

Editorial Anti-vaxxers have found a way around California's strict new immunization law. They need to be stopped

A child, 4, holds her breath in the arms of her mother as she receives a vaccination at Children's Hospital Los Angeles on Aug. 7. (Los Angeles Times)

By **The Times Editorial Board**

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Two years ago the state Legislature passed a law banning so-called personal belief exemptions that many parents were using to keep their children from being vaccinated because they believed — wrongly — that vaccines were linked to autism and other serious health problems. But even as the number of personal belief exemptions fell to zero, the number of medical exemptions has skyrocketed. That's fishy.

The new law — [SB 277](#) — [pushed up the statewide immunization numbers to a safe level overall](#). But dozens of schools have reported suspiciously high numbers of medical exemptions that, if left unchecked, could endanger their communities.

Experts say that in any normal population, [no more than 3%](#) of school-aged children should reasonably qualify for a medical exemption. Yet at 58 schools around the state, most of them charter or private schools, more than 10% of the kids enrolled in the fall of 2016 had a doctor's note saying they were too frail for vaccinations. California law requires children to be [inoculated against measles, polio and other infectious diseases](#) before they enter kindergarten or seventh grade. Immunization rates above 95% are considered ideal for protecting the public from an outbreak.

The authors of SB 277 expected the law to cause a slight bump in medical exemptions as children with legitimate reasons for skipping vaccinations no longer had access to the easier-to-obtain personal belief exemption. And a small number of unvaccinated children would have been acceptable, because the population would still attain the so-called herd immunity that guards against outbreaks and protects even those too sick to get immunized.

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But the numbers of medical exemptions statewide didn't just rise after SB 277 took effect, they tripled, [with a few schools reporting exemptions from as many as a quarter of their students](#). Given what health experts say about the expected rate of medical exemptions, that's just not credible.

Are there some physicians who are, for either ideological or financial reasons, helping parents avoid vaccinating their healthy kids? It certainly seems possible, based on the examples of a few doctor's offices that advertise medical exemption evaluations for a fee, listing the conditions that they consider a valid reason for providing one. The conditions, though, go well beyond the ones [listed by the Centers for Disease Control and Prevention](#), which are limited mostly to allergic reactions to prior inoculations and severe immunodeficiency. Instead, these doctors offer to write exemptions for children with such ailments as eczema, diabetes and asthma.

But even if the reason on a doctor's note seems like a pretext to school officials, who enforce the immunization requirements, there is little they can do. They can't reject an exemption signed by a licensed physician. The only real enforcement mechanism against doctors circumventing the vaccination requirement is through the Medical Board of California. And while dozens of such complaints have been filed since SB 277 went into effect, only one case has gone very far. [Since 2016, the board has been pursuing Robert Sears](#), a physician who has been vocally opposed to the state's recommended vaccination schedule, and the board isn't scheduled to hear his case until May.

It would be better to discourage doctors from helping parents to game the system in the first place. That could be accomplished by some level of secondary review and approval similar to what's done in two other states that don't allow personal belief exemptions, [West Virginia](#) and [Mississippi](#). At the very least, county health departments could ask to review anonymized medical exemption forms to look for suspicious patterns in the cited medical conditions or in the doctors signing the forms.

Failing a better response from the Medical Board, public exposure may serve as an effective antidote to abuse of the medical exemption rule. A clinic in the Central Valley whose online advertisements and Facebook page offered medical exemption evaluations for a \$200 fee reversed course when it received too much public attention, a chiropractor at the clinic [told the Modesto Bee in September](#).

It might also help to amend the law regarding medical exemptions to clarify what constitutes a valid medical reason for children to enter school without the full course of vaccinations. In any case, lawmakers and public health authorities ought to keep a sharp eye on the number of medical exemptions to make sure that, in closing one loophole, the state hasn't merely created another one.

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