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TESTIMONY IN SUPPORT OF HB 2094
Wednesday, January 18 ~ 1:30 p.m.
The Docking State Office Building, Room 784
915 SW Harrison
Topeka, Kansas

Kansas, as nearly every other state, provides a religious exemption from mandatory vaccination based upon one's religious beliefs. K.S.A. 72-5209 (b) (2) provides that as an alternative to providing a certification of vaccination at the time of school enrollment a parent or guardian may provide "a written statement signed by one parent or guardian that their child is an adherent of a religious denomination whose religious teachings are opposed to such tests or inoculations." A comparable exemption is found at K.S.A. 65-508 (e) (2) for children attending child care facilities.

While a signed statement attesting to one's adherence to such "tenets" is all that Kansas law requires in order to invoke the exemption, for those whose church denomination may not specifically address the issue of immunizations, or for those who hold religious beliefs but do not belong to an identifiable religious denomination, the exemption does not appear to provide an alternative to immunization based upon religious beliefs. Moreover, by requiring that an objection to immunization relate to a tenet of a church, school or child care personnel could be placed in a position of

inquiring as to church tenets to determine whether one's religious beliefs conform with a particular church doctrine and parents or guardians could be placed in a position that requires them to defend their religious beliefs.

Besides the limitations to those exercising their religious beliefs, the present statute offers no alternative for those who desire a voice as their child's vaccination if their objection is based upon non-religious beliefs. A parent may hold a strong opinion regarding the vaccination of their children even if these beliefs are not founded on religious principals. Nineteen states already recognize this deficiency and allow an exemption for non-religious reasons. Such an exemption would answer these concerns.

House Bill No. 2094 addresses the inequality among those holding varying religious beliefs as well as those whose views on vaccination are based on broader conscientious reasons that are not tied to a religious tenet. Specifically, the proposed statute amends the immunization alternative contained in K.S.A. 65-508 and K.S.A. 72-5209 by providing that immunization is not required if the child presents "a written statement signed by a parent or guardian of the child that the parent or guardian declines such inoculations for reasons of conscience or personal beliefs." By adding an exemption based upon one's conscience or personal beliefs Kansas would allow those residents who are unable to prove their belief is supported by a particular church denomination to obtain exemptions for their child.

Respectively submitted:

William D. Mize
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