



January 14, 2022

Submitted via email

Rep. Marjorie C. Decker
Chairperson, Joint Committee on Public Health
Massachusetts Legislature
24 Beacon St., Room 33
Boston, MA 02133

Rep. Brian W. Murray
Vice Chair, Joint Committee on Public Health
Massachusetts Legislature
24 Beacon St., Room 136
Boston, MA 02133

Re: Testimony in support of H. 2411

Dear Representatives:

The Center for Inquiry (CFI) writes to express its support for Massachusetts state bill [H. 2411](#) (“An Act Relative to Vaccines and Preventing Future Disease Outbreaks”).

CFI is a national nonprofit organization headquartered in Amherst, New York, dedicated to advancing science, reason, and secularism in American law and public policy.

CFI believes that H. 2411 would be beneficial in removing the religious exemption to Massachusetts’ requirement of vaccination and immunization for attendance in the state’s schools. This is, quite obviously, a pressing issue at the moment given the prolonged nature of the COVID-19 pandemic. **More broadly, CFI supports the removal of religious exemptions for generally applicable vaccination requirements, whether those take place in the educational context, in employment, or in other public settings.**

H. 2411 would stipulate that [Chapter 76, Section 15](#) (“Vaccination and immunization”) of the General Laws be amended by striking the third paragraph entirely. That paragraph states:

In the absence of an emergency or epidemic of disease declared by the department of public health, no child whose parent or guardian states in writing that vaccination or immunization conflicts with his sincere religious

beliefs shall be required to present said physician's certificate in order to be admitted to school.

The closing of this loophole is vital in order to follow the science on issues of vaccination and immunization—and to avoid providing benefits or exceptions to religious individuals when those same things are not available to those who do not put forth a religion-based objection. CFI has long advocated against the many ways in which our nation's laws privilege religious people over the nonreligious, and certainly the allowance of religious exemptions to vaccination requirements meets that description.

Put simply, it is impossible to reconcile sound public policy and public health measures with exceptions based on any individual's claimed religious beliefs—no matter how sincere or insincere those claims may be—particularly in the face of a global pandemic that has lasted for going on two years.

Passing H. 2411 would allow Massachusetts to join neighboring Connecticut in eliminating religious exemptions for school vaccination and immunization requirements, which Connecticut did in April 2021. Connecticut became the sixth state to do so at the time, joining New York, California, Maine, West Virginia, and Mississippi.¹ Now Massachusetts is poised to take the same ameliorative measure.

The benefits in those states are visible in the latest available data. In Connecticut, for instance, 76.1 percent of children aged 12-15 are now partly vaccinated against COVID-19, while 68.3 percent are fully vaccinated.² Likewise, in California, 71.4 percent of children aged 12-17 are now partly vaccinated against COVID-19, while 63.4 percent are fully vaccinated.³

In an op-ed published this past August in *Commonwealth Magazine*,⁴ a group of physicians from the Massachusetts chapter of the American College of Physicians extolled the wisdom of passing H. 2411. Pointing out that “vaccines have helped to nearly eliminate some of the most dangerous childhood illnesses,” the physicians cited case after case they have personally seen of deadly disease that could have been prevented by vaccination. On where Massachusetts currently stacks up, they wrote:

Massachusetts requires vaccinations for school, with only medical and religious exemptions, and has higher rates of vaccination than much of the country. Even here, though, we still have a problem. In some parts of the Commonwealth, up to 14 percent of students are unvaccinated or under-

¹ <https://apnews.com/article/connecticut-religion-health-education-government-and-politics-6d9ce916908bbdacce4e7a7840a57a87>

² <https://data.ct.gov/stories/s/CoVP-COVID-Vaccine-Distribution-Data/bhcd-4mnmv>

³ <https://covid19.ca.gov/vaccination-progress-data/#progress-by-group>

⁴ <https://commonwealthmagazine.org/opinion/abolish-the-vaccine-religious-exemption>

vaccinated. Moreover, more than 75 percent of the exemptions claimed are religious exemptions.

H. 2411 would address the heart of this problem.

Moreover, it is important to note that the remaining provisions of Chapter 76, Section 15 would still allow for medical exemptions to vaccination requirements, where such an exemption is necessary to protect the health of a child. Indeed, the second paragraph of the section states, in relevant part:

A child shall be admitted to school upon certification by a physician that he has personally examined such child and that in his opinion the physical condition of the child is such that his health would be endangered by such vaccination or by any of such immunizations.

Thus, by enacting H. 2411, the Massachusetts legislature would still allow for medically based exceptions while eliminating the questionable loophole of belief-based objections.

Not only is this commonsense measure necessary in the current moment, removing the religious exemption will be helpful the next time around in the event of another easily communicable disease. A chief lesson from this pandemic has been that American laws and regulations were not properly aligned to institute the public health measures necessary to defeat COVID-19. **By eliminating the religious exception, Massachusetts will be better prepared to handle another such pandemic or medical challenge in the future.**

To supplement this testimony, please see the enclosed CFI fact sheet about nonmedical exemptions to vaccinations and immunizations.

CFI hopes to see the Massachusetts Legislature vote in favor of this important bill. Thank you for your time.

Sincerely,



Azhar Majeed

Director of Government Affairs

Center for Inquiry

Nonmedical Exemptions for Vaccinations Threaten Public Health and Must Be Repealed

All fifty states require school children to be immunized from certain vaccine-preventable diseases to attend public school. But most states allow parents to obtain an exemption for nonmedical reasons (religious, philosophical, or personal reasons).

The problem is that viruses don't care about personal objections. A very small percentage of people need to be exempted from vaccinations for legitimate medical reasons. But *nonmedical* exemptions (NMEs) benefit no one.

Here is why NMEs to mandatory immunization requirements for children in public school and day care should be repealed in your state.

1. NMEs endanger children.

Kids have no say in whether or not they get vaccinated, and they can't seek life-saving care on their own if they're being prevented by their parents.

Further reading: <https://www.cdc.gov/vaccines/parents/why-vaccinate/vaccine-decision.html>

2. NMEs make it easier for preventable diseases to spread.

When a person gets vaccinated, they aren't just protecting themselves; they are protecting everyone else around them as well. When enough people get vaccinated, "herd immunity" ensures anyone who cannot get a vaccine for medical reasons is protected. NMEs needlessly endanger the immunocompromised, the elderly, and young children.

Further reading: <https://jamanetwork.com/journals/jama/fullarticle/190649>

3. NMEs are often abused due to the spread of fear about vaccine safety.

As seen throughout the COVID-19 pandemic, many people who seek NMEs do so based on targeted misinformation about vaccines. An unscrupulous "antivaxxer" movement often spreads misinformation targeted at vulnerable demographics. There are even websites that teach parents how to deceive authorities into awarding a religious exemption. This type of propaganda can scare people away from vaccines, which further endangers public health.

Further reading: <https://www.washingtonpost.com/dc-md-va/2020/07/17/black-anti-vaccine-coronavirus-tuskegee-syphilis/?emci=48d0c296-40c8-ea11-9b05-00155d03bda0&emdi=d765abd3-40c8-ea11-9b05-00155d03bda0&ceid=7286954>

4. NMEs undermine public health workers.

Your state's health officials and caregivers work tirelessly to protect the well-being and safety of the people they serve. Again, this has been a consistent theme during the COVID-19 pandemic. NMEs only serve to undo all that they've worked to achieve.

Further reading: https://www.washingtonpost.com/health/nurses-are-teaching-doctors-how-to-treat-anti-vaccine-fears-and-myths/2019/07/15/79632f9e-a3fd-11e9-bd56-eac6bb02d01d_story.html

5. NMEs undermine public education.

Communicable diseases can spread like wildfire in schools. Outbreaks not only cause students, teachers, and school employees to get sick; they disrupt the entire educational system as students and teachers miss classes and fall behind.

Further reading: <https://www.annualreviews.org/doi/full/10.1146/annurev-publhealth-032013-182452# i10>

6. NMEs undermine church-state separation.

The law should not elevate religious beliefs above public health. To do so is to perpetuate religious privilege, already a significant problem in America.

Further reading: <https://constitutioncenter.org/blog/where-does-the-governments-right-to-require-vaccinations-come-from>

Your state can be a leading example.

States that repeal NMEs demonstrate that they are forward-thinking and equipped to take on modern-day challenges. Your state can join Maine, New York, Connecticut, and California in being among the states to repeal NMEs.

Further reading: <https://apnews.com/article/connecticut-religion-health-education-government-and-politics-6d9ce916908bbdacce4e7a7840a57a87>

For more information, please contact Azhar Majeed, CFI's Director of Government Affairs, at amajeed@centerforinquiry.org.