

Testimony of Casey Schwarz in Support of LD 798, An Act to Protect Maine Children and Students from Preventable Diseases by Repealing Certain Exemptions from the Laws Governing Immunization Requirements

Good Afternoon, Senator Millet, Representative Kornfield and esteemed members of the Joint Standing Committee on Education and Cultural Affairs. My name is Casey Schwarz and I live in Portland.

Thank you for the opportunity to speak to you about this important bill. Immunization affects our whole community -- children currently in school, their siblings, parents, neighbors and friends. This issue is personal to me because I am the parent of a toddler who is too young to be fully immunized and because I hope to have more children. As you will hear from medical experts, vaccine-preventable illnesses are particularly devastating for fetuses and young babies.

Things that seem to be individual health care decisions are often not really individualized. I see this in my work as a health policy attorney. People go to work sick and spread illness, family caregivers lack support and leave the workforce. The decision not to avail oneself of safe medicine, creating conditions ripe for epidemics similarly impacts public safety – not individual liberties.

Vaccination is an appropriate condition for participating in a particularly intimate public space with particularly vulnerable people. As the parent of a toddler I know just how quickly infectious disease spreads among children. It is amusing but frustrating in the context of colds and winter sniffles. It's scary when it is croup. And it is terrifying and enraging when it is vaccine-preventable, potentially life threatening illnesses like measles and whooping cough.

Others you will hear from today will explain why a small number of people choosing not to protect themselves can have a large impact on community risk. I'd like to tell you the effect this has had on me and my family. I've watched as our friends and family members, including my daughter's grandparents, in Washington State wrestle with a measles outbreak, and have postponed visiting. I've seen community events cancelled in our state because of whooping cough and decided against going to those vacation spots.

The risk to my healthy two-year-old is less than others face. If she contracted one of these diseases she would likely recover quickly and with minimal complications. But she isn't the whole point, even if she is MY whole point. She is not more important than our 80 year old neighbor or a classmate's soon-to-arrive baby sister. She's not more deserving of access to school than a child who is immune-compromised or allergic to a vaccine ingredient. Most Maine parents understand this, and vaccinate their children. This bill prevents the few who would choose not to from putting the rest of us at risk.

According to a legal adage often attributed to Oliver Wendell Holmes, "your right to swing your fist ends at my nose." I will leave the discussion of the constitutionality of this bill to others today, except to say arguments on the basis of individual rights are misguided. **You can respect individual health care decision-making without allowing people to externalize the risks of that decision onto the most vulnerable in our community. That's what Maine should do, and that is what this bill does.**

Thank you for the opportunity to share my position on this important bill with you today. I'd be happy to answer any questions you might have.

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