

Brought to you by  
Virginia  
Freedom Keepers  
06.10.2020

#### About Us:

Virginia Freedom Keepers (VFK) is the local state chapter of Freedom Keepers United (FKU), a National 501(c)3 organization. FKU's mission is to raise national awareness of current and upcoming legislation regarding medical freedom and unconstitutional mandates. As a bipartisan group, the concerted goal is to build positive relationships and be a light to our community.

Founded in 2019, VFK exists to provide accurate and up to date information regarding medical freedom and medical mandates. Our goal is to educate and connect our members through social campaigns, advocacy, community events and to provide resources for effective advocacy. VFK serves as a resource for all who want to expand their knowledge, educate their sphere of influence, and to connect with other advocates who are working together to achieve this goal.

# REGULATORY SPOTLIGHT

## Virginia HPV Vaccine Requirements & Hesitancy

Virginia school-aged children – regardless of being public, private or home schooled - are required to follow a series of vaccine requirements outlined in [the Virginia Code](#). These requirements are satisfied through either receiving the vaccines or providing a [medical or religious exemption](#) as required.

However, the human papillomavirus vaccine is unique in that Virginia provides an opt-out provision in the Code should parents choose to pass on the vaccine after reviewing educational materials provided by the Virginia Department of Health. Here's what Virginia parents need to know about the current requirements, changes that will come into effect next year and possible explanations for controversy around the vaccine.

### 1.0 Current Virginia Requirements.

During the 2007 General Assembly, legislation passed that went into effect October 1, 2008 requiring a complete series of 3 doses of the human papillomavirus (HPV) vaccine for school aged females in the Commonwealth. The first dose was to be administered before the child entered the 6th grade. However, after reviewing educational materials approved by the Virginia Board of Health, the parent or guardian, at the parent's or guardian's sole discretion, could simply elect for the child not to receive the HPV vaccine.

The [2019 letter from the Virginia Department of Health](#) (VDH) State Health Commissioner, Dr. Norman Oliver, outlines the requirements for parents. It provides details on the Commonwealth's requirement, information on HPV, a highlight of the Center for Disease Control's 2011 recommendation for boys to also receive the vaccine as well as a parent's right to opt out. The letter states that VDH "Strongly recommends that children be vaccinated per CDC recommendations" and that the "HPV vaccine is safe and can help protect your child from cancer". It comes with an insert that provides some statistical data from the CDC.

### 2.0 How Does HB1090 Change the Current Requirements?

In 2020, the General Assembly passed HB1090 which takes effect July 1, 2021. HB1090 amends the current Virginia requirement by 1) including boys, 2) reducing the dosage amounts from three down to two and 3) starting the first dose in 7<sup>th</sup> instead of 6<sup>th</sup> grade.

### 3.0 "Challenges" with Vaccination Rates in Virginia.

A report published in The National Center for Biotechnology Information's Library of Medicine states "Despite the evidence, the availability since 2006, and strong recommendations from many professional organizations, the human papillomavirus (HPV) vaccine has had a low uptake rate nationally and these trends have been even lower in the state of Virginia".

[The report](#), *Barriers and Facilitators to Improving Virginia's HPV Vaccination Rate: A Stakeholder Analysis with Implications for Pediatric Nurses*, concluded that the challenges to compliance could lie in several areas including education, "knowledge gaps and sexuality concerns" and an "ineffective mandate".

The report highlights "Virginia is unique because, in 2008, it was the first state to mandate

# REGULATORY SPOTLIGHT

## Virginia HPV Vaccine Requirements & Hesitancy

### Our Focus:

#### Connection.

Connecting constituents to each other and their representatives.

#### Community.

Community building through our group platform.

#### Education.

Educating our members so they can better educate their sphere of influence.

#### Empowerment.

Empowering each member to lobby for medical freedom in Virginia.

[Website](#)

[Facebook](#)

[Instagram](#)

[Email](#)

*For informational purposes. Should not be construed as legal advice.*

HPV vaccination for adolescent girls entering middle school. However....many experts have criticized its opt-out policy as being too generous because parents/caregivers can opt out for any reason, and the policy only excluded boys”.

Citing that Stakeholders noted parents were in part “afraid of the vaccine from what they are learning on social media, especially from anti-vaccine groups” whose strategy includes “instilling fear and distrust of the vaccine”, the report stated “Fear is a barrier that stands out in this study and is a component of vaccine hesitancy”.

### 4.0 Issues with Virginia Code, Legislator Ethics and Other Safety Concerns.

Further analysis of Virginia’s HPV vaccine requirements and other concerns may uncover other reasons for the vaccine hesitancy in the Commonwealth.

- **Virginia’s over vaccination policy:** The report stated “in 2016 the HPV vaccination recommendation changed from three to two vaccines for those...who initiate the series prior to the age of 15”. While the Virginia schedule starts before 15, the prescribed dosages in the law never scaled down to the 2016 CDC recommendation. Nor does the 2019 letter from the VHD provide parents clarification. Doses will be scaled down in Virginia starting 2021 when HB1090 takes effect. But lagging five years after the CDC change might suggest to some parents that public policies and laws are not current - raising concerns over whether they should be trusted.
- **Virginia’s cloud of ethics over the bill’s introduction:** In their [2012 article](#), the *Virginia Pilot* analyzed some possible barriers to the Virginia vaccination rates. Arthur Caplan, Director of Bioethics at the University of Pennsylvania at the time of the article’s release, said he thought the school mandates for the HPV vaccine were pushed too hard, too soon. The article goes on to state “Public vaccine campaigns usually entail a process that begins with parent education and establishing a safety record before mandates are proposed. But the vaccines had barely been recommended by the federal advisory committee before Merck, manufacturer of the first HPV vaccine, Gardasil, began hitting up legislators across the country to propose school mandates. In Virginia, Merck approached then-state Del. Phil Hamilton, who had received campaign funding from the company. Hamilton, now in federal prison for a public corruption conviction, sponsored the law that went into effect in 2008.”
- **Safety Concerns:** A [Judicial Watch Special Report](#) was produced in 2008 providing “an analysis of records obtained from the Food and Drug Administration (FDA) concerning...Gardasil.” The Judicial Watch cited concern over the facts detailed in the FDA’s adverse event reporting associated with Gardasil at that time and Merck’s “aggressive lobbying campaign with state governments to mandate this HPV vaccine”. Since that report, governments like Japan have banned the vaccine, [courts have awarded damages](#) for alleged deaths and over 450 deaths and over 61,000 serious medical conditions from HPV vaccines have been reported to the Vaccine Adverse Event Reporting System according to [information published in 2019](#).

In conclusion, continued controversy requires a parent’s research and best assessment. Decision-making is by no means simple and opt-out provisions remain available in Virginia.