

For Practicing Pediatrician Members of the AAP-CA:

Practical Advice About Your Role In The New Immunization Law Relating To School-Entry Vaccine Exemptions

Effective January 1, 2014 a new California law requires parents/guardians who want to exempt their child from one or more school-entry vaccines to obtain a health care provider's signature documenting that they received specified information about vaccines (see below), with certain exceptions. The following is based on information provided by the Department of Health Care Services and is intended as general guidance for pediatricians regarding how to comply with the new law.

- Why establish a new law and new form for exemptions from school-entry vaccines? The intention of AB 2109, which was authored by a pediatrician, Assembly member Richard Pan, MD, FAAP, and co-sponsored by the American Academy of Pediatrics, California (AAP-CA) is to support parents/guardians in making educated and informed decisions when deciding whether to seek an exemption from one or more school entry vaccines for their child. In so doing, the larger goal is to reduce illness and death from vaccine-preventable disease.
- Does the new law prohibit parents/guardians from opting out of school-entry vaccines? Parents/guardians may still decide to exempt their child from one or more school-entry vaccines. However, in most cases the new law adds an additional step to the process, one intended to support them in making an informed decision.
- What is being asked of me, as a pediatrician, under the new law? Your role is as it has always been, to provide your patients and their families with information about the risks and benefits of vaccines. For those families/patients that request an exemption, you are also asked to specifically provide them with information about "the health risks to the student and the community of the communicable diseases for which immunization is required in California. " If after receiving the information the parent/guardian still wishes to decline one or more vaccines, you may sign a new "PERSONAL BELIEFS EXEMPTIONS TO REQUIRED IMMUNIZATIONS" form (CDPH 8262-hereafter referred to as the "new PBE form") attesting that you provided them with the above information.
- Is there legally prescribed information that I need to provide parents/families who request that I sign the new PBE form? You may convey the information for this law in whatever manner you choose (verbally, in writing, etc.), including by using federally-mandated Vaccine Information Statements.
- Where do I get the new PBE form (CDPH 8262)? The parent may bring it with them, or you may access it for print-out at <http://eziz.org/assets/docs/CDPH-8262.pdf> Note that the new PBE form is only for use by parents/guardians who want a new school-entry vaccine opt out, so is likely to be used by a very small percentage of your patients/families. (PBEs in California currently run at under 3%, but vary by region). Families whose children have an existing exemption on file at their school will not need to get a new one or add the new PBE form. The law also enables you (and the family) to sign and attest to all the information in the form without using the new PBE form itself, but that would generally be much more work.
- By signing the new PBE form am I sanctioning or enabling the families choice to opt out of vaccines? No--you are simply attesting to the fact that you provided them with the information as described, in whatever format is comfortable for you and the patient. Signing the form does not mean that you agree with the parent's decision to decline one or more vaccines.
- Am I legally required to sign the new PBE form if a patient asks me to? You may refuse to sign the new PBE form and refer the parent/guardian to another health care provider (MD/Dos, NPs, Pas, Naturopaths and School nurses are all authorized signers under the new law). However, the AAP-CA strongly encourages you to sign the new PBE form upon request once you have provided the appropriate information. This legislation is not an attempt to deny parents the ability to decide for themselves about vaccines, but rather is part of an affirmative educational partnership between health care providers and parents/guardians.
- When should the form be signed? To comply with the law the new PBE form must be signed no sooner than six months before a student is admitted to a childcare facility or K-12, or before advancing to 7th grade.
- If parent/guardians check the box on the new PBE form stating that they are "...a member of a religion..." that prohibits them "...from seeking medical advice or treatment from authorized health care practitioners" do I still need to sign the new PBE form? Presumably if they check this box they will not show up in your office, since it means they do not seek medical advice from doctors at all. But if someone were to come to you with the "religious beliefs" box checked on the new PBE form, you do not need to sign--the parent can submit the form to the school without a health care provider's signature.

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