

Senator Rafferty, Representative Brennan, and distinguished members of the Joint Committee on Education and Cultural Affairs,

Ginger Taylor, MS, Maine Informed Consent, former director of the Maine Coalition for Vaccine Choice, 2009 – 2019, in support of LD 51

**Maine has thrown thousands of Mainers out of work and education, driven families, young people and businesses out of Maine, rather than implementing much needed vaccine program reforms, accountability, and open discourse with the public, after 37 years of vaccine maker liability protection.**

- In 1986 Congress passed the National Childhood Vaccine Injury Act, removing liability for injury from vaccine makers, even when a product is defectively designed and kills children.
- Liability-free vaccines are classified as "Unavoidably Unsafe" by the US Government, which means they CANNOT be made safe for their intended use, and will harm some individuals.
- The 1986 Act mandated that HHS conduct vaccine safety research and issue reports to Congress every two years. No such research has been done, and no reports have been filed.
- Uncoerced medical choice is a fundamental human right, and LD 798 violated the international standard of informed consent in medicine. Coerced consent is NOT consent.
- LD 798 **required** Mainers to purchase and inject products containing human and animal materials, including bovine, porcine and aborted fetal cell line remains, despite their religious and conscientious objections, in order to qualify for full participation in society.
- The American Medical Association holds the position that physicians should have access to religious and philosophical exemptions, but that such should be removed from the public.
- The Maine Medical Association (AMA) has claimed no pharmaceutical sponsorship in testimony supporting LD 798, while Merck and PhRMA are their corporate-affiliates.
- There is no vaccine safety infrastructure in Maine.
  - Maine keeps no data on vaccine injury cases or rates, and assumes an adverse reaction rate of zero in making vaccine risk/benefit analysis, despite 36,631 VAERS reports, and several Mainers being compensated by the Vaccine Injury Compensation Program.
  - In Maine there are no physicians trained in, nor any standard of care assessment for, vaccine adverse reactions.

- Maine DHHS, Maine Chapter of the American Academy of Pediatrics, Maine Medical Association have ignored vaccine injured families requests for meetings, or even answers to their questions on vaccines, science, and policy since 2015.
- The state of Maine has barred thousands of children out of school without ever meeting with their families to find out their reasons for opting out of full participation in vaccine recommendations.

### **The State of Maine Has Barred Thousands of Maine Children from School While Refusing to Speak To Their Families**

It has been 2,870 days since I began requesting meetings with the Maine DHHS on behalf of more than a thousand vaccine hesitant and vaccine injured families, to discuss their safety concerns and unmet medical needs. The issues which are at the heart of vaccine hesitantly.

Kenneth Albert, then director of the Maine CDC in 2015, patently refused the meeting, stating that we were not a priority.

Five months later, Mr. Albert held a public meeting at Maine Law to discuss our families and what to do about the vaccine hesitant, without an attempt to involve the population at the heart of the discussion. During the event, Albert smeared parents with vaccine injured children and their concerns as "anti-vaccine," and advocated for barring their children from an education. Then, in an exchange with a pediatrician who expressed discomfort with the pressure being put on him and his colleagues to disallow families to make their own medical choices, Albert praised using "the stick" on doctors so that they would pressure vaccine hesitant families at doctors appointments, joking, "That's one way to get 'um."

Isn't the first rule of public health that you must engage the target population of any given program? How exactly does the State of Maine defend removing the rights of children to attend school, while stonewalling those families for NINE years?

Maine parents report gaslighting by primary care providers when their child has an adverse event such as seizures, high pitch screaming and loss of affect shortly after vaccination. When asked for a list of physicians who are trained to diagnose and treat adverse events, Maine CDC responded that, "The Maine Immunization Program does not gather or retain the information that you are requesting."

In 2015 I authored the Maine Consumer Protection Act, a bill to create a program and process Maine for vaccinating families who experience an adverse event. The bill would have ensured training for health care providers which would include mechanisms for prompt diagnosis and treatment, and greater understanding of the federal programs in place to address adverse events. The the proposed plan should

be considered standard practice for a liability free medical product considered "Unavoidably Unsafe" by the CDC, which is administered within 24 hours of birth as routine care.

The bill was written because Maine parents had reported that pediatricians and other primary care providers do not know even vaccine safety basics from the US Department of Health and Human Services website, such as the difference between the Vaccine Injury Compensation Program (VICP), and the Vaccine Adverse Events Reporting System (VAERS).

During the course of the hearings, it was clear that parental reports were indeed accurate. Maine pediatricians, other health care providers, and the lobbyists representing them, were ignorant of the differences between federal programs meant to guide medical practices on vaccination.

In testifying against The Maine Vaccine Consumer Protection Act, which would assure that all in the medical field would be educated on the information on vaccine package inserts, and on the National Vaccine Injury Compensation Program (VICP) which was designed to compensate vaccine injury victims, it became clear that almost no one in the medical industry in Maine knew much about either.

Peter Michaud, representing the Maine Medical Association, (author of LD 798) while testifying against a measure to educate him on the HHS Vaccine Injury Compensation Program (VICP) was asked about the VICP rulings responded, "I don't know. I've never been involved in that system."

Jeffrey Austin, representing the Maine Hospital Association submitted testimony opposing the bill that would require the health care providers to know and use the information on the FDA required vaccine package inserts wrote, "People don't receive vaccines like they do other prescriptions... not sure there is a package here."

Not even the head of the Maine Chapter of the American Academy of Pediatrics, Dr. Janice Pelletier, knew the name of the VICP or its function, testifying that, "The Federal Vaccine Injury Program provides appropriate venue for reporting and tracking vaccine related side effects." There is no such thing as "The Federal Vaccine Injury Program."

Instead, Dr. Pelletier was describing the Vaccine Adverse Events Reporting System (VAERS), an early warning system to alert CDC if there are multiple problems with specific vaccines or batches of vaccines, but neither investigates cases nor offers any support to her vaccine injured patients.

And neither pediatrician Amy Belisle of Maine Quality Counts nor Shawn Box, Former Asst. Dir Maine Immunization Program knew the difference between the

VICP and VAERS, both writing in their identical testimony (one cutting and pasting from the other,) “Many of the components of this bill are redundant to the Vaccine Adverse Events Reporting System and Efforts already performed by the Maine Immunization Program in collaboration with providers and physicians state wide.”

The Vaccine Adverse Events Reporting System was not mentioned in the bill.

21 Maine health entities, public, private and individuals, submitted testimony against the bill that would assure they are educated on federal vaccine safety information. Of those entities, it was clear that only one of them had even read or tried to understand the bill.

The Maine Vaccine Consumer Protection Act was reintroduced in 2017, and again 2019 as [LD 1616](#) , along with LD 798 that has now removed Mainer's rights to attend daycare, preschool, k-12, college or even work in the health care field with out mandatory vaccination. The Maine Legislature chose NOT to pass the bill that would inform physicians on proper patient care and support according to HHS, while removing their right to decline a vaccine. Vaccine injured Mainers are STILL waiting just to have a public meeting with Maine DHHS on vaccine safety matters after NINE years.

During the public hearings on LD 1616 on April 30<sup>th</sup>, 2019, Maine CDC was asked, "Following the hearings on this same bill in 2015, The Maine Coalition for Vaccine Choice sent a list of questions to Maine DHHS that arose from those hearings. DHHS refused to answer the questions, and refused to meet with the group which represents thousands of Mainers. DHHS responded that these families were not a priority... How can Maine DHHS advocate for the removal of these families rights to childcare, education and work, while refusing to speak to them or address their very reasonable concerns?"

Maine DHHS responded:

“We cannot speak to responses of the previous administration [LePage], but since this administration [Mills] has taken office we have received one request and time has not allowed the meeting to occur. When time allows, the Commissioner's office is not averse to meeting with stakeholders to discuss their concerns.”

But as of today, more than four years have passed, and the Mills Administration has yet to respond to the request for a meeting.

Why doesn't Maine have an education plan for physicians to know how to recognize, diagnose and treat vaccine adverse reactions, especially since the Maine Immunization Program has made the stupefying goal of 100% vaccine uptake for school entry? (Assuring that those who are at risk for vaccine adverse reactions, will have them.)

For a family to get federal compensation for a vaccine injury through the VICP, they

have to have a doctor to diagnose it, and testify on behalf of the family to the federal program. If we don't have any physicians in Maine who know the VICP exists or are trained in VICP table injuries, then how can they know what vaccine adverse reactions are outlined by the US Department of Health and Human Services, and how can they evaluate and support families?

The questions that parents have are myriad, and Maine DHHS has no intention of answering them, which simply adds to the questions asked... like why should any parent in Maine want to participate in the vaccine program when it abandons those who may be injured by their program, and ignore those who see vaccine risks being ignored?

I submitted pages of questions to not only the Maine Immunization Program, but the Maine Medical Association, MaineHealth and the Maine Chapter of the American Academy of Pediatrics. None have answered the questions. But I am reasonably certain all of them will be showing up to again to advocate that our children be denied the right to an education.

In the last 14 years I have watched, parent after parent testify to legislative committees in Augusta that their physicians did not believe them when they reported vaccine adverse reactions, would not take their reports seriously, and would not medically investigate their children's adverse events.

To my knowledge not one legislator has ever contacted one of those families directly to try to assist them in accessing proper assessment, diagnosis, medical treatment, or compensation from the federal Vaccine Injury Compensation Program.

The most telling response of the Medical establishment in Maine, in a callous and telling comment at the end of the 2015 hearings, Peter Michaud told the Health committee, "As you know I represent the Maine Medical Association. I have heard a lot of horrible things about doctors today. And you'll believe what you believe based on what you've heard. I refuse to believe that so many doctors in this state are unfeeling, are horribly rude, are bullies, don't have the best interests of their patients in mind."

When parents report vaccine injury to doctors, they are not believed.

When they report not being believed by doctors, even then, they are not believed.

Nothing has changed since the pharmaceutical industry began its assault on Mainer's rights in 2015. The Maine vaccine program has refused to meet with Mainers suffering due to vaccine injury, or even answer their questions, much less implement basic reforms like educating physicians on federal vaccine injury guidelines and programs. In fact rather than addressing the injustice and inequity

that vaccine injury families face, Maine has opted to simply force them back into the program that harmed them in the first place and then abandoned them to struggle alone, or to suffer the penalty of exclusion from the basic rights of Mainers to fully participate in society.

Ginger Taylor  
Maine Informed Consent  
LD 51

This is my corrected testimony. Previous version was GingerTaylorLD51.doc. Please delete that copy and replace it with this.

Thank you for your service to Maine.