one of them. Every day I see students who could be at risk for harm if this bill is passed. When parents choose not to immunize, they are making that choice for their child and that is their right as a parent. However, their decision cannot put the lives of other students at risk.

Thank you for your time and consideration.

Sincerely,



Heather DeMaranville
USD 464 - Tonganoxie
404 E. 24-40 Hwy
Tonganoxie, Kansas 66086



KANSAS NATIONAL EDUCATION ASSOCIATION / 715 SW 10TH AVENUE / TOPEKA, KANSAS 66612-1686

Timothy R. Graham
Director of Government Relations & Legislative Affairs
Oral Testimony – Opponent
Senate Committee on Public Health and Welfare
Senate Bill 19
February 5, 2025

Chairperson Gossage and Members of the Committee:

Thank you for the opportunity to testify in opposition to SB 19.

Kansas NEA is a member-driven organization representing all 40,000 educators in the state of Kansas, with nearly 22,000 active members. The positions for which we advocate have been proposed, debated, and adopted by several hundred members selected by their peers to attend our annual Representative Assembly.

The health and safety of educators in the workplace and students in the classroom are top priorities for KNEA. We have several resolutions and position statements supporting this principle as it relates to vaccinations, immunizations, and the control of infectious diseases.

One such resolution states:

"Kansas NEA believes that vaccinations are essential medical tools in preventing infectious diseases. KNEA acknowledges that vaccines must be pervasive to be effective.

KNEA further believes that vaccination guidelines from the American Academy of Pediatrics and the Centers for Disease Control and Prevention should be followed by students, parents/guardians, educators, and staff.

KNEA further believes that state legislatures should establish clear guidelines for waivers that minimize the number of unvaccinated students to only those necessary due to documented medical conditions. Evidence-based vaccination campaigns are integral to maintaining student and community health."

In short, the safety of educators in the workplace and students in the classroom is a top priority for KNEA and its members. SB 19 would be a significant step backward in the established practices that have been essential in eradicating childhood diseases such as measles, mumps, polio, and other vaccine-preventable illnesses by increasing the number of unvaccinated Kansans.

The spread of infectious diseases - many of which are listed above - negatively impacts public education more than any other sector because schools are the most prevalent mass-gathering establishments in our communities. Having trusted officials in place to review and implement policies and strategies to prevent the spread of

infectious diseases is critical to the safety of schools and the effectiveness of learning for our children. By repealing the authority of the Secretary of Health and Environment to take appropriate measures to prevent the spread of disease, SB 19 could lead to outbreaks that cause chronic absenteeism, learning loss for Kansas students, and additional consequences that are even severe in nature.

We urge the committee to oppose SB 19.

Thank you for your time.

**Testimony by Charlie Hunt with the Johnson County Department of Health & Environment (JCDHE) to
Senate Committee on Public Health and Welfare
Written Opponent for SB 19 – February 5, 2025**

Chairperson Gossage and Members of the Committee,

Thank you for the opportunity to provide written testimony in opposition to Senate Bill 19, a bill which seeks to prohibit employers to factor in certain medical interventions for employees and revokes isolation and quarantine authority for local health officers. JCDHE's mission is to promote and protect the health and environment for all who live, work and play in Johnson County.

We have several deep concerns with this bill. Namely:

- It prohibits employers, including in healthcare settings, from being able to require certain vaccines (and removes the ability to reassign such employees that might refuse certain vaccines). Many employers, including our health department, may be exposed to certain illnesses that are preventable via vaccine and see clients who are immunocompromised. Requiring vaccination status for certain positions is a way to protect the public's health and our clients' trust. The bill includes language prohibiting the ability to treat an individual differently from anyone that might have accepted a vaccine, which suggests we cannot even mandate increased personal protective equipment to try and accommodate the unvaccinated status. This is not a tenable approach and greatly risks the health of our clients.
- It repeals K.S.A. 65-129c which provides local health officer authority to issue isolation and quarantine orders. This is a serious threat to public health. When a disease outbreak occurs, often these measures are the only way to prevent spread. This includes diseases that are extremely threatening to children and the unborn. K.S.A. 65-129c provides for a legal remedy to those who feel they have been unjustly ordered to isolate or quarantine, thereby already offering a relief mechanism to inappropriate orders.

Public health must have the ability to use isolation and quarantine to control disease spread. Without that tool, it will be nearly impossible to control both known, severely damaging diseases and future diseases we have not yet seen and will have no other protections against. Likewise, certain employers (like us) work with populations who may have more severe outcomes than others if exposed to vaccine-preventable diseases. Being unable to require vaccines or require staff that choose not to be vaccinated to either do other activities or take additional protective steps threatens the health and safety of those in Johnson County who rely on our services.

As such, JCDHE asks that the committee not recommend SB 19 favorably for passage.

Sincerely,

Charlie Hunt, Director
Johnson County Department of Health & Environment



Mindy Nickles
Educator, Former Researcher
Written Only Testimony – Opponent
Senate Public Health & Welfare Committee
Senate Bill 19
February 5, 2025

Chairperson Gossage, Members of the Committee:

Thank you for the opportunity to testify in opposition to SB 19. My name is Mindy Nickles, and I am a 5th grade educator in Lawrence, Kansas. Before becoming a teacher, I studied microbiology at Kansas State University and worked in the immunology department at K-State's College of Veterinary Medicine, conducting research through the Biosecurity Research Institute. My work focused on improving the efficacy of vaccines. While I have this scientific background, my true passion lies in education. As a child, school was my safe place, and I wanted to create that same environment for others. It was my love of learning that ultimately led me to pursue becoming a teacher.

This is why I am deeply concerned about SB 19. As my colleagues and I work to address the learning loss caused by COVID-19, we continue to face the challenge of chronic absenteeism. It is incredibly difficult for students to reach their academic potential if they are not consistently in school. When students miss school, not only do they miss out on the lessons I'm teaching, but I lose the opportunity to address gaps in their skills. Trying to catch up absent students while keeping the rest of the class on track is a constant struggle. Recently, my school lost an academic interventionist, which has only made it harder to address learning loss caused by absenteeism. If SB 19 passes, it will lead to more illness and an even greater rise in chronic absenteeism, making it even more difficult for our Kansas students to succeed.

While academic progress is crucial, my students have reached even greater milestones thanks to immunization requirements. One student, for example, was able to celebrate being cancer-free in my classroom after a tough battle with childhood cancer. He was able to continue his education during treatment because he had the protection of required vaccines. Every January 16th, I look forward to celebrating another year of his cancer-free diagnosis. I also think of my medically fragile students, who have complex health needs but can thrive in the general education classroom, thanks to the scientific advancements that help keep them safe. These students, who are at risk for life-threatening illnesses every time they step into the classroom, should never have to choose between being protected from preventable diseases and receiving a quality education.

I, myself, wonder how long I'll be able to remain in the classroom if immunization requirements are removed. I take medication that suppresses my immune system, making me more vulnerable to infections. Any educator will tell you that working in schools challenges your immune system like no other job. In fact, many first-year teachers quickly run out of sick days due to the toll it takes on the body. Without the protection of required immunizations, I fear that I, along with my colleagues—many of whom are undergoing chemotherapy, preparing for

transplants, and facing other serious health challenges—will become another statistic in the growing number of teachers leaving the profession.

I urge you to vote NO on SB 19.

Thank you,

Mindy Nickles



**Written Opposition Testimony on SB 19
Senate Committee on Public Health and Welfare
Hearing on Wednesday, February 5, 2025**

January 30, 2025

Chairwoman Gossage and Members of the Committee:

Thank you for the opportunity to provide written testimony in opposition to SB 19. The Kansas Public Health Association (KPHA) is a professional organization that represents more than 800 public health practitioners, healthcare providers, researchers, advocates, and other professionals working together to build a healthier Kansas. SB 19 would enact the conscientious right to refuse act and revoke the authority of the secretary of health and environment to use critical, evidence-based strategies to prevent the spread of infectious disease. In turn, SB 19 severely undermines the efforts of public health professionals to protect the health of our communities.

For centuries, vaccines have remained an effective tool for preventing and controlling the spread of infectious diseases. Vaccines protect against numerous diseases, from influenza to cervical cancer, and shield us from the impact of harmful infectious diseases. SB 19 erodes the safety of our communities and penalizes schools, healthcare organizations, businesses, and other employers for fulfilling their responsibility to provide a safe workplace. Additionally, it penalizes children, people with disabilities, healthcare workers, teachers, and all Kansans by significantly increasing their risk of exposure to vaccine-preventable diseases.

Furthermore, SB 19 repeals important public health statutes, preventing the Secretary of Health and Environment and local health officers from effectively responding to threats raised by infectious diseases. This bill unequivocally weakens the ability of public health experts to use evidence-based strategies that mitigate the spread of infectious diseases. The work of local health departments is vital to building safe, healthy communities where Kansans can thrive. As such, KPHA supports the current authority of the Secretary of Health and Environment.

The priority of public health officials is to promote safe, healthy living conditions for Kansans in a variety of ways, including disease-prevention strategies like immunization and quarantine. Without these fundamental public health practices in place, we risk the resurgence and rapid spread of dangerous, vaccine-preventable diseases such as measles, polio, and whooping cough. We strongly oppose SB 19 and urge the Committee not to recommend its passage. Thank you for your consideration.

Respectfully Submitted,

Sanna Schneeberger, Executive Director
Kansas Public Health Association



fightcancer.org

February 3, 2025

Senator Beverly Gossage
Chair, Senate Public Health and Welfare Committee

RE: SB 19 / Letter of Opposition

Madame Chair and Members of the Committee,

The American Cancer Society Cancer Action Network (ACS CAN) is the nonprofit, nonpartisan advocacy affiliate of the American Cancer Society. Our mission is to "Advocate for evidence-based public policies to reduce the cancer burden for everyone." To that end, ACS CAN will continue to prioritize policies that help every Kansan prevent, find, treat and survive cancer. We are here today to oppose SB 19; a piece of legislation that could place the health of cancer patients at greater risk.

ACS CAN represents millions of patients and cancer survivors and their families nationwide, including the estimated 15,810 Kansans who will be diagnosed with cancer this year. Cancer treatments – from chemotherapy to immunotherapy to bone marrow transplants – often weaken a patient's immune system, making cancer patients especially vulnerable to communicable illnesses.

The health and safety of immune-compromised cancer patients as well as our own volunteers and staff is a top priority for our organization.

This legislation would prohibit the American Cancer Society and ACS CAN as well as other employers and organizations from responding to future public health threats. It will also restrict the ability of public health authorities across Kansas from implementing protective policies aimed at keeping communities healthy.

On behalf of cancer patients and other patients living with compromised immunity, ACS CAN asks the committee to oppose SB 19.

Megan Word
Government Relations Director, Kansas
American Cancer Society Cancer Action Network