AIM Overview

State Vaccine Legislative Trends

April 10, 2024



About AIM

- The Association of Immunization Managers (AIM) represents the 64 immunization programs that receive funding from CDC's National Center for Immunization and Respiratory Diseases (NCIRD)
 50 states, 6 major cities, 8 territories/federated states
- AIM works to:
 - Collaborate with partners
 - Promote efficient allocation of resources
 - Promote development/implementation of policies and programs
 - Provide a forum for information sharing and leadership development

Working with IZ Programs

- Build relationship with state/local IZ program; participate in IZ activities
- Clearly articulate population and geographic location represented
- Meet regularly, understand shared priorities, & identify emerging issues
- IZ program manager list at www.immunizationmanagers.org
- Resources: AIM CBO and Faith Leader handouts
 - . http://bit.ly/AIMFaithLeaders
 - https://bit.ly/CBOhandout

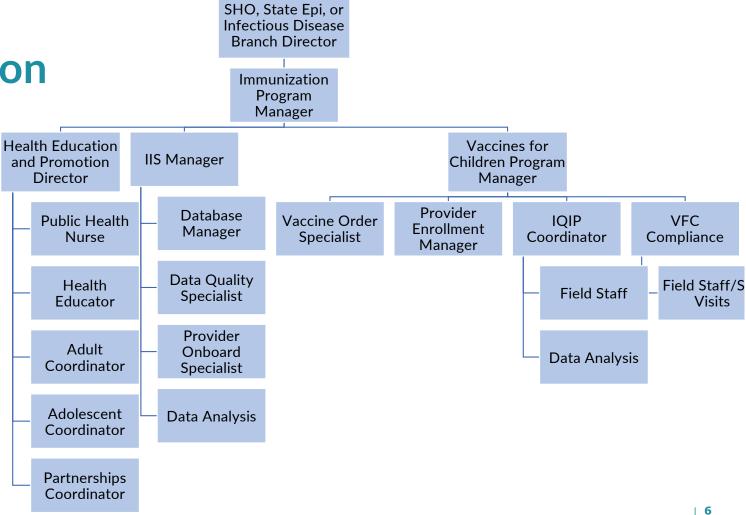


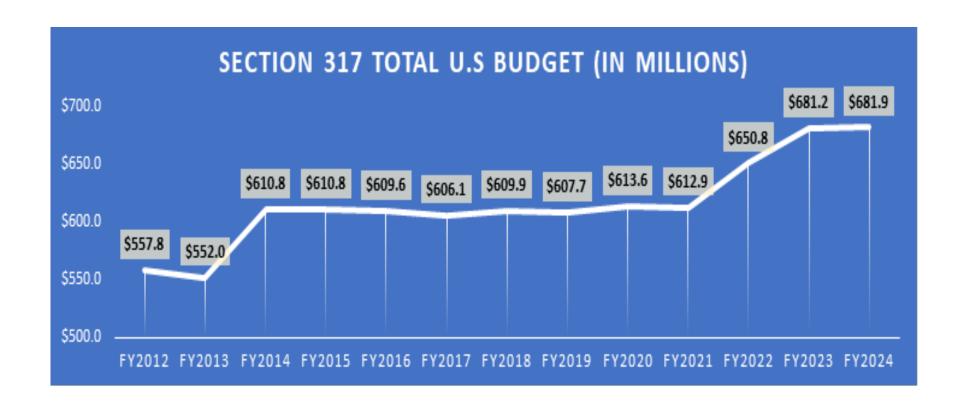
Immunization Program Basics

Routine Activities

- Vaccines for Children Program
 - Enrolling private providers
 - Managing vaccine inventory
- Section 317 Program
- Outbreak control
- Strategies to increase coverage rates
- Data collection and analysis
- Immunization education, promotion, communication
- COVID vaccine program

Sample **Immunization Program Org Chart**





Future Program Considerations

- Programmatic emphasis on data and equity
- Incorporation of COVID into routine activities
- Expansion of adult infrastructure thru COVID
- Vaccine confidence and trust ongoing concern



Partnerships, Coalitions, & CBOs CRITICAL To IZ Success

Future Considerations

Active legislative environment



A Look Back - Volume

National Conference of State Legislature's

State Public Health Legislation Database: tracks

vaccine related legislation introduced by states

- 02023 740 + bills
- 02022 590 + bills
- 02021 800 + bills



Many Message Bills

Key Fact – Only 13% of vaccine related bills tracked in 2023 became law (98)



A Look Back - Themes

Top <u>enacted</u> legislation topics regarding vaccines in 2022-2023:

- Pharmacist/pharmacy tech authorization to administer vaccines (approx. 24)
- Prohibition of COVID-19 vaccine mandates and vaccine status anti-discrimination (approx. 11)

2023 Changes to School Entry Requirements

- At least 6 states considered bills to shift authority for determining which routine childhood immunizations are required for school entry from the health department to the legislature - None passed.
- At least 5 states passed laws relating to school entry vaccine requirements:
 - CA requires advising parents to have their child immunized against HPV
 - TN removed vaccine requirements for homeschooled children not enrolled in interscholastic sports
 - AR and FL now prohibit requiring COVID-19 vaccines for school entry.
 - Washington, D.C. removed its COVID-19 vaccine requirement for school enrollment.



Shifts in Public Opinion

"Contrary to what some may have expected, beliefs in safety and trust for information on routine childhood vaccines have remained high and stable since the pandemic began, or even increased, despite negative views of COVID-19 vaccines. It is the public's views on requirements for routine childhood vaccinations for school entry that have swung toward greater opposition, alongside limited support for the various COVID-19 mandates put into place during the pandemic. Stated differently, public opinion data appear to show that Americans have not grown more anti-vaccination during the COVID-19 pandemic, but rather, more anti-mandate."

Source: "Has COVID-19 Threatened Routine Childhood Vaccination? Insights From US Public Opinion Polls", Health Affairs Forefront, June 6, 2023.DOI: 10.1377/forefront.20230605.570346

HEALTH AFFAIRS FORFFRONT

RELATED TOPIC

VACCINES | PUBLIC OPINION | COVID-19 | PUBLIC HEALTH | PANDEMICS | CHILDREN'S HEALTH | DISEASES | ADOLESCENTS | VACCINATION POLICIES | PHARMACEUTICALS

Has COVID-19 Threatened Routine Childhood Vaccination? Insights From US Public Opinion Polls

Gillian K. SteelFisher, Mary G. Findling, Hannah L. Caporello, Rebekah I. Stein

JUNE 6, 2023

10.1377/forefront.20230605.570346



🖈 ADD TO FAVORITES 💛 SHARI

Recently there has been a great deal of media attention to <u>anti-vaccine sentiment</u> around COVID-19 vaccines in the United States, and public health experts have become concerned that it <u>could spill over to routine immunizations</u> for children, including vaccinations for polio, measles, and tetanus. Experts worry that anti-vaccine sentiment could disrupt both parents' willingness to get their children vaccinated and threaten current policy, which centers around school-based vaccine requirements in all 50 states and US territories. The media notes several

2024 Emerging Themes

- Exemptions
- Public Health Authority
- IIS Opt Out
- mRNA Specific Legislation
- Anti-Discrimination due to Vaccine Status
- Safety

Recent Action - Passed Legislation

- **UT HB 405-** The bill adds medical, religious, and personal exemptions to medical student vaccine requirements.
- WA SB 5982- The bill simplifies the definition of vaccine as any "immunization" approved by FDA and recommended by CDC
- **DC B 25-0278** The bill removes the COVID-19 vaccine from school requirements.
- **ID H 597-** The bill amends existing law to allow students of majority age to submit a signed statement for exemption from immunizations requirements.
- KY HB 274- The bill permits pharmacists to vaccinate down to age three.

Common Themes Amongst Other Proposed Bills:

Pharmacist Vaccination: HI HB 2553, MD HB 76, MD SB 18, KY HB 274 would allow pharmacists to vaccinate down to age three.

- SC H 3988 would allow pharmacists to vaccinate down to age 16 (12 for influenza).
- NH SB 402 would allow pharmacists to administer any FDA approved/ACIP recommended vaccine (to those 18 and older).
- MO SB 1455 adds chikungunya to the list of vaccines pharmacists can administer.

mRNA-Specific Policy: MO SB 1429 would require blood banks to test donated blood for COVID-19 or other mRNA vaccines.

 AZ HB 2406, AZ SB 1146, TN SB 1760, and TN HB 1945 would require that manufactures disclose on their website, or food packaging, whether livestock received mRNA vaccines.

Vaccine Requirements: IA HF 2280 removes the requirement for parents enrolling their student in private school from providing the district with proof of immunization. LA HB 246 prohibits COVID-19 vaccine school requirements. NH HB 1213 removes immunization requirements at childcare facilities.

IIS Inclusion and Reports: TN SB 2151, TN SB 2519, TN HB 2861, and TN HB 2664 all would require an electronic copy of an annual report on immunization rates of children, by county, be provided to the governor and the speakers of the senate and the house of representatives. FL SB 680 would have prohibited the health department from requiring enrollment in the state's immunization registry but died in committee.

Anti-Discrimination Due to Vaccine Status: MO HR 4210 would compensate military members terminated for not receiving a COVID-19 vaccine. SC S 965 would state that one's vaccination status couldn't be used to determine unemployment benefits and prohibits COVID-19 vaccine mandates in any state entity (including schools). TN HB 1726 and TN SB 2358 would establish that one's vaccination status cannot be a requirement for adopting or fostering a child.

Our Tips to Program Managers to Prepare for Legislative Sessions

- Anticipate substantial interest in vaccine-related legislation, especially exemptions.
- Develop agency policy and messaging in advance on anticipated issues, if possible, and in accordance with your state process.
- Research & be ready to educate on the process(es) for changing your school or other vaccination requirements. Brief your State Health Officer, Legislative Liaison, and Governor's Office.
- Share with stakeholders.

AIM is Here to Help!

- Peer to Peer Dialogue
- Trend Analysis
- Talking Points & Draft Testimony
- Customizable Fact Sheets
- Legislative Analysis & Individual Consultation

DRAFT

Sample Testimony on COVID-19 Vaccine Mandates

Background: Legislation to block or preclude COVID-19 vaccine mandates has been introduced in at least 15 states as of Jamuary 2021, and this trend is likely to continue. AIM provides the following sample testimony to support immunization programs that many be asked to provide perspective on the issue. AIM has not developed a position statement specific to COVID-19 vaccine requirements, supporting school and childicare immunizatio

SAMPLE

Mr. / Madame Chair [insert specific addresse testimony on COVID-19 vaccine requirement

The [Intert Public Health Agency] opposes I requirements in the interest of public health mandates work and have been critical to the Employers have an obligation to provide a si They need to retain flexibility in the policies future course of this pandemic remains unce removing a critical state power that has been affirmed by the Supreme Court over a centure of the state of the

The [Insert Public Health Agency] continues providers to make COVID-19 vaccine availa getting vaccinated over the risk of developin offered under the Food and Drug Administra

The section of the United States Federal Foo authorization of medical products for use in The FEDA has an obligation to ensure Emergency Use Authorization (EUA) benefits and risks, the sectent to which option to accept or refuse administration of refusing administration of the procure available and of their benefits and

Because of this clause, there is legal uncertain vaccine under an EUA at all. That is a likely considering mandating a vaccine should take

121 U.S. Code § 360bbb-3 of the Food, Drug, and Co

Association Immunizati Managers

Talking Boints: OSHA and CMS Mandata Supreme Court Deci-

January 14, 2022

On Thursday January 13th 2022, the <u>Surreme Court issued solit decisions</u> on the Biden Administration's federal vaccine mandates. The Court struck down the Occupational Safety and Health Administration (OSHA) vaccine—rest requirement for employers. The Court upheid the Centers for Medicare and Medicaid Services (CMS) vaccine mandate for health care workers in facilities receiving Medicare or Medicaid Services.

Talking Points on the Supreme Court Vaccine Mandate Rulings

These rulings may generate questions from the press and policymakers in your state. AIM offers the following talking points in the form of Q&A.

Do these Supreme Court rulings undermine COVID vaccines

No. These cases are not about the efficacy or importance of COVID-19 vaccines. They are about who has the power to decide to issue vaccine requirements.

Did the Supreme Court strike down all employer vaccine mandates?

No. They found that OSHA exceeded their statutory authority in issuing the employer mandate, but also ruled that CNS has Congressional authorization to implement requirements to protect the health and sately of patients receiving services in Edicitien receiving indicare or Medicald funding. Nothing in their ruling prevents individual employers from requiring vaccination of their employees as long as they allow certain exemptions or reasonable accommodations.

Does the ruling affect existing state vaccine requirements:

No. In fact, one of the opinions explicitly says that vaccine requirements 'fall squarely within a State's police power' and refers to a case (Zucht vs. King) decided in 1922. That case along with an earlier ruling in Jacobson vs. Massachusetts said it was settled that it is within the power of a state to provide for compulsory vaccination.

Does this ruling effect existing state vaccine requirements?

No. These rulings have no effect on the long-standing and successful vaccines requirements in every state. These requirements have kept deadly and disabling diseases out of our schools and communities for decades.

Does this ruling undermine the concept of vaccine requirements

Every state in America has required vaccination for school and childcare entry for decades. Many healthcare facilities also already require their employees to be vaccinated against diseases like hepatitis B, influenza, and meales, murps, and rubells because they understand their dolligation to protect the health and safety of their patients. Additionally, the U.S. military requires at least nine vaccinations for all recruits, and more depending on the area of deployment. So, prior to COVID, occine requirements were quite commonplace and not controversial across America. They have been bipartisar, time tested, and successful in assing likes and stopping vaccine preventibled diseases.

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Connecting the Dots

State Legislative Sessions





- 2024 State Legislative Session Calendar
- Introduction to Vaccine Policy for State Legislators (NCSL)
- Advocacy Rules and the Legislative Process (AIM)
- The Public Policy Landscape and Key Partners (AIM)
- 2024 Legislative Update (AIM) Webinar Recording

Resources & Portals

- Template Fact Sheet -Existing State
 Vaccine Requirements (AIM)
- National Conference for States
 Legislators (NSCL) Vaccine Policy
 Series
- Vaccine Policy Toolkit (ASTHO)
- Vaccinate Your Family
 Advocacy Portal (registration required)
- <u>IDPN Portal Legislative</u>
 <u>Talking Points</u> (registration required)
- Map of School and Childcare Exemptions (Immunize.org)

Clear Communication

- Tip Sheet: Navigating the Legislative Environment & Addressing Incorrect Vaccine Information (AIM/NPHIC) (see also webinar)
- Promoting Vaccine Confidence
 During the Legislative Process
 (AIM)
- <u>Effective Strategies for Educating</u>
 <u>Policymakers (AIM)</u>
- Addressing Incorrect Vaccine Information (AIM)
- Project VCTR: Vaccine Communication and <u>Tracking Response</u> (registration required)

Peer Sharing & Assistance

Association of Immunization

Managers

- Contact <u>Brent Ewig</u>, Chief Policy and Government Relations Officer, for personal assistance
- AIM Program Practices Database where programs managers can share resources confidentially with one another
- Peer Sharing & Information Requests (AIM)

*IDPN - Infectious Disease Prevention Network

Updated 2/29/2024

AIM Contact

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21

Thank you!

