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# Foes of mandatory vaccination speak out at hearing today

## Critics of a law on child immunization say the state gives parents misleading information

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The Vermont Department of Health held a hearing Friday on proposed regulations to a law that would allow a child to be exempt from immunization. Opponents said the law violates free speech. Tim Johnson/Free Press

Written by **Tim Johnson**  
Free Press Staff Writer

Department of Health hearing Friday in Burlington.

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The purpose of the hearing was to take public comment on proposed regulations to implement a law, enacted earlier this year, that spells out standards for exemption to child immunization requirements.

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Parents inclined to forgo vaccinations for their children mobilized around the legislation last spring in Montpelier and filled the hearing room Friday. About 30 people attended, and each of the 17 who spoke was critical either of what the rules would require of parents and/or of how the health department presents vaccination issues.

Presiding were Tracy Dolan, deputy commissioner of health, and Dixie Henry, a policy and legal adviser in the department. Their role was simply to take public input without responding to what they heard, Dolan said at the outset. She said public comments would be taken into consideration by a department team, which would then forward proposed regulations to a legislative committee in about a month.

The new law permits parents to exempt children from required immunizations for philosophical or religious reason, but obliges them to review “evidence-based educational material” on immunizations provided by the Department of Health.

The recurrent complaint Friday was about a proposed rule requiring parents to acknowledge that forgoing immunizations “increases risks” to their children and others. Speakers said that would violate their First Amendment rights, as a form of compelled speech.

Mitchell Pearl, a lawyer, said the rule poses a constitutional problem.

“The debate here is not over the efficacy of vaccinations,” he said. “What the state cannot do is require a parent to make an affirmative statement of belief in order to enroll children in school.”

“This is a no-choice choice,” said Heather Rice. “It forces parents to sign a statement that violates their beliefs.”

Speakers also took issue with the “educational material” the department has for parents on its website. The “Required Parent Education” for completion of the exemption form states, among other things, that “most childhood vaccines are between 90 and 99 percent effective in preventing disease.”

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