

Implementing Mandatory Education for Parents Seeking a Philosophical Exemption: Toronto Public Health's Experience

March 3, 2020

BC Immunization Forum

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Associate Medical Officer of Health

Toronto Public Health

- The Immunization of School Pupils Act (ISPA)
- Obtaining a philosophical/religious exemption
- Survey findings of parents who attend an education session
- Health Services Review and Appeal Board Case
- Discussion

- Ontario legislation
- Aim: protect the health of children against certain diseases
- Designated diseases in the Act:
 - Diphtheria
 - Tetanus
 - Polio
 - Pertussis (whooping cough)
 - Measles, mumps and rubella
 - Meningococcal disease
 - Varicella (chicken pox)

Parent are required to:

- Have their child vaccinated according to the prescribed immunization schedule
- OR
- Have a valid exemption
 1. medical reasons; or
 2. conscience or religious belief:

Order for Suspension from Attendance at School
Pursuant to s.6 of the Immunization of School Pupils Act

(TPH 40)

To: Principal of SIR ADAM BECK JUNIOR SCHOOL - 515132	
Serve: Parent/Guardian of, and student if 16 or 17 years of age:	Client ID: 1000000000
Student: AAA BBBB CDEF	Ontario Immunization ID: 0909090909
Address: 123 MAIN DRIVE	Gender: Female
TORONTO ONTARIO M4B 2C8	Date of Birth: 201400101
	School: SIR ADAM BECK JUNIOR SCHOOL - 515132

I, Dr. Eileen de Villa, Medical Officer of Health for the Toronto Public Health, order the suspension of the above named student for a period of twenty school days.

From: 2013 May 16 To: 2013 June 14

This order will be cancelled where circumstances for making the order no longer exist.

The reasons for this order are:

1. I have not received one of the following for the above named student:

(a) A statement that the student has completed the prescribed program of immunization

In relation to:

Diphtheria, Measles, Mumps, Pertussis, Poliomyelitis, Tetanus

(b) A statement of medical exemption, OR

(c) A further medical exemption to replace one that has expired, OR

(d) A statement of conscience or religious belief (commissioned affidavit required).

2. I am not satisfied that the student has completed, has commenced and will complete, or will commence and complete the prescribed program of immunization in relation to the disease(s) indicated above.

Parent/Guardian of for the student named if 16 or 17 years of Age:


Questions about this Order can be directed to Toronto Public Health - Phone: 416-392-1250

You are entitled to a hearing by the Health Services Appeal and Review Board if you mail or deliver to me, and the Health Services Appeal and Review Board, 151 Bloor St West, 9th Floor, Toronto, ON M5S 2T5, and the principal of: SIR ADAM BECK JUNIOR SCHOOL - 515132, a request for a hearing within 15 days of this notice being served.

1. Medical Reasons:

- Statement of Medical Exemption form, signed by physician or nurse and submitted to local public health unit
- Proof of immunity
- Medical contraindication to vaccination

Save Form
Print Form
Clear Form



Ontario
Ministry of Health
and Long-Term Care

Statement of Medical Exemption
Immunization of School Pupils Act

Section 1 – Pupil Information

Last Name		First Name		DOB (yyyy/mm/dd)
Home Address				
Unit Number	Street Number	Street Name		PO Box
City/Town			Province	Postal Code
School Name				Class or Grade

Section 2 – Declaration of Physician or Registered Nurse in the Extended Class (Nurse Practitioner)

I, _____
(Name of physician or registered nurse in the extended class)

certify that, for medical reasons indicated below, the above named pupil should be exempted from the requirements of the Act.
The specific reasons and length of exemptions are checked in the boxes below.
The time periods for temporary medical exemptions are indicated.

Disease	Immunity		Contraindication	Length of Exemption		
	Clinical diagnosis of prior disease	Laboratory confirmation of immunity or prior disease		Delrimental to health	Permanent	Temporary
						yyyy/mm/dd
Diphtheria	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/
Tetanus	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/
Pertussis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/
Poliomyelitis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/
Meningococcal Disease	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/
Measles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/
Mumps	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/
Rubella	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/
Varicella	<input type="checkbox"/> *	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	/

* Clinical diagnosis of prior varicella or herpes zoster disease is acceptable for varicella immunity.

Use this space to define evidence of immunity.

Use this space for explanations of contraindications detrimental to health.

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Philosophical / Religious Exemption Process

- Sept 2018, mandatory education sessions added to ISPA
- Parent comes to local public health
 - Individual, small group or large sessions
- Watches standard Ministry developed video (30 min)
- Gets Certificate
- Completes philosophical/religious exemption form
- Gets notarized
- Submit form (original) and certificate (copy) to get exemption for child(ren)

Pupil Information

Pupil's Last Name		Pupil's First Name	
Date of Birth (yyyy/mm/dd)			

Address

Unit Number	Street Number	Street Name	PO Box
City/Town	Province	Postal Code	
Name of School			Class or Grade

Parent/Legal Guardian Information

Last Name	First Name
Telephone Number	Email Address

Important Information – Please Read

Ontario's *Immunization of School Pupils Act* ("ISPA") requires that children and adolescents attending primary or secondary school show proof of immunization against the ISPA's designated diseases unless they have a valid exemption.

In order to receive a valid exemption for non-medical reasons, parents must:

- a. Complete the immunization education session required by the ISPA; and
- b. Complete the Statement of Conscience or Religious Belief form that is signed, and sworn or affirmed before a Commissioner for Taking Affidavits

Parents must submit the above mentioned documents to the medical officer of health of their local public health unit.

To find the local public health unit in your area, visit ontario.ca/healthcareoptions

Information about vaccines and Ontario's publicly funded immunization program is available at ontario.ca/vaccines

Risks of not being vaccinated:

Immunization programs have resulted in dramatic reductions in cases of vaccine-preventable diseases (VPDs) in Canada with reductions in incidence in the range of 99 to 100% for diseases such as measles, mumps, chickenpox, diphtheria and polio. With the decision to delay or refuse vaccines, you are accepting responsibility that you are putting your child's health and even life at risk. Be aware that any vaccine-preventable disease can appear at any time in Ontario because all of these diseases still circulate either here or elsewhere in the world.¹

Delaying or refusing vaccines for your child also puts others at risk of illness, especially children and adults in cancer treatment, those with heart or lung disease or diabetes, newborn babies and the elderly. Communities depend on high immunization rates to keep vaccine preventable diseases from spreading. When more people are immunized, there is less risk for everyone. If your child is sick and you call or visit a health care provider, immediately tell them that your child is not fully vaccinated. This may affect what tests they do. Precautions may need to be taken so that a

Affidavit

I, _____

parent/legal guardian of the above named pupil, make oath or solemnly affirm and say as follows:

The requirements of the *Immunization of School Pupils Act (ISPA)* conflict with my sincerely held convictions based on my religion or conscience.

I have completed the required immunization education session as demonstrated by submitting a copy of the vaccine education certificate.

I understand that section 12 of the ISPA provides that the medical officer of health may order that the above named pupil be excluded from school if there is an outbreak or immediate risk of an outbreak of a designated disease in the school at which the pupil attends where one the following has not been received:

- A statement of immunization or other satisfactory evidence of immunization. Please note, immunity can take a period of time to develop and if immunized the student may continue to be excluded during that period.
- A statement of medical exemption stating that immunization is unnecessary because of evidence of immunity.

I understand that I may choose at any time to vaccinate my child for any of the designated diseases under the ISPA.

- I request the above named pupil be exempted from **all** ISPA diseases; **OR**
- I request the above named pupil be exempted from the immunization requirements under the ISPA for the following designated diseases:

- | | | |
|--|--|---|
| <input type="checkbox"/> Measles, Mumps, Rubella | <input type="checkbox"/> Diphtheria, Tetanus | <input type="checkbox"/> Meningococcal (Men-C-C for children under 12 years old) |
| <input type="checkbox"/> Varicella (chickenpox) (for children born in or after 2010) | <input type="checkbox"/> Pertussis | <input type="checkbox"/> Meningococcal (Men-C-ACWY for children 12 years and older) |
| | <input type="checkbox"/> Poliomyelitis | |

Note on selecting diseases:

In Canada, certain vaccines are only available in a combined vaccine product that also protects against other diseases. For example, vaccines that protect against tetanus and diphtheria are only available in combination with protection against pertussis and/or polio. Please review the Immunization [Parent Check List](#) or contact your local public health unit for more information.

<p>SWORN OR SOLEMNLY AFFIRMED before me</p> <p>at _____ (Municipality)</p> <p>in _____ (Province, State, or Country)</p> <p>on _____ Date (yyyy/mm/dd)</p>	<p>_____ Signature of Parent/Legal Guardian</p>
<p>_____ Signature of Commissioner for taking Affidavits</p> <p>_____ Type or print name if signature is illegible</p>	

As per section 366 of the Criminal Code, it is an offence to make a false document, knowing it to be false, with intent that a person should be induced, by the belief that it is genuine, to do or to refrain from doing anything.

How much work is this

- Under the *ISPA*, Toronto Public Health assess about 350,000 student immunization records each year.
- From public and private schools
- 1.7% of students (<5,000) have a philosophical / religious exemption to MMR vaccine

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Survey of parents who attend education session

- Since Sept 2017-19, 1525 certificates were handed out in either large, small or one-on-one sessions.
 - 2017-18 school year – 593 certificates
 - 2018-19 school year – 932 certificates
- 479 completed the paper survey handed at the end of the session
- Response rate of 31%
- Open text responses were analyzed and grouped into themes

Parental satisfaction with sessions	% (N=479)
The education session was provided in a respectful manner	82% (n=394)
I was satisfied with the interaction I had today with health unit staff	55% (n=262)
The video provided enough information to help me make a decision about my child's immunization	41% (n=196)
My questions about vaccines were answered	27% (n=128)
I learned something new about immunization from the education session	26% (n=126)

Reasons for seeking an exemption	% (N=479)
Worried about side effects	58% (n=279)
Worried about ingredients	58% (n=278)
Religious beliefs	27% (n=128)
Not sure if vaccines work	18% (n=86)
Don't have enough information about vaccines	13% (n=64)
Don't think my child is at risk of getting sick from the diseases that vaccines prevent against	11% (n=51)
I'm not considering an exemption	1% (n=5)

Have you previously sought an exemption?	% (N=479)
Yes	35% (n=168)
No	55% (n=265)
Unsure/missing	10% (n=46)

Impact of education session on feelings about immunization and intent to proceed with seeking an exemption	% (N=479)
Self-reported feelings about immunization prior to the education session	
Somewhat or very opposed	69% (n=329)
Undecided about immunizations	16% (n=78)
Somewhat or very supportive	10% (n=49)
Self-reported feelings about immunization after the education session	
Somewhat or very opposed	67% (n=319)
Undecided about immunizations	14% (n=65)
Somewhat or very supportive	13% (n=64)

Intent to proceed with obtaining an exemption after completing the education session	% (N=479)
Yes, plan to seek an exemption	81% (n=388)
No, don't plan to seek an exemption	6% (n=31)
Unsure	9% (n=41)
Prefer not to answer	4% (n=19)

Not enough information available



One size does not fit all

- I think if you approach this in less of a “there’s one right answer” approach, you may have more success. I’m not anti-vaccine. But I take issue with your approach of indiscriminate vaccinations. Not every pharmaceutical is one size fits all. Therefore why do you present vaccinations as such?

- I THINK THAT IF YOU APPROACH THIS IN LESS OF A "THERE'S ONE
ONE RIGHT ANSWER" APPROACH, YOU MAY HAVE MORE SUCCESS.
- I'M NOT ANTI-VACCINE, BUT I TAKE ISSUE W/ YOUR APPROACH
OF INDISCRIMINATE VACCINATIONS. NOT EVERY PHARMACEUTICAL IS

416.338.7600

toronto.ca/health



TORONTO Public Health

ONE SIZE FITS ALL. THEREFORE WHY DO YOU PRESENT VACCINATIONS AS SUCH?

Fairness

Why is immunization not required in other provinces to go to school?

Make information session non-compulsory and have it on-line as a webinar



FAIRNESS

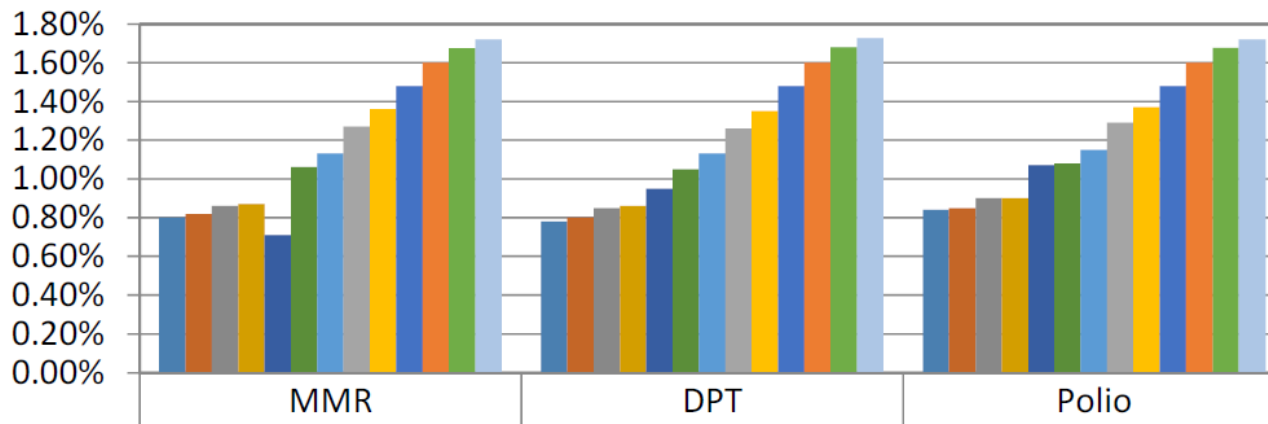
Objectivity of the video



Overall rate change?

- Overall trend in rates before/after the legislation change = no decrease
- Over 10+ years a slow increase in philosophical and religious exemptions and reduction in medical exemptions.
- In Toronto –
 - 0.8% in 2006 → 1.7% in 2019

Figure 1: Summary of philosophical/religious exemption rates by school year and vaccine type. Toronto, 2006/07 to 2018/19 school years.



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HEALTH SERVICES APPEAL AND REVIEW BOARD

PRESENT:

Yves Fricot, Designated Vice-Chair, Presiding
Drasko Puseljic, Board Member
Brittany Silvestri, Board Member

Heard on June 13, 2019 in Ontario (by teleconference)

IN THE MATTER OF AN APPEAL UNDER SECTION 15(2) of the *Immunization of School Pupils Act*, Revised Statutes of Ontario, 1990, c.I.1, as amended

B E T W E E N:

L.R.H.

Appellant

and

**DR. A. LYNN NOSEWORTHY, MEDICAL OFFICER OF HEALTH,
HALIBURTON, KAWARTHA, PINE RIDGE
DISTRICT PUBLIC HEALTH UNIT**

Respondent

- The parents have agreed to participate in the education session but continue to refuse to sign the Statement.
- The reason for the parents' refusal to sign the Statement is due to a section of the Form that states:

Risks of not being vaccinated:

Immunization programs have resulted in dramatic reductions in cases of vaccine-preventable diseases (VPDs) in Canada with reductions in incidence in the range of 99 to 100% for diseases such as measles, mumps, chickenpox, diphtheria and polio. With the decision to delay or refuse vaccines, you are accepting responsibility that you are putting your child's health and even life at risk. Be aware that any vaccine-preventable disease can appear at any time in Ontario because all of these diseases still circulate either here or elsewhere in the world.¹

Delaying or refusing vaccines for your child also puts others at risk of illness, especially children and adults in cancer treatment, those with heart or lung disease or diabetes, newborn babies and the elderly. Communities depend on high immunization rates to keep vaccine preventable diseases from spreading. When more people are immunized, there is less risk for everyone. If your child is sick and you call or visit a health care provider, immediately tell them that your child is not fully vaccinated. This may affect what tests they do. Precautions may need to be taken so that a vaccine-preventable disease does not spread from your child to other people.²

¹ Source: Ministry of Health and Long-Term Care

² Source: Canadian Paediatric Society

- Parents do not want to sign the form on the basis of their belief that:
 - a. If they do so, they would be unnecessarily and unconstitutionally taking on Criminal and Civil liability if something tragic should happen to their child or another;
 - b. They have objections to signing and swearing to an affidavit under oath to a document that they do not feel is accurate, which in their opinion would constitute perjury.

- c. They object to signing the form as they do not believe it is necessary to accomplish the purpose of the *Act*, and that by participating in the education session and notifying the Medical Officer of Health that participating in the varicella vaccination conflicts with their sincerely held convictions based on their conscience, the intent of the *Act* would be accomplished.

- Board recognizes that the parents have raised their concerns in good faith;
- however, completing the forms as they are and submitting them are reasonable
- Suspension Order was upheld

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Acknowledgements

- Karen Beckermann, Yemi Kadri, Shlomit Segal
- TPH staff
- COMOH ISPA working group for developing the survey
- Thank you!