

## BE WISE, IMMUNIZE

### Implementation of Senate Bill 277 in Humboldt County

#### SUMMARY

*Imagine you are a parent who has taken your newborn to the emergency room with serious breathing problems. Your baby has contracted whooping cough from someone in the community and your baby is too young to vaccinate.*

*You are told Humboldt County has the fifth lowest vaccination rate and the second highest rate of whooping cough in the state. You are also told Humboldt County has one of the highest personal belief exemption rates in the state; a legal exemption that allows parents to opt out of the vaccination process.*

Humboldt County's low vaccination rates became a public concern when SB 277 was signed into law by Governor Brown in June 2015. How Humboldt County reacts to and implements SB 277 triggered this Humboldt County Civil Grand Jury (HCCGJ) investigation. With the passage of SB 277 parents will no longer be able to refuse the vaccination of their children based on personal belief exemptions, if their children attend public or private school. SB 277 does not affect medical exemptions. If a student is exempted for medical reasons, parents/guardians need to submit a letter from a health care provider documenting the medical exemption.

When it comes to California vaccination rates for kindergarten and seventh graders in schools, Humboldt County ranks 54 out of 58 Counties. This includes both public and private schools. The HCCGJ finds there is a risk of a contagious disease outbreak due to the percentage of children who are not currently vaccinated in Humboldt County. Fortunately, the Humboldt County Department of Public Health has taken the initiative to establish the Humboldt Immunization Coalition (HIC) and is initiating a community-wide outreach program to improve vaccination rates for County school-aged children. The HCCGJ acknowledges the work of the Humboldt County Department of Public Health (HCDPH), Humboldt County Office of Education (HCOE) and the individual schools in Humboldt County for their diligence in initiating the implementation of SB 277.

The HCCGJ suggests that the appropriate County agencies deal with two significant concerns. According to a survey conducted by the HIC, the first concern to children receiving vaccines that presents a major obstacle is access to transportation. The HCCGJ, therefore, recommends that the Humboldt County Department of Public Health, in collaboration with the Humboldt County Office of Education, develop and implement an action plan to address transportation accessibility for mandated vaccinations.

The second concern also addresses accessibility. Parents may not have access to vaccination rates for individual schools prior to enrolling their child in their selected school. While there is a state database ([www.shotsforschool.org](http://www.shotsforschool.org)) which includes the vaccination rates for every school in California, parents may not be aware of this site. The HCCGJ recommends the Humboldt County Department of Public Health, Humboldt County Office of Education, and the individual schools post the vaccination rates of students on their websites and/or include a link to the *Shots for School* website and in collaboration designate an agency to officially oversee the timely and accurate reporting of those vaccination rates. Parents have a right to access vaccination rates of prospective schools before they enroll their children in that school.

## BACKGROUND

Vaccinations are the victim of their own success. Vaccination campaigns have eliminated smallpox and have driven polio from the Western Hemisphere. Vaccines have protected people from blindness, hearing loss, brain damage, paralysis, miscarriage, birth defects, and death. According to the U.S. Centers for Disease Control and Prevention, in the past twenty years, routine vaccinations in the United States have saved the lives of 732,000 children and prevented 322 million children from illnesses, at a net direct cost savings of \$295 billion. Most parents have never encountered once-terrifying childhood diseases such as measles, mumps, and polio. Most new doctors have never seen any cases of these diseases.

The potential for disease outbreaks and epidemics increases with declining vaccination rates due to the effect of “community immunity,” a term used to describe the percentage of any given population needing immunization to protect that entire community from disease. The population percentage needing immunization depends on the infectiousness of the disease. This protects the few among us who are not able to be immunized, including:

- Babies too young to be immunized
- People with weak immune systems
- Unvaccinated pregnant women
- Seniors
- Anyone allergic to vaccines

The possibilities of disease outbreaks are very real.

In 2014, The California Department of Public Health (CDPH) declared pertussis (also known as whooping cough) an epidemic in California. The number of pertussis cases, a highly contagious and potentially life-threatening disease that is vaccine-preventable, peaked in California. There were 11,203 cases of pertussis diagnosed, accounting for 39% of all cases in the United States. California’s 2014 pertussis rate of 29.3 cases per 100,000 was more than three times the nationwide average. Humboldt County had the second highest rate of pertussis in the State with 103.8 cases per 100,000. Pertussis cases in Humboldt County went from 58 diagnosed cases in 2010 to 149 diagnosed cases in 2014.

**Senate Bill 277:** After measles surfaced in California in early 2015, California State Senators Richard Pan and Ben Allen introduced SB 277. They were concerned the outbreak in Southern California was tied to an increased use of personal belief exemptions. Use of personal belief exemptions to avoid vaccinating children reduces the efficacy of community immunity. SB 277 eliminates the personal belief exemption.

California law requires children to be immunized unless exempted. Prior to, and unchanged by the passage of SB 277, California law allows medical exemptions for the following conditions:

- Severe immunodeficiency
- Severe allergic reaction to a vaccine
- Prior serious event related to vaccination

Effective January 1, 2016, SB 277 radically alters personal belief exemptions. It:

- **No longer permits** immunization exemptions based on personal beliefs for children in child care, public or private schools
- **Permits** personal belief exemptions submitted before January 1, 2016 to remain valid until a pupil reaches kindergarten or seventh grade
- **Allows** exemptions from the state immunization requirements for only these educational choices:
  - Students in home-based private schools
  - Students enrolled in an independent study program who do not receive classroom-based instruction
  - Access to special education and related services specified in an individualized education program

Special rules apply to foster and homeless children:

- The Federal McKinney-Vento Homeless Assistance Act requires schools to enroll new incoming students who are homeless even if their immunization records are missing or unavailable at the time of enrollment.
- California requires schools to immediately enroll foster children transferring to their school, even if a foster child is unable to produce immunization records.

Homeless and foster children must be admitted to school and schools must continue to request those immunization records.

**Collection of vaccination rates information:** Every public and private school in Humboldt County must verify that its students are either vaccinated or have annually submitted the proper exemption forms. The California school immunization laws require that children receive the following vaccinations prior to entering kindergarten:

- Polio
- DPT: diphtheria, pertussis (whooping cough), tetanus
- Hepatitis B
- Chickenpox
- MMR: measles, mumps, rubella

As of January 1, 2016, schools must report the following data to the Shots for School website:

- Number of students enrolled
- Number of students immunized
- Number of medical exemptions
- Number of conditional admissions

**Enforcement and oversight of vaccination laws:** As a result of the attention garnered during the passage of SB 277, it came to light that there was a lack of enforcement for non-compliance and failure to ensure that school reports were completed accurately, on time, and submitted to the California Department of Public Health. Schools also did not face any penalties for failing to ensure accurate and timely follow-through. The California Department of Public Health has entered into an agreement with Humboldt County for the County's immunization program for fiscal years 2015-2017 in the amount of \$182,064. As part of the agreement, the Humboldt County Department of Public Health agrees to:

“...follow-up with childcare and school sites that do not complete the electronic Fall Assessment....In coordination with the CDHP Immunization Branch, provide guidance and encourage compliance with existing school and childcare entry requirements and regulations by all child care centers and schools within the jurisdiction,”

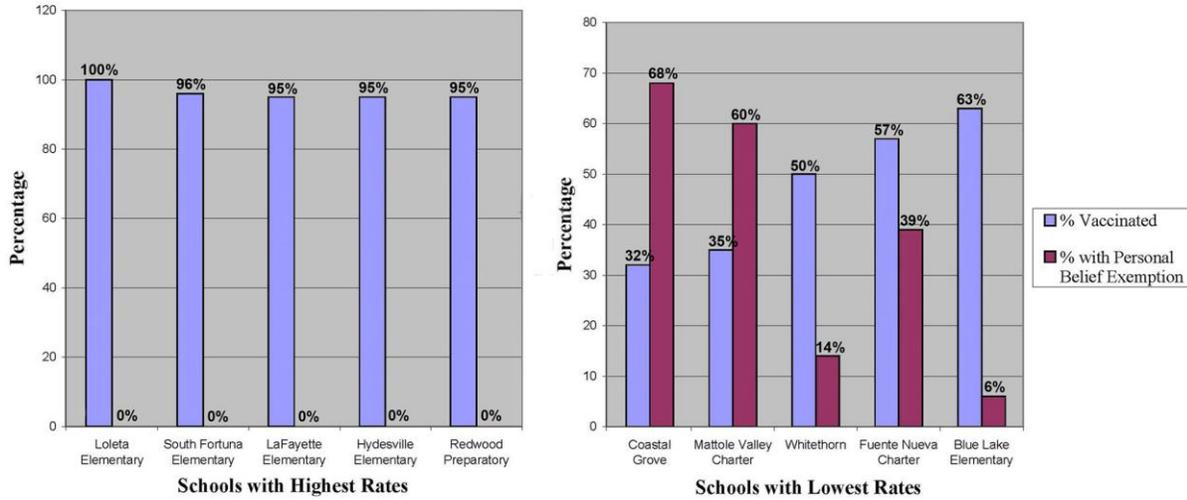
State and local officials have recently indicated that unvaccinated students will be excluded from the classroom, causing financial consequences, due to the school districts' loss of Average Daily Attendance (ADA) funds. These funds are financial payments each school receives for the daily attendance of its students. In addition, the annual financial and compliance audits of schools will include an immunization component for kindergarten and seventh grade for schools that do not submit immunization assessment reports every fall or have conditional admission rates above 25%.

Conditional admissions allow children who have not received one or more required immunizations to attend school while they catch up on those immunizations provided they are not currently due for any vaccinations at the time of admission. CDPH found that most students who were identified as “conditional admissions” were improperly classified (based on a sample of kindergarten immunization records during the 2013-2014 school year). These students were behind in their immunizations, and should have been excluded from school until they received the catch-up shots that were due at the time of school entry.

Schools found to have improperly classified “conditional” students may be subject to forfeiture of ADA payments. A review of relevant literature indicates that some schools may have classified students as “conditional admissions” so they would not lose ADA funding.

**Vaccination rates in California and Humboldt County:** The State of California has a 92.9% vaccination rate for kindergartners in 2015-2016. Among California counties, the percentage of vaccinated kindergarten children ranges from a low of 77.0% in Trinity County to a high of 100% in Alpine and Sierra Counties. Humboldt County, with 31 elementary school districts, had the fifth lowest rate of vaccinations at 82.0%. (See the Appendix for California Department of Public Health's vaccination rates for all Humboldt County schools.)

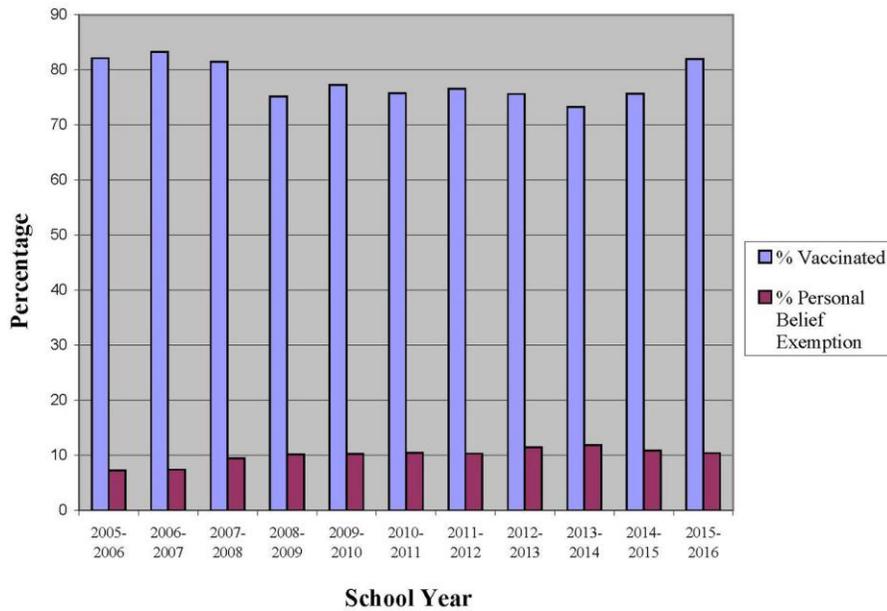
### Kindergarten 2015-2016 School Year



Data Source: California Department of Public Health

As vaccination rates in Humboldt County decreased, personal beliefs exemptions increased.

### Humboldt County Vaccination Rates & Personal Belief Exemptions



Data Source: California Department of Public Health

**California Immunization Registry (CAIR):** CAIR is a secure, confidential, statewide computerized immunization information system used by both medical and educational professionals. CAIR can be accessed online to help providers and other authorized users track children’s immunization records. The goal is to help fully immunize California. All fifty states have Immunization Registries. Use of CAIR can:

- Reduce staff time searching for children’s immunization records
- Forecast which vaccinations are due
- Schedule “just-in-case” immunizations when earlier shot records are missing
- Request shot records from other providers
- Consolidate immunization records when children have been immunized by different providers
- Track a physician’s immunization rates for children

**Humboldt Immunization Coalition:** In the Spring of 2015, the Humboldt County Department of Public Health formed a county-wide coalition of stakeholders to address the low vaccination rates in the County. The Humboldt Immunization Coalition includes the Humboldt County Department of Public Health, Humboldt County Office of Education, Open Door Clinic, Partnership HealthPlan, United Indian Health Services, First 5 Commission, several individual school districts and their school nurses, and various other health care professionals.

The Coalition has held a number of meetings to discuss and develop plans to improve vaccination rates in Humboldt County. The plan includes the following action items:

- Develop a survey of physician clinics in Humboldt County
- Identify barriers and obstacles to vaccination by site
- Research vaccine return policies for unused and expired vaccines
- Develop clinic best practices for vaccination
- Geo Map immunization rates for kindergartners according to zip code
- Develop educational campaign branding which includes adoption of a slogan “Be Wise. Immunize.”
- Identify primary target audience
- Develop posters for wide distribution

## **METHODOLOGY**

To understand the implications of SB 277, and its potential effect on Humboldt County’s children, the 2015-2016 Humboldt County Civil Grand Jury:

- Reviewed California Senate Bill 277, as enacted
- Conducted nine interviews with officials from the Humboldt County Department of Public Health, the Humboldt County Office of Education, local school principals and nurses, and other individuals with vaccination practices expertise
- Reviewed and analyzed the Shots for School website
- Reviewed California Health and Safety Code Sections 120325 – 120380
- Reviewed California and various Counties’ Public Health and vaccination websites
- Reviewed Minutes of the Humboldt Immunization Coalition
- Reviewed various websites including the Humboldt County Public Health Department, Humboldt County Office of Education, Partnership HealthPlan, Open Door Clinic, Humboldt First Five, California Immunization Record, Vaccines for Children, and all Humboldt County school districts
- Reviewed the Humboldt County Department of Health and Human Services report “Integrated Progress and Trends Report, 2015,” Quarter 2

- Reviewed San Mateo and Nevada Counties Grand Jury Reports on Vaccinations

## DISCUSSION

With the elimination of the personal belief exemptions, senior level staffs at both the Humboldt County Department of Public Health and the Humboldt County Office of Education believe SB 277 will substantially increase the vaccination rates in Humboldt County. While some parents may initially try home schooling or independent studies, most will eventually choose to vaccinate their children in order to enroll them in public or private schools. In addition to the implementation of SB 277, the Humboldt County Department of Public Health in collaboration with the Humboldt County Office of Education can further increase vaccination rates in Humboldt County by:

1. Improving access to vaccines
2. Reaching out to the community and health professionals
3. Using school websites and other modes of communication

**1. Improving Access to Vaccines:** According to a survey conducted by the Humboldt Immunization Coalition, a major obstacle to children receiving vaccines was access to transportation. This was particularly true in Southern and Eastern Humboldt County. The issue of transportation is especially acute in these rural areas due to a lack of nearby health care professionals and vaccination supplies. Many citizens of rural communities must travel long distances to vaccinate their children. However, even in urban areas of the County, the HCCGJ learned transportation is an issue.

The Humboldt County Civil Grand Jury believes the implementation of a mobile vaccination van, in conjunction with other health care services offered with van outreach, would greatly enhance the ability of parents in rural areas of Humboldt County to access vaccines. A solution several other California counties have implemented is the use of a mobile medical van, fully equipped and staffed, that travels to district schools to administer on-site services to students. Humboldt County's Open Door Clinic operates one medical mobile van in Humboldt County, and its Burre Dental Center has one mobile dental van. The County Department of Public Health has a mobile medical van. Northern California Community Blood Bank has three bloodmobiles. There have been discussions and suggestions that, to alleviate the access issue for rural children, one of these mobile vans might be available to partner with other organizations to become the "Vac Van."

The Humboldt County Civil Grand Jury finds there is a substantial amount of support for the use of a medical mobile van and finds that the use of such a van would significantly increase vaccination rates in Humboldt County. Research indicates the cost of a mobile van could easily run over \$200,000 annually. Other areas of California which use mobile vans for vaccinations are larger urban areas serving a greater number of people and have greater funding opportunities through grants and local donations. The successful implementation of a medical van for vaccinations would take the collaboration of several organizations. A local health care expert suggested a cost-effective alternative. Rather than invest in a mobile van for vaccinations, a regular-sized vehicle could be used. Little equipment is needed for the administration of

vaccinations. The most crucial need will be a small refrigerated unit to properly store the vaccine as well as staff to administer the vaccination.

## **2. Outreach to the Community and Health Professionals:**

### **Outreach to the Community:**

A review of national research indicates community-wide education campaigns can be very effective. One of the best community education campaigns is the successful sustained statewide initiative to reduce the use of tobacco.

An ambitious public awareness campaign has been developed by the Humboldt Immunization Coalition. It includes plans for outreach via local media including public service announcements and press releases. Posters have been developed to display in schools and other settings to encourage immunization of school age children.

### **Outreach to Health Professionals:**

A key component to increasing the vaccination rate in Humboldt County is dependent on the health professionals who administer vaccinations. The County Department of Public Health should encourage local health professionals to:

- Be current with the latest scientific data regarding vaccines including immunization schedules, vaccine contraindications, and vaccine side effects
- Be knowledgeable of the latest techniques to encourage vaccination-hesitant parents to vaccinate their children
- View every office visit as an opportunity to ensure children are vaccinated regardless of the reason for the visit
- Adopt an individualized office immunization policy
- Utilize the California Immunization Registry

**3. Use of School Websites and Other Modes of Communication:** There is a statewide database ([www.shotsforschool.org](http://www.shotsforschool.org)) which includes vaccination rates for all schools in California. All schools are required to report annually their vaccination rates on-line to this site by October 15<sup>th</sup>. However, many parents are unaware of the site. The Humboldt County Civil Grand Jury found no link to *Shots for School* on the County Office of Education or the County Department of Public Health websites. Most schools do not provide the link on their own websites. Furthermore the HCCGJ could find no local agency with direct oversight responsibility to guarantee accurate and timely reporting. It is imperative to include the link [www.shotsforschool.org](http://www.shotsforschool.org) on the Humboldt County Department of Public Health website, the Humboldt County Office of Education website, and each local school's website.

## FINDINGS

**F1.** Humboldt County is at risk for an outbreak of contagious disease due to the high percentage of children who are currently unvaccinated.

**F2.** The Humboldt County Department of Public Health has established the Humboldt Immunization Coalition and is initiating a community-wide outreach program to improve vaccination rates for school-age children in Humboldt County. The Humboldt County Civil Grand Jury commends their excellent work.

**F3.** Prior to enrolling their children in a particular school, parents have difficulty obtaining information about that individual school's vaccination rates.

**F4.** Accessible transportation, whether getting the children to the vaccine or getting the vaccine to the children, is a major obstacle to any successful vaccination program.

**F5.** No Humboldt County agency has officially taken the responsibility for ensuring that all schools' vaccination data is recorded on the *Shots for School* database.

## RECOMMENDATIONS

**R1.** The Humboldt County Civil Grand Jury recommends the Humboldt County Office of Education, in collaboration with the Humboldt County Department of Public Health, develop and implement a plan which addresses lack of transportation as a barrier to receiving mandated vaccinations before the 2016-2017 school year. **(F1, F4)**

**R2.** The Humboldt County Civil Grand Jury recommends the Humboldt County Office of Education, in collaboration with the Humboldt County Department of Public Health, assume vaccination data oversight responsibility, ensuring that each school within Humboldt County accurately collects and reports their vaccination rates to the State database. **(F5)**

**R3.** The Humboldt County Civil Grand Jury recommends that the Humboldt County Office of Education, the Humboldt County Department of Public Health and all elementary schools and districts' provide the link [www.shotsforschool.org](http://www.shotsforschool.org) prior to the start of the 2016-2017 school year. **(F3)**

**R4.** All Humboldt County schools provide vaccination information to parents prior to the 2016-2017 school year. **(F3)**

## REQUEST FOR RESPONSES

Pursuant to Penal Code section 933.05, the grand jury requests responses as follows:

Humboldt County Department of Public Health **(R1, R2, R3, R4)**

Humboldt County Office of Education (R1, R2, R3, R4)

## INVITED RESPONSES

Humboldt Immunization Coalition (R1, R2, R3, R4)

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

## BIBLIOGRAPHY

Whitney MD, Cynthia G., Fanguin Zhou PhD, James Singleton PhD, Anne Schuchat MD, Morbidity and Mortality Weekly Report, "*Benefits from Immunization during the Vaccines for Children Program Era--United States, 1994-2013*", Vol. 23, No.16, April 25, 2014, pg. 352-355

<http://www.cdph.ca.gov/programs/immunize/Pages/ImmunizationLevels.aspx>

"Pertussis Report," January 7, 2015, prepared by the California Department of Public Health

[www.shotsforschool.org](http://www.shotsforschool.org)

APPENDIX

California Department of Public Health  
 2015-2016 IMMUNIZATION STATUS OF KINDERGARTEN STUDENTS, Humboldt CALIFORNIA  
 Schools with 10 or more students enrolled

private/public	Public School District	School name	ENROLLMENT	Up to date #	Up to date %	Conditional #	Conditional %	Personal Medical Exemption #	Personal Medical Exemption %	Personal Belief Exemption #	Personal Belief Exemption %	Pre-January Personal Exemption #	Pre-January Personal Exemption %	Health Care Personal Belief Exemption #	Health Care Personal Belief Exemption %	Religious Personal Belief Exemption #	Religious Personal Belief Exemption %	REPORTED
public	Arcata Elementary	Arcata Elementary	54	41	76	2	4	0	0	10	19	7	13	3	6	1	2	Y
public	Arcata Elementary	Coast Grove Charter	28	9	32	0	0	0	0	19	68	13	46	6	21	0	0	Y
public	Arcata Elementary	Fuente Nueva Charter	23	13	57	1	4	0	0	9	39	7	30	2	9	0	0	Y
public	Arcata Elementary	Redwood Coast Montessori	14	12	86	0	0	0	0	2	14	2	14	0	0	0	0	Y
public	Arcata Elementary	Union Street Charter	17	11	65	1	6	0	0	5	29	5	29	0	0	0	0	Y
public	Blue Lake Union Elementary	Blue Lake Elementary	16	10	63	5	31	0	0	1	6	1	6	0	0	0	0	Y
public	Cuddeback Union Elementary	Cuddeback Elementary	17	15	88	1	6	0	0	1	6	1	6	0	0	0	0	Y
public	Cutten Elementary	Ridgewood Elementary	105	98	93	4	4	3	3	0	0	0	0	0	0	0	0	Y
public	Eureka City Schools	Alice Birney Elementary	94	88	94	6	6	0	0	0	0	0	0	0	0	0	0	Y
public	Eureka City Schools	Grant Elementary	40	34	85	4	10	0	0	2	5	2	5	0	0	0	0	Y
public	Eureka City Schools	LaFayette Elementary	64	61	95	3	5	0	0	0	0	0	0	0	0	0	0	Y
public	Eureka City Schools	Washington Elementary	104	93	89	10	10	0	0	1	1	1	1	0	0	0	0	Y
public	Ferndale Unified	Ferndale Elementary	48	39	81	5	10	1	2	3	6	3	6	0	0	0	0	Y
public	Fieldbrook Elementary	Fieldbrook Elementary	16	12	75	1	6	0	0	3	19	3	19	0	0	0	0	Y
public	Fortuna Elementary	Norman G. Ambrosini Elementary	85	75	88	6	7	0	0	4	5	4	5	0	0	0	0	Y
public	Fortuna Elementary	Redwood Preparatory Charter	22	21	95	0	0	0	0	1	5	1	5	0	0	0	0	Y
public	Fortuna Elementary	South Fortuna Elementary	79	76	96	1	1	0	0	2	3	2	3	0	0	0	0	Y
public	Fortuna Elementary	Freshwater Elementary	45	38	84	4	9	0	0	3	7	3	7	0	0	0	0	Y
public	Garfield Elementary	Garfield Elementary	11	7	64	0	0	0	0	4	36	4	36	0	0	0	0	Y
public	Hydesville Elementary	Hydesville Elementary	21	20	95	1	5	0	0	0	0	0	0	0	0	0	0	Y
public	Jacoby Creek Elementary	Jacoby Creek	46	33	72	1	2	0	0	12	26	11	24	1	2	0	0	Y
public	Klamath-Trinity Joint	Hoopa Valley Elementary	68	64	94	2	3	0	0	2	3	2	3	0	0	0	0	Y
public	Klamath-Trinity Joint	Orleans Elementary	13	9	69	3	23	0	0	1	8	1	8	0	0	0	0	Y
public	Klamath-Trinity Joint	Trinity Valley Elementary	40	31	78	3	8	0	0	6	15	6	15	0	0	0	0	Y
public	Lola Union Elementary	Lola Elementary	17	17	100	0	0	0	0	0	0	0	0	0	0	0	0	Y
public	Lola Union Elementary	Pacific View Charter	12	9	75	0	0	0	0	3	25	0	0	3	25	0	0	Y
public	Mattole Unified	Mattole Valley Charter School	63	22	35	3	5	0	0	38	60	24	38	14	22	0	0	Y
public	Mckinleyville Union Elementary	Dows Prairie Elementary	150	128	85	18	12	0	0	4	3	4	3	0	0	0	0	Y
public	Pacific Union	Pacific Union Elementary	86	77	90	7	8	0	0	2	2	2	2	0	0	0	0	Y
public	Rio Dell Elementary	Eagle Prairie Elementary	36	30	83	3	8	0	0	3	8	3	8	0	0	0	0	Y
public	Scotia Union Elementary	Stanwood A. Murphy Elementary	23	19	83	2	9	0	0	2	9	1	4	1	4	0	0	Y
public	South Bay Union Elementary	Alder Grove Charter	20	14	70	0	0	0	0	6	30	4	20	2	10	0	0	Y
public	South Bay Union Elementary	Pine Hill Elementary	76	67	88	3	4	0	0	3	4	3	4	0	0	3	4	Y
public	Southern Humboldt J	Redway Elementary	46	39	85	2	4	0	0	5	11	5	11	0	0	0	0	Y
public	Southern Humboldt J	Agnes J. Johnson Elementary	10	9	90	0	0	0	0	1	10	0	0	1	10	0	0	Y
public	Southern Humboldt J	Whitethorn Elementary	22	11	50	6	27	0	0	3	14	3	14	0	0	2	9	Y
public	Trinidad Union Elementary	Trinidad Elementary	22	15	68	0	0	0	0	7	32	7	32	0	0	0	0	Y