



Advocates for Physicians' Rights

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California vaccine bill revision creates a 'killing effect' on medical exemptions

Recent Amendments put an unwarranted target on physicians' backs and gives the State even more power to overrule physicians attempting to write legitimate medical exemptions.

Advocates for Physicians' Rights (AFPR), a California-based nonprofit organization set up exclusively for the promotion of social welfare and protection of physicians' rights, asserts that the recent SB 276 Amendments encroach on the physician-patient relationship even more than the previous revision and still rely on narrow guidelines as a basis for issuing legitimate medical exemptions.

"The bill's authors just put a huge target on doctors' backs, which is worse than a 'chilling effect', but a 'killing effect' of legitimate medical exemptions in this state," attorney Leigh Dundas said.

According to the bill's new language, the State will monitor doctors who submitted "five or more medical exemptions in a calendar year" along with tracking "unusually high for submissions."

From a legal perspective, the amended provision of capping medical exemptions at five will likely have two immediate consequences: an unwarranted and dangerous 'chilling effect' on physicians who are experts in immune and genetic issues that would lead to a child needing a valid medical exemption. Secondly, it places doctors who have pediatric specialties necessitating the issuance of exemptions (oncology, pulmonary, immunology) permanently under the microscope of the State Government if they are to continue to do what their job mandates – and with no remotely reasonable cause for targeting said doctors.

"Based on the existing language, these physicians would be placed on almost a semi-permanent probation-type status for no reason, and at great cost to the taxpayers," Dundas said.

Additionally, the bill's new provision states that, a doctor "shall not charge" for "filling out a medical exemption form" or "examination[s] related to the renewal of a temporary medical exemption."

“No employee in any other industry would be willing to work for free, especially if they know they will be tracked and monitored,” Dundas said. “They are targeting the doctors who abide by their Hippocratic Oath to ‘First, do no harm’, and those who refuse to ignore the FDA-recognized adverse vaccine reactions.”

The FDA-recognized manufacturer reactions such as cardiac arrest, paralysis, seizures, and other reactions are not specifically included in the definition of “standard of care” or listed under the guidelines.

“Under the Amendments, a child who suffered paralysis from the DTaP could still be required to be dosed again in order to attend school depending on a State official’s discretion,” Dundas said.