



**LD 51 An Act to Restore Religious and Philosophical Exemptions to
Immunization Requirements**
**LD 1098 An Act to Restore Religious and Philosophical Exemptions Regarding
Immunization Requirements**

Testimony in Opposition
April 3, 2023

Senator Rafferty, Representative Brennan and members of the Committee on Education and Cultural Affairs, my name is Lisa Harvey-McPherson RN. I am here today providing testimony on behalf of Northern Light Health and our member organizations in opposition to both of these bills. Northern Light Health member organizations include 10 hospitals located in southern, central, eastern and northern Maine, 8 nursing facilities, air and ground ambulance, behavioral health, addiction treatment, pharmacy, primary and specialty care practices and a state-wide home care and hospice program. Ninety three percent of Maine's population lives in the Northern Light Health service area. Northern Light Health is also proud to be one of Maine's largest employers with over 12,000 employees statewide.

In 2019 Northern Light Health was a strong supporter of LD 798 which became Public Law 154 upon passage. Prior to passing this law Maine was one of only 17 states in which families of school-aged children could state non-medical reasons to opt out of school-required immunizations. Maine had the 4th highest rate of non-medical opt-outs, which put our community immunity below safe thresholds for disease outbreak. Since the law went into effect in 2020, data from the annual Annie E. Casey Foundation Kids Count survey shows that exemptions have decreased from 6.2% in 2018 to 1.8% in 2021. This means that more children are protected from deadly diseases including measles, mumps, rubella, polio, chicken pox, tetanus, diphtheria, and pertussis (whooping cough.).

It is critically important to understand that the legislature also changed the medical exemption language in the law to ensure that a medical exemption is available to a health care employee or parent who provides a written statement from a licensed physician, nurse practitioner or physician assistant that, in the physician's, nurse practitioner's or physician assistant's professional judgment, immunization against one or more diseases may be medically inadvisable. The legislature clearly intended to structure a medical exemption decision based on the professional judgement of the practitioner. This change was strongly supported by Northern Light Health and the provider community to ensure that the provider would consider the unique medical needs of the individual when making the exemption determination.

Public Law 154 also eliminated non-medical exemptions to vaccines for health care personnel working in a licensed nursing facility, residential care facility, intermediate care facility for persons with intellectual disabilities, multi-level health care facility,

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Eastern Maine Medical Center
Home Care & Hospice
Inland Hospital
Maine Coast Hospital
Mayo Hospital
Mercy Hospital
Northern Light Health Foundation
Northern Light Laboratory
Northern Light Pharmacy
Sebasticook Valley Hospital

hospital or home health agency. This applies to immunizations required by the Maine Centers for Disease Control. The rule specifically states:

Except as otherwise provided by law, each Designated Healthcare Facility in the State of Maine must require for all employees who do not exclusively work remotely a Certificate of Immunization, or Proof of Immunity, subject to Section 4(B) of this rule, against:

1. Rubeola (measles);
2. Mumps;
3. Rubella (German measles);
4. Varicella (chicken pox);
5. Hepatitis B;
6. Influenza;
7. COVID-19.

Restoring religious and philosophical exemptions to rules requiring vaccination would undermine work done to promote illness prevention practices and protect the most vulnerable within our population including the very young, the very old, women who are pregnant, and anyone with an underlying chronic health condition. Over the last few years in the United States, we have seen increased cases of measles, mumps, and whooping cough within communities with lower vaccination rates. We have also seen cases of polio and polio like illnesses where it was believed polio had been eradicated from the United States. Northern Light Health supported the removal of religious and philosophical exemptions within rules requiring vaccination against preventable infectious diseases while preserving legitimate medical exemptions. As a source of both primary and acute medical care for much of the State of Maine we stand by that support in order to maintain the health and well-being of the communities and Mainers we serve.

Thank you for the opportunity to express our opposition to both of the bills before you today.

