Arizona State Office of Rural Health (SORH) Webinar Series

The SORH provides technical assistance to rural stakeholders to disseminate research findings, policy updates, best-practices and other rural health issues to statewide rural partners and stakeholders.

Arizona State Office of Rural Health

THE UNIVERSITY OF ARIZONA
MEL & ENID ZUCKERMAN COLLEGE OF PUBLIC HEALTH
Center for Rural Health

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Today's presentation:

COVID-19 Vaccine Mandates: Legal and Ethical Issues
August 19, 2021

THE UNIVERSITY OF ARIZONA
MEL & ENID ZUCKERMAN COLLEGE OF PUBLIC HEALTH
Center for Rural Health

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Presenter:

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COVID-19 Vaccine Mandates

August 19, 2021

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ASU Sandra Day O'Connor College of Law
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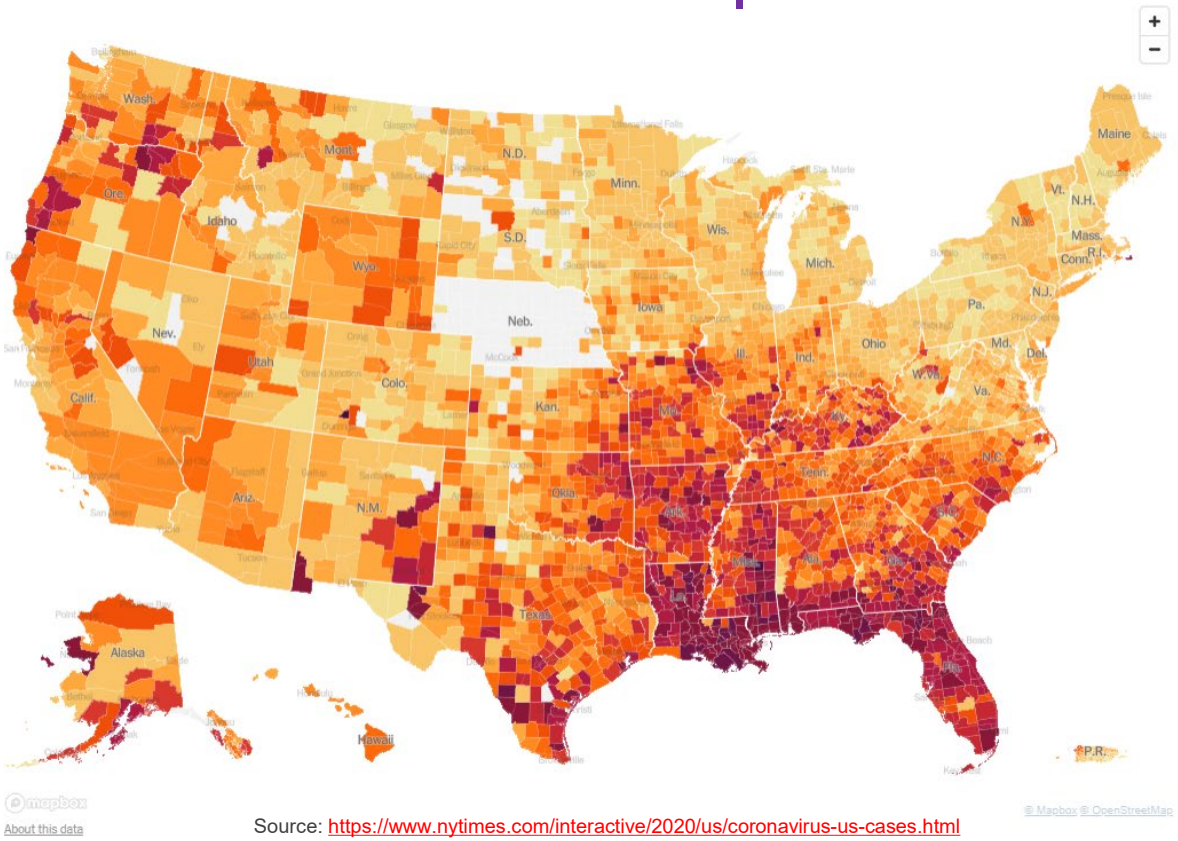
COVID-19 Confirmed Cases & Deaths

Global Cases 207.2 million | Deaths: 4.3 million

U.S. Cases 36.7 million | Deaths: 621,228

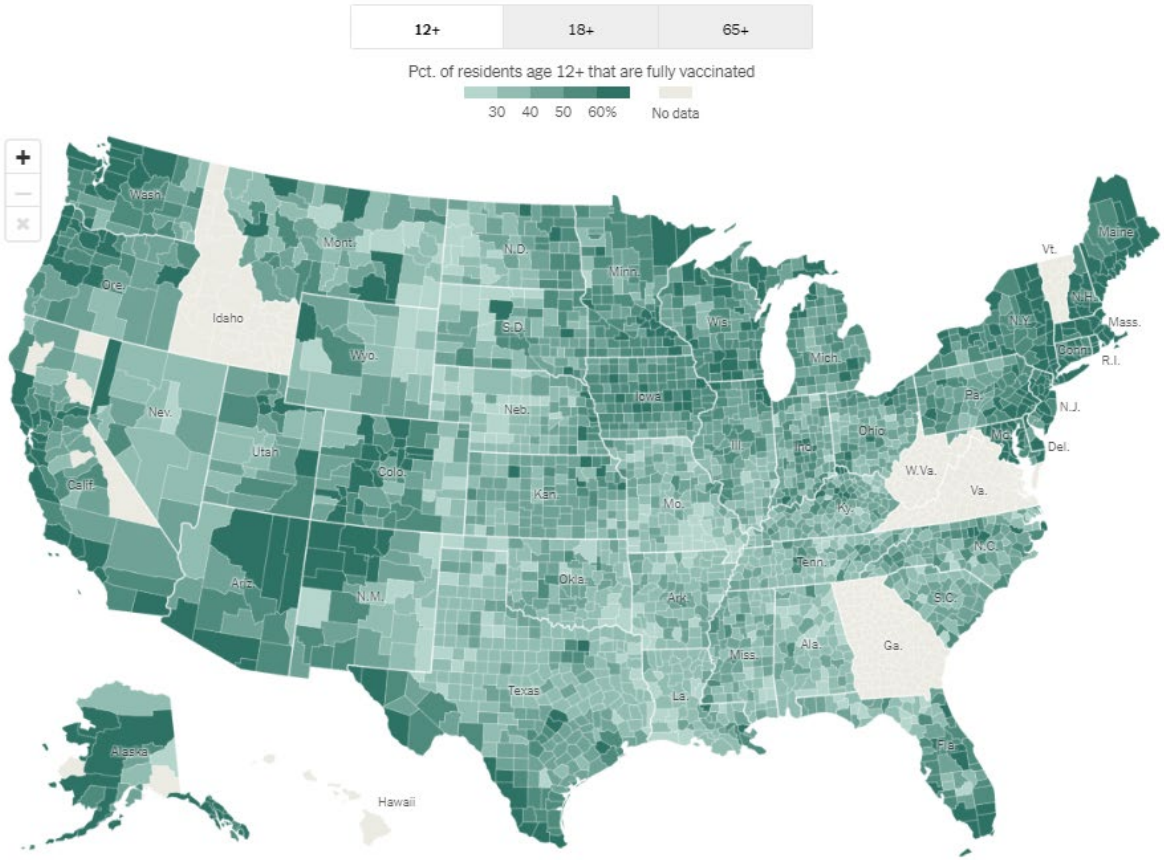
U.S. Stats 17.7% all cases | 14% all deaths



Source: https://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html

COVID-19 Vaccination Rollout

Roughly 196.5 million partially vaccinated; 167.4 million fully vaccinated



Source: Centers for Disease Control and Prevention, Texas Department of State Health Services, Colorado Department of Public Health & Environment, Massachusetts Department of Public Health, U.S. Census Bureau | Note: No C.D.C. data available for Hawaii, Texas and some counties. Four other states were excluded because more than a quarter of data is missing. Data from Texas and Colorado excludes shots given by most federal agencies.

Source: https://www.nytimes.com/interactive/2020/us/covid-19-vaccine-doses.html

Employers Consider Mandates (March 2021)

BUSINESS

United Airlines Looks to Require Employees to Get Covid-19 Vaccines

United CEO calls on other companies to mandate vaccinations for their employees

WESTLAW NEWS FEBRUARY 3, 2021 / 2:52 PM / UPDATED A MONTH AGO

Less than 10% of employers considering COVID vaccine mandate - Fisher Phillips

N.Y. Restaurant Fires Waitress Who Wouldn't Get Covid-19 Vaccine

Rock County nursing home likely first to require staff to be vaccinated; workers express concern

THE NEW OLD AGE

Can Long-Term Care Employers Require Staff Members to Be Vaccinated?

As legal experts and ethicists debate, some companies aren't waiting.

Health

New Mexico corrections officer sues over vaccination mandate

Employers Implement Mandates (August 2021)

Tyson Foods mandates vaccines for its U.S. work force. Source

United Airlines will require US employees to be vaccinated

Source

Walmart and Disney Join a Growing Group of Businesses Requiring Vaccines

Source

153 people resigned or were fired from a Texas hospital system after refusing to get vaccinated

Source

Google And Facebook Mandate Vaccines For Employees At U.S. Offices Source

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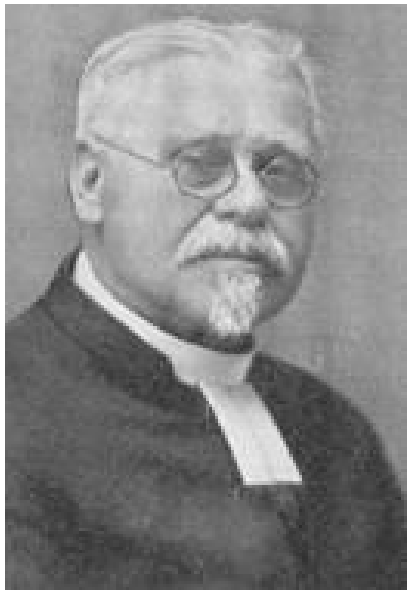
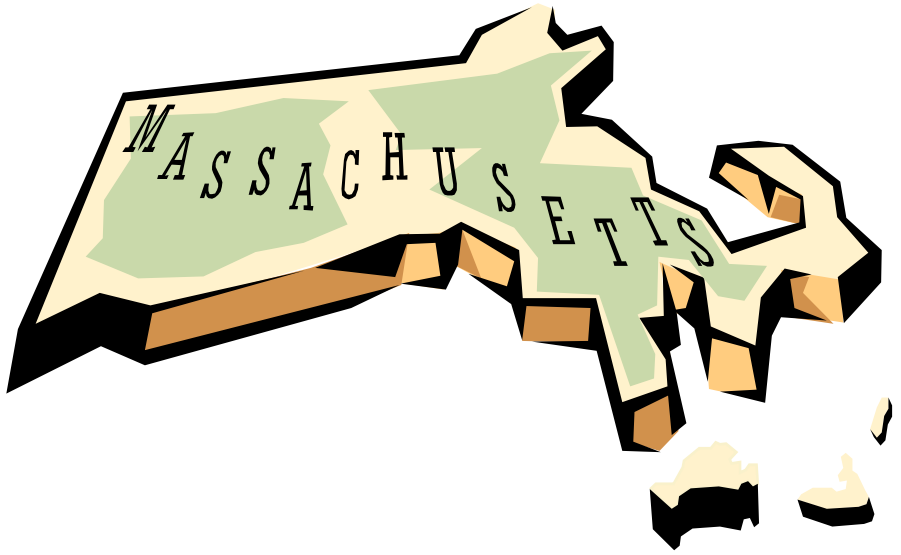
Origins of Vaccine Mandate Legal Jurisprudence

Jacobson v. Massachusetts (1905)





"It is within the police power of a State to enact a compulsory vaccination law, and it is for the legislature, and not for the courts, to determine in the first instance whether vaccination is or is not the best mode for the prevention of smallpox and the protection of the public health."

Zucht v. King (1922)

"Long before this suit was instituted, *Jacobson v. Massachusetts*, 197 U. S. 11, had settled that it is within the police power of a state to provide for compulsory vaccination. That case and others had also settled that a state may, consistently with the federal Constitution, delegate to a municipality authority to determine under what conditions health regulations shall become operative."

State Mandates to Vaccinate

***Jacobson v. Massachusetts*, 197 U.S. 11 (1905); *Zucht v. King*, 260 U.S. 174 (1922)**

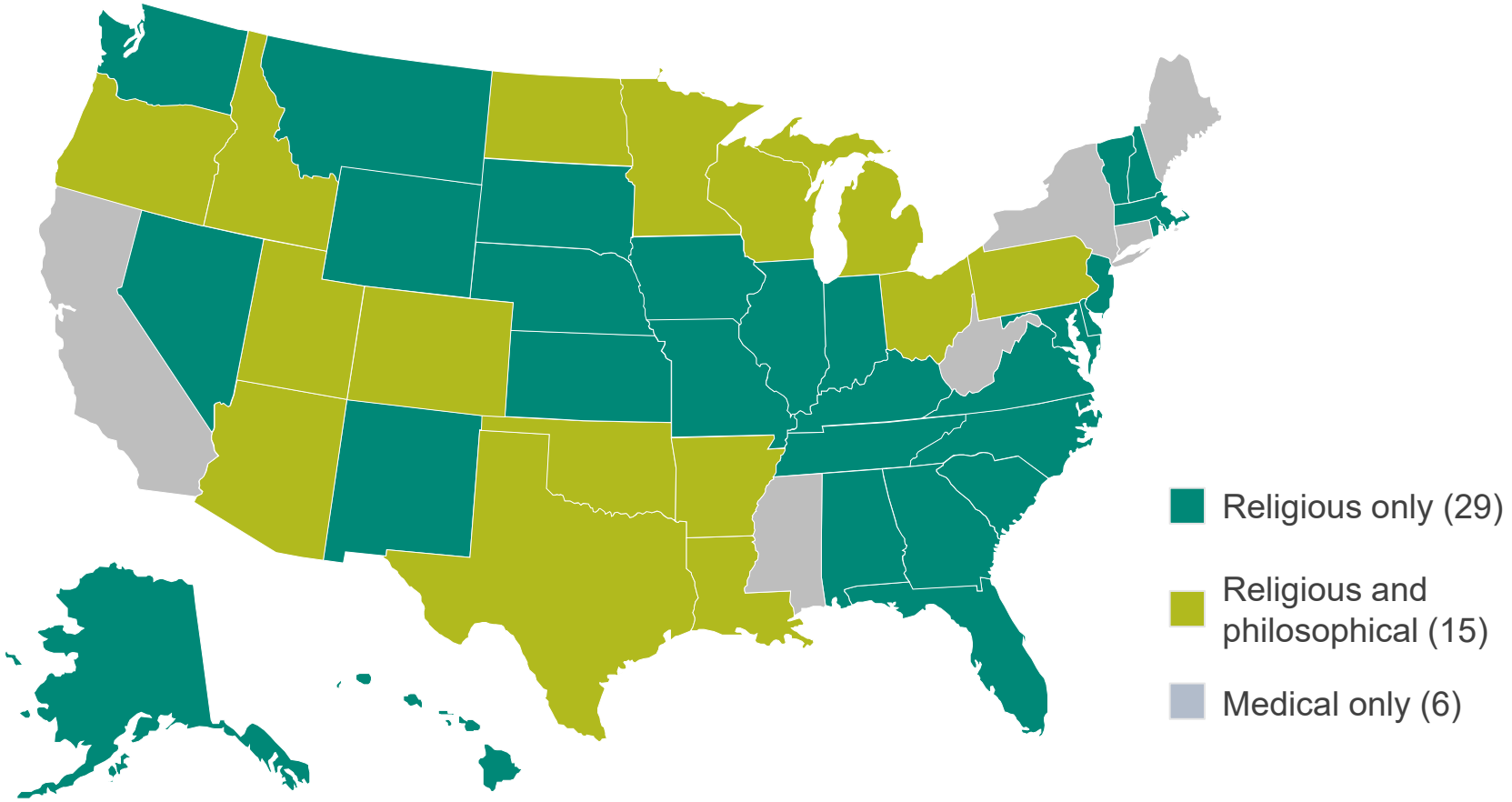
State Police Powers

Allow states to legislate and regulate to protect, preserve, and promote health, safety, morals, and general welfare

Example:

Attendance at schools conditioned on vaccination completion

Almost All States Currently Allow Non-Medical School Exemptions



Employer Mandates

Equal Employment Opportunity Commission

- Religious/Disability Accommodations

Occupational Safety & Health Administration

- Provide a safe workplace

Example:

Vaccination of health care workers in order to provide services at a hospital workplace

While mandating vaccinations under a full BLA is lawful, what about mandating vaccinations under an EUA?

Food, Drug, & Cosmetic Act – 21 U.S.C. § 360bbb-3

With respect to the emergency use of an unapproved product, the Secretary . . . shall . . . establish such conditions . . . as the Secretary finds necessary or appropriate to protect the public health, including the following:

(ii) Appropriate conditions designed to ensure that individuals to whom the product is administered are informed—

which such benefits and risks are unknown; and

(III) ***of the option to accept or refuse administration of the product***, of the consequences, if any, of refusing administration of the product, and of the alternatives to the product that are available and of their benefits and risks.

Mandatory Vaccines v. Compulsory Vaccines

Mandatory public health powers impose conditions on participation (conditioning specific benefits, rights to access, or attaching fines to vaccination).

Example: Requiring an individual to get a smallpox vaccine or pay a fine.

Compulsory public health powers do not allow for individual choice and are accomplished by force.

Example: Going door to door, forcibly vaccinating individuals against smallpox.

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Federal Government Guidance: Vaccine Mandates

Sandra Day O'Connor College of Law
Arizona State University
Center for Public Health Law & Policy

CDC Informal Guidance

Vaccine Mandates & Exemptions

COVID-19 vaccines are not mandated under Emergency Use Authorizations (EUAs)

The Food and Drug Administration (FDA) does **not** mandate vaccination. However, whether a state, local government, or employer, for example, may require or mandate COVID-19 vaccination is a matter of state or other applicable law.

Employer Vaccine Mandates and Proof of Vaccination

Whether an employer may require or mandate COVID-19 vaccination is a matter of state or other applicable law. If an employer requires employees to provide proof that they have received a COVID-19 vaccination from a pharmacy or their own healthcare provider, the employer cannot mandate that the employee provide any medical information as part of the proof.

Employee Medical Conditions or Religious Beliefs Exemptions

Two types of exemptions can be implemented:

- **Medical exemptions**
  Some people may be at risk for an adverse reaction because of an allergy to one of the vaccine components or a medical condition. This is referred to as a medical exemption.
- **Religious exemptions**
  Some people may decline vaccination because of a religious belief. This is referred to as a religious exemption.

Employers offering vaccination to workers should keep a record of the offer to vaccinate and the employee's decision to accept or decline vaccination.

Source: CDC, *Workplace Vaccination Program, Vaccine Mandates & Exemptions*, https://www.cdc.gov/coronavirus/2019-ncov/vaccines/recommendations/essentialworker/workplace-vaccination-program.html#Mandates (last visited Aug. 16, 2021).

Employer Mandates

Equal Employment Opportunity Commission

- Religious/Disability Accommodations

Occupational Safety & Health Administration

- Provide a safe workplace

OSHA Guidance Pre-COVID-19

"It is important to note that employees need to be properly informed of the benefits of the vaccinations. However, although OSHA does not specifically require employees to take the vaccines, an employer may do so."

Source: OSHA, *Standard Interpretations: OSHA's Position on Mandatory Flu Shots for Employees* (Nov. 9, 2009), https://www.osha.gov/laws-regs/standardinterpretations/2009-11-09.

OSHA Guidance Post-COVID-19

OSHA guidance issued January 29, 2021, made the following recommendations for employers during COVID-19:

"Making a COVID-19 vaccine or vaccination series available at no cost to all eligible employees. Provide information and training on the benefits and safety of vaccinations."

"Not distinguishing between workers who are vaccinated and those who are not: Workers who are vaccinated must continue to follow protective measures, such as wearing a face covering and remaining physically distant . . . ."

Source: OSHA, *Protecting Workers: Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace* (Jan. 29, 2021), https://www.osha.gov/coronavirus/safework.

OSHA Health Care Workplace Requirements

§ 1910.502 Healthcare. (a) Scope and application. (1) Except as otherwise provided in this paragraph, this section applies to all settings where any employee provides healthcare services or healthcare support services. . . .

(m) ***Vaccination***. ***The employer must support COVID-19 vaccination for each employee by providing reasonable time and paid leave (e.g., paid sick leave, administrative leave) to each employee for vaccination and any side effects experienced following vaccination***.

EEOC Guidance Pre-COVID-19

March 21, 2020, guidance explained that employees must be provided accommodations as possible from mandatory workplace vaccination requirements pursuant to:

- Americans with Disabilities Act
- Title VII of the Civil Rights Act

"Generally, ADA-covered employers should consider simply encouraging employees to get the influenza vaccine rather than requiring them to take it."

Source: EEOC, *Pandemic Preparedness in the Workplace and the Americans with Disabilities Act* (Mar. 21, 2020), https://www.eeoc.gov/laws/guidance/pandemic-preparedness-workplace-and-americans-disabilities-act.

EEOC Protections

Title VII of the Civil Rights Act

Employers on notice of a religious objection to a vaccination requirement must provide a ***reasonable accommodation*** unless it would result in ***undue hardship***.

Americans with Disabilities Act

If a vaccine requirement "screens out or tends to screen out" an individual with a disability, and that individual would pose a ***direct threat*** to health/safety, the employer must provide a ***reasonable accommodation*** unless it would result in ***undue hardship***.

EEOC Guidance Post-COVID-19

In guidance published on December 16, 2020, and updated in May 2021, EEOC provided COVID-19 vaccine-specific workplace guidance:

"The federal EEO laws do not prevent an employer from requiring all employees physically entering the workplace to be vaccinated for COVID-19, subject to the reasonable accommodation provisions of Title VII and the ADA and other EEO considerations discussed below."

Source: EEOC, *What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws* (May 28, 2021), https://www.eeoc.gov/wysk/what-you-should-know-about-covid-19-and-ada-rehabilitation-act-and-other-eeo-laws?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=.

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Emerging Legal Issues

Sandra Day O'Connor College of Law
Arizona State University
Center for Public Health Law & Policy

Bridges et al. v. The Methodist Hospital et al., No. 4:21-CV-01774, 2021 WL 2221293 (S.D. Tex. June 1, 2021).

District Court dismissed the employees' case, upholding Houston Methodist Hospital's employee vaccine mandate for the following reasons:

- **Wrongful Termination** – Texas law only prohibits termination on the basis of refusal to commit a criminal act – COVID-19 vaccination is not a criminal act.
- **Alleged Federal Law Violation** – 21 U.S.C. § 360bbb-3 does not prohibit vaccination mandates, but rather sets standards for the HHS Secretary.
  - Other alleged violations, including the claim that the mandate violates federal law protecting "human subjects," were also rejected – hospital employees are not participants in a trial.

Klaassen et al. v. The Trustees of Indiana University, No. 1:21-CV-00238-DRL-SLC (N.D. Ind. July 18, 2021); *Klaassen et al. v. The Trustees of Indiana University*, No. 21-2326 (7th Cir. Aug. 2, 2021); *Klaassen et al. v. The Trustees of Indiana University*, No. 21A15 (U.S. Aug. 12, 2021) (denying injunctive relief).

District Court rejected students' 14th Amendment-based arguments against the University vaccination mandate.

Students argued the mandate infringed 14th Amendment right to bodily autonomy and 1st Amendment right to free exercise of religion; court applied rational basis review and upheld the mandate.

The 7th Circuit on August 2nd refused to grant an injunction pending appeal; the court found no fundamental right to refuse vaccination, agreeing with the lower court.

Norwegian Cruise Line Holdings, Ltd. et al. v. Rivkees, No. 21-22492-CIV-WILLIAMS (S.D. Fla. August 8, 2021).

District court granted preliminary injunction, preventing enforcement of vaccine passport ban against Norwegian, on the basis of the following arguments:

- First Amendment – Freedom of Speech
  - The law in question operated as a content-based restriction of speech, singling out COVID-19 vaccine documentation and subjecting it to restrictions not applicable to other documents
  - The law failed to satisfy strict scrutiny
- Dormant Commerce Clause
  - The defendant failed to justify the law against the substantial burdens imposed on interstate commerce

DOJ's Office of Legal Counsel

(Slip Opinion)

Whether Section 564 of the Food, Drug, and Cosmetic Act Prohibits Entities from Requiring the Use of a Vaccine Subject to an Emergency Use Authorization

Section 564(e)(1)(A)(ii)(III) of the Food, Drug, and Cosmetic Act concerns only the provision of information to potential vaccine recipients and does not prohibit public or private entities from imposing vaccination requirements for a vaccine that is subject to an emergency use authorization.

July 6, 2021

MEMORANDUM OPINION FOR THE
DEPUTY COUNSEL TO THE PRESIDENT

Section 564 of the Food, Drug, and Cosmetic Act ("FDCA"), 21 U.S.C. § 360bbb-3,[1] authorizes the Food and Drug Administration ("FDA") to issue an "emergency use authorization" ("EUA") for a medical product, such as a vaccine, under certain emergency circumstances. This authorization permits the product to be introduced into interstate commerce and administered to individuals even when FDA has not approved the product for more general distribution pursuant to its standard review process. Section 564 directs FDA—"to the extent practicable" given the emergency circumstances and "as the [agency] finds necessary or appropriate to protect the public health"—to impose "[a]ppropriate" conditions on each EUA. FDCA § 564(e)(1)(A). Some of these conditions are designed to ensure that recipients of the product "are informed" of certain things, including "the option to accept or refuse administration of the product." *Id.* § 564(e)(1)(A)(ii)(III).

THE UNITED STATES
DEPARTMENT of JUSTICE

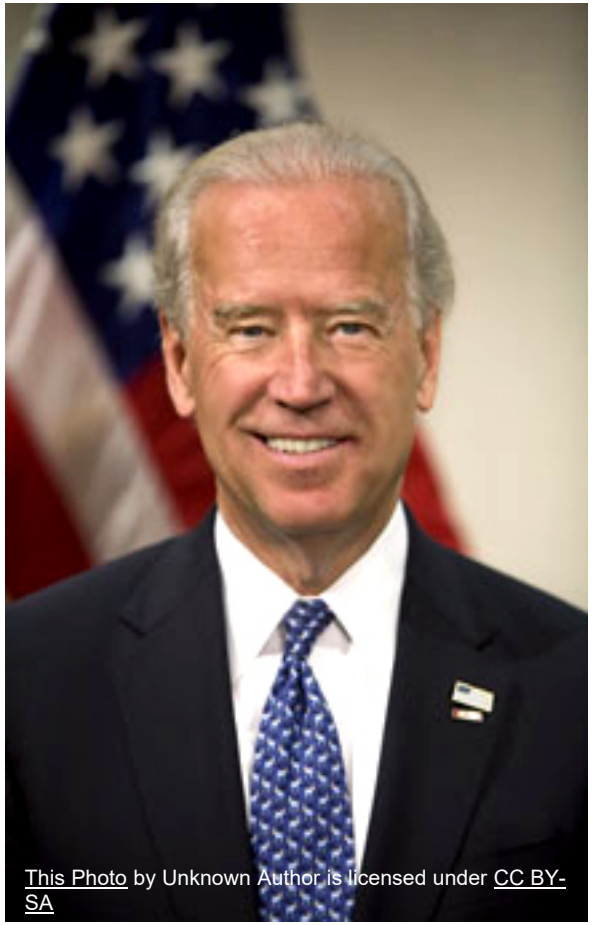
45 Op. O.L.C. __ (July 6, 2021)

("Pfizer Fact Sheet"). In recent months, many public and private entities have announced that they will require individuals to be vaccinated against COVID-19—for instance, in order to attend school or events in person, or to return to work or be hired into a new job. We will refer to such policies as "vaccination requirements," though we note that these policies typically are conditions on employment, education, receipt of services, and the like rather than more direct legal requirements.[2]

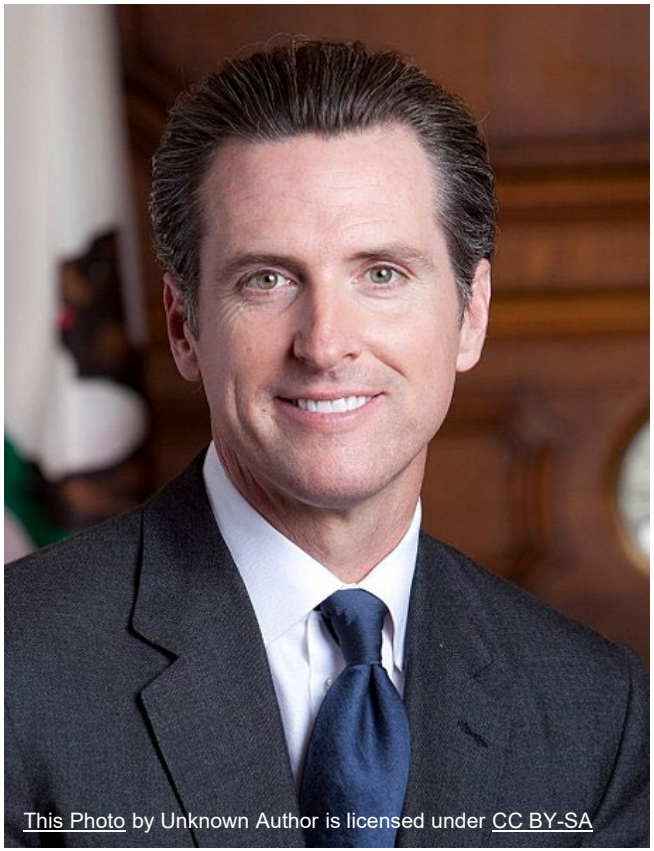
In light of these developments, you have asked whether the "option to accept or refuse" condition in section 564 prohibits entities from imposing such vaccination requirements while the only available vaccines for COVID-19 remain subject to EUAs. We conclude, consistent with FDA's interpretation, that it does not. This language in section 564 specifies only that certain information be provided to potential vaccine recipients and does not prohibit entities from imposing vaccination requirements.[3]

Source: https://www.justice.gov/olc/file/1415446/download

Biden Administration Approaches Mandates



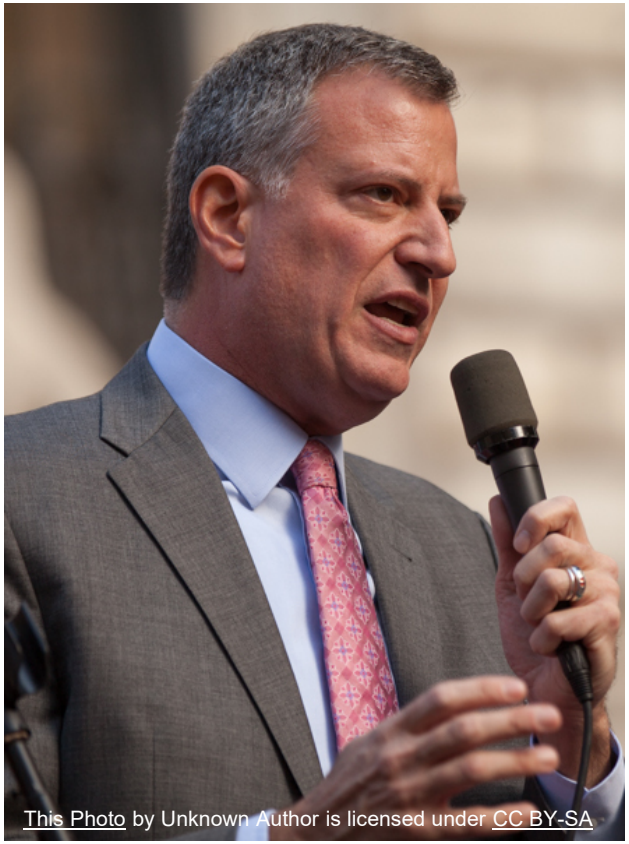
Broad Public-Sector Interventions: CA



- On August 11, 2021, California Governor Gavin Newsom announced that California teachers and school staff would be required to undergo either COVID-19 vaccination or weekly COVID-19 testing.

Source: Laura Meckler, *California Becomes First State to Require Coronavirus Vaccine or Testing for Teachers and School Staff*, WASH. POST (Aug. 11, 2021), https://www.washingtonpost.com/education/2021/08/11/california-teacher-covid-vaccine-require/.

Broad Public-Sector Interventions: NYC



On August 3, 2021, NYC Mayor Bill de Blasio announced the city would require proof of COVID-19 vaccination as a prerequisite to certain activities, including indoor dining, fitness, and entertainment.

Source: Emma G. Fitzsimmons, et al., *N.Y.C. Will Require Workers and Customers Show Proof of at Least One Dose for Indoor Dining and Other Activities*, N.Y. TIMES (Aug. 3, 2021), https://www.nytimes.com/2021/08/03/nyregion/nyc-vaccine-mandate.html.

Private Sector Interventions: AZ

- Banner Health implemented a COVID-19 employee vaccination mandate – requiring employees to be vaccinated by November 1, 2021.
- Mayo Clinic announced its requirement that all employees be vaccinated or participate in a specified declination process including masking and social distancing by September 17, 2021.
- HonorHealth announced its requirement that all employees get COVID-19 vaccines by November 1, 2021.
- Phoenix Children's Hospital announced all staff would be required to obtain vaccination by October 1, 2021.
- The Tucson City Council voted to require proof of at least one dose for city workers by August 24, 2021; subsequent EO issued by Gov. Ducey on August 16 states any locality implementing a vaccine mandate is in violation of state law.

States Have Considered Many Types of Vaccine Bills in the Most Recent Legislative Session

These were the most common proposals:

Prohibition on any vaccine requirements (18 states)

Elimination of philosophical and/or religious exemptions (5 states)

Creation of reporting requirements (5 states)

Creation or expansion of parent education/information requirements (4 states)

Prohibition on requiring COVID vaccine until full FDA approval (5 states)

Allowing adolescents to consent to required vaccinations (4 states)

Expansion of exemptions in emergencies (4 states)

Creation or expansion of religious and/or philosophical exemptions (16 states)

Prohibition on requiring COVID vaccine (15 states)

Arizona Laws on COVID-19 Vaccination

Arizona HB 2896/SB 1824

23-206. Employers; accommodations required

IF AN EMPLOYER RECEIVES NOTICE FROM AN EMPLOYEE THAT THE EMPLOYEE'S SINCERELY HELD RELIGIOUS BELIEFS, PRACTICES OR OBSERVANCES PREVENT THE EMPLOYEE FROM TAKING THE COVID-19 VACCINATION, THE EMPLOYER SHALL PROVIDE A REASONABLE ACCOMMODATION UNLESS THE ACCOMMODATION WOULD POSE AN UNDUE HARDSHIP AND MORE THAN A DE MINIMUS COST TO THE OPERATION OF THE EMPLOYER'S BUSINESS.

36-681. COVID-19 vaccine passport; prohibitions

A. NOTWITHSTANDING ANY OTHER LAW, THIS STATE AND ANY CITY, TOWN OR COUNTY OF THIS STATE ARE PROHIBITED FROM ESTABLISHING A COVID-19 VACCINE PASSPORT OR REQUIRING EITHER OF THE FOLLOWING:

1. ANY PERSON TO BE VACCINATED FOR COVID-19.

2. A BUSINESS TO OBTAIN PROOF OF THE COVID-19 VACCINATION STATUS OF ANY PATRON ENTERING THE BUSINESS ESTABLISHMENT.

B. ANY LAW OR ORDINANCE ESTABLISHING A COVID-19 VACCINE PASSPORT IS VOID AND IS NOT ENFORCEABLE AGAINST ANY PERSON OR BUSINESS LOCATED IN THIS STATE.

36-682. Article application; exceptions

THIS ARTICLE DOES NOT DO EITHER OF THE FOLLOWING:

1. LIMIT AN INDIVIDUAL'S ABILITY TO REQUEST THAT THE INDIVIDUAL'S OWN VACCINATION RECORDS BE PROVIDED TO THAT INDIVIDUAL OR TO A THIRD PARTY TO WHOM THE INDIVIDUAL REQUESTS THE RECORDS BE RELEASED.

2. PROHIBIT A HEALTH CARE INSTITUTION LICENSED PURSUANT TO CHAPTER 4 OF THIS TITLE FROM REQUIRING THE INSTITUTION'S EMPLOYEES TO BE VACCINATED.

These provisions were contained in the health budget reconciliation bill, which was signed into law by Governor Ducey on June 30, 2021.

Arizona Laws on COVID-19 Vaccination

Arizona HB 2897/SB 1825

15-1650.05. COVID-19 vaccine; face covering; testing; mandate prohibition; exceptions

A. EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, THE ARIZONA BOARD OF REGENTS, A PUBLIC UNIVERSITY OR A COMMUNITY COLLEGE MAY NOT REQUIRE THAT A STUDENT OBTAIN A COVID-19 VACCINATION OR SHOW PROOF OF RECEIVING A COVID-19 VACCINATION OR PLACE ANY CONDITIONS ON ATTENDANCE OR PARTICIPATION IN CLASSES OR ACADEMIC ACTIVITIES, INCLUDING MANDATORY TESTING OR FACE COVERING USAGE, IF THE PERSON CHOOSES NOT TO OBTAIN A COVID-19 VACCINATION OR DISCLOSE WHETHER THE PERSON HAS BEEN VACCINATED AGAINST COVID-19, UNLESS THE VACCINATION OR OTHER MANDATE IS REQUIRED BY THE LAWS OF THIS STATE.

B. A HEALTH CARE INSTITUTION MAY REQUIRE A STUDENT WHO PARTICIPATES IN A CLINICAL SETTING AT THE HEALTH CARE INSTITUTION TO PROVIDE PROOF OF COVID-19 VACCINATION AND BE SUBJECT TO REGULAR HEALTH SCREENINGS AND TESTING AS DETERMINED BY THE HEALTH CARE INSTITUTION. FOR THE PURPOSES OF THIS SUBSECTION, "HEALTH CARE INSTITUTION" INCLUDES A HOSPITAL, A NURSING CARE INSTITUTION, A RESIDENTIAL CARE INSTITUTION, AN INTERMEDIATE CARE FACILITY FOR INDIVIDUALS WITH INTELLECTUAL DISABILITIES AND A GROUP HOME OR OTHER MEDICAL FACILITY LICENSED PURSUANT TO TITLE 36.

C. A PUBLIC UNIVERSITY MAY REQUIRE TESTING ONLY IF A SIGNIFICANT COVID-19 OUTBREAK OCCURS IN A SHARED STUDENT HOUSING SETTING THAT POSES A RISK TO THE STUDENTS OR STAFF. THE UNIVERSITY MUST RECEIVE APPROVAL FROM THE DEPARTMENT OF HEALTH SERVICES BEFORE IMPLEMENTING THE TESTING REQUIREMENT.

D. THIS SECTION DOES NOT APPLY TO STUDENTS WHO ARE ENGAGED IN RESEARCH OR TESTING THAT INVOLVES A LIVE COVID-19 VIRUS.

This provision was contained in the higher education budget reconciliation bill, which was signed into law by Governor Ducey on June 30, 2021.

Arizona Laws on COVID-19 Vaccination

Arizona HB 2898

15-342.05. Face coverings; requirement prohibition

A. NOTWITHSTANDING ANY OTHER LAW OR ORDER, A COUNTY, CITY, TOWN, SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING BODY MAY NOT REQUIRE THE USE OF FACE COVERINGS BY STUDENTS OR STAFF DURING SCHOOL HOURS AND ON SCHOOL PROPERTY.

B. A SCHOOL DISTRICT OR CHARTER SCHOOL MAY NOT REQUIRE A STUDENT OR TEACHER TO RECEIVE A VACCINE FOR COVID-19 OR TO WEAR A FACE COVERING TO PARTICIPATE IN IN-PERSON INSTRUCTION.

Arizona HB 2896/ SB 1824

C. ~~Immunization against the human papillomavirus is~~ THE FOLLOWING IMMUNIZATIONS ARE not required for school attendance:

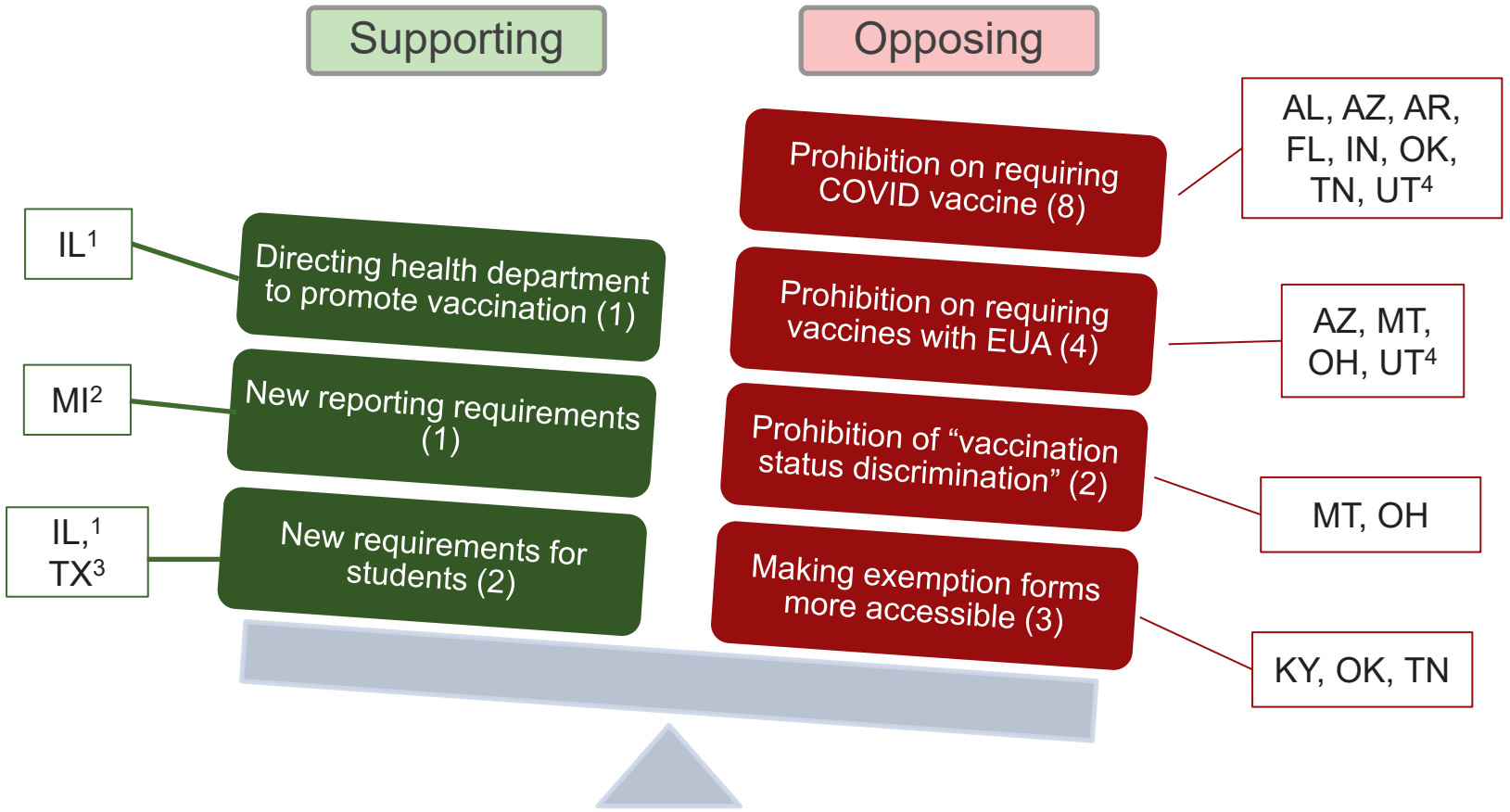
1. THE IMMUNIZATION AGAINST THE HUMAN PAPILLOMAVIRUS.
2. AN IMMUNIZATION FOR WHICH A UNITED STATES FOOD AND DRUG ADMINISTRATION EMERGENCY USE AUTHORIZATION HAS BEEN ISSUED.

D. AN IMMUNIZATION MUST BE PRESCRIBED BY A RULE ADOPTED PURSUANT TO SUBSECTION A OF THIS SECTION BEFORE THE IMMUNIZATION MAY BE REQUIRED FOR IN-PERSON SCHOOL ATTENDANCE.

E. PURSUANT TO SECTION 1-602, THIS SECTION DOES NOT PRECLUDE A PARENT'S RIGHT TO MAKE HEALTH CARE DECISIONS FOR THE PARENT'S MINOR CHILD.

These provisions were contained in the K-12 education budget reconciliation bill and the health budget reconciliation bill, which were signed into law by Governor Ducey on June 30, 2021.

Most Bills Enacted in 2021 Will Limit Childhood Vaccination Efforts, Especially for COVID



1. Requires the HiB vaccine for childcare enrollees but allows exemptions; directs IL DHS and DPH to try to increase preventable disease through vaccines. 2. Creates reporting requirements for K-12 schools. 3. Requires non-public school children participating in interscholastic activities to adhere to state vaccine requirements. 4. "Prohibits government entities (which, as defined in a separate statute, includes colleges and school districts) from requiring an "emergency COVID-19 vaccine."

Vaccine Exemptions

EXEMPT

EXEMPTIONS

Exemptions to mandated vaccinations vary widely across states; **medical exemptions** exist in all states, **religious exemptions** exist in most, and **moral exemptions** exist in several

Roman Catholic Diocese of Brooklyn v. Cuomo (U.S. Supreme Court, November 25, 2020); ***Fulton v. City of Philadelphia*** (U.S. Supreme Court, June 17, 2021)

- Potential implications regarding religious exemptions

SCOTUS Approach First Amendment Rights

South Bay I

May 29, 2020

Denied motion to enjoin CA Executive Order limiting attendance at places of worship

Source

Roman Catholic Diocese v. Cuomo

Nov. 25, 2020

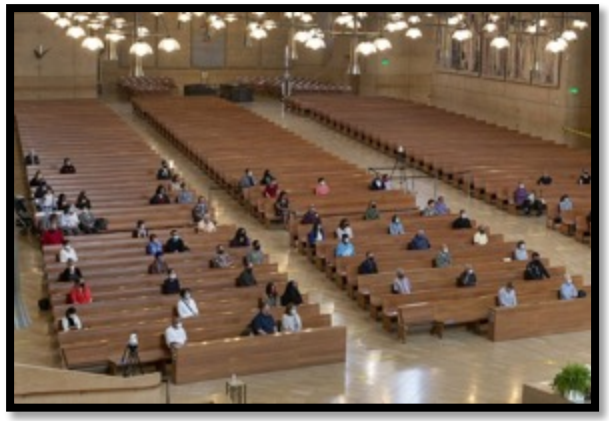
Struck down an executive order impacting places of worship as contrary to the free exercise of religion

Source

South Bay II

Feb. 5, 2021

Enjoined California from enforcing a ban on indoor worship



Source

Thank you!

jennifer.piatt@asu.edu | @jen_piatt

Questions and Discussion

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This webinar is made possible through funding provided by Health Resources and Services Administration, Office for the Advancement of Telehealth (G22RH24749). Arizona State Office of Rural Health is funded granted through a grant from US Department of Health and Human Services. Grant number H95RH00102-25-00
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