

Before the House Committee of Public Health Care & Human Services

Hearing on HB20-1297- Immunization Status and Child Abuse Neglect

March 13, 2020

Written Testimony in Support of HB20-1297

Anna Keim-Mayhew

Good Afternoon to the Chair and other Committee Members. Thank you for allowing me to tell our story.

My name is Anna Mayhew and I am in full support of HB20-1297 sponsored by Representative Mark Baisley and Senator Paul Lundeen and here is why. I am the mother to 3 wonderful children. When our youngest, Kayli, was born, she had congenital metabolic disorder which caused her to have weak bones. By the time our baby girl was 6 weeks old, she was a broken baby girl. Literally. We had no idea that picking her up, or changing her diaper, was causing her bones to break. She was a fussy baby, but we just figured she was a colicky baby. She was healthy and growing. Her pediatrician was not concerned. There were no red flags, so to speak, as to what was happening to her poor body. When she was six weeks old, my husband picked her up out of her baby swing. He heard her arm pop, she cried a little bit and stopped. This was the catalyst that has now plagued our lives for the last 9 years. It turns out that the "pop" that he heard was her scapula (shoulder blade) breaking. Of course, we took her in the pediatrician's office. After many hours spent at the clinic, then a bigger hospital and then the finally the children's hospital in Utah, it was discovered that she had multiple fractures. Instead of trying to actually figure out what was wrong with our child, they accused us of child abuse. Our other 2 older children (ages 4 and 20 months at the time) and her were taken from our custody and placed, thankfully, with my mother who came from Colorado to visit us. It truly was God's timing for her visit and our children were spared from being placed in foster care. My husband and I moved out of our home so our children could stay in the only house they had ever known. My husband and I then lived in a hotel while we continued to fight in court to get our children back. After 9 weeks of fighting in court

and spending close to \$100,000 in lawyer fees and hiring an expert physician from California, our family was reunited. It turns out that her injuries were not from abuse, but rather severe Vitamin D deficiency.

So why am I telling you this and how is it connected to SB20-1297? I am not looking for sympathy, but rather to raise awareness. Our family truly does live in fear that one day another doctor will look at her past medical history and report us to CPS. Because it has happened to us twice. Once in Utah when she was a baby (the story I just told you) and again after moving here to Colorado. My children are fully vaccinated. However, we do not elect to do to the annual flu shot and now that they are older, we have declined to get them the HPV/Gardasil vaccine. I do not want to have to worry that one day, I will come home and CPS is standing at my door again waiting to investigate our family once again, because we have chosen not to give certain vaccines. Parents should not have to worry about being penalized for their personal or religious beliefs when it comes to the medical decisions made for their children regarding vaccinations. We should not have to fear our children's doctors. We should not have to fear our children's schools. I do not want another family to have to go through the trauma of what we have experienced. I do not want another family to have to spend the kind of money we have in order to keep their family together. I do not want another family to have to keep an attorney on retainer- just in case. I urge you to support SB20-1297.

Support Colorado parents. Thank you for listening.

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Chair and Committee members

I am writing you in support of HB20-1297, I am asking you for a yes vote.

Our third child was born with some breathing difficulties and was taken to the NICU. On the day we believed we were going home, he was seen by a new doctor who was unfamiliar with our son, family, and family history. My husband was with our son when the doctor visited. He called me and told me he had a feeling the doctor wasn't going to release our son. My husband had to leave for his own doctor appointment and so I rushed to the hospital to be with our son. Upon arriving, the doctor started pressuring me for his shots which we had declined. I was alone and the doctor saw his opportunity to guilt me. He told me horrifying stories and finally, when I still declined, he hung his head and rubbing his forehead, shook his hand at me and said, "How can you, as a MOTHER, do this to your son!!!" I maintained my stance that we would talk to our family doctor and decide, but feared what he was going to do. When the nurse came in, he said, "I see no reason to let him go home until...", and then outlined the many hoops I needed to jump through for release of my son. He left the room and I fearfully watched through the window each phone call he made, each person he stopped and talked to, each time he approached my sons room, wondering if he had contacted CPS and if we would be allowed to take our son home.

Chair and committee members,

Hello some of us know each other, some are new faces. As some of you already know I am a mom of a special needs child, this puts me under a microscope as it is. Our decision not to vaccinate our child has been met with a lot of bullying, demeaning comments and underhanded accusations of child abuse over the last 9 years every time I declined or told someone that was the choice we had made. For clarification we found out later that my son cannot be vaccinated so for us we made the right choice.

We have been kicked out of 2 pediatrician's offices because of this. It happened when my son was 15 months old and I asked for an MMR insert. And last year when I refused to sign the refusal to vaccinate form. Each time we would discuss it I had the fear of getting CPS at my door. Last year after this happened we started seeing a pediatric PA, I had called and asked if my son not being vaccinated was not an issue and was told it was not. When the PA asked why we left the last practice I told her the truth and she was baffled and asked me if my son had never had a single vaccine? I told her No, and a few minutes later she asked me if he played rough because she claimed he had a bruise on his nose. I was afraid she was going to falsely accuse me of child abuse just because I had told her my son was not vaccinated. Because I was afraid of a false report I had it documented that he did not have a bruise on his nose. I now see a doctor that is 2 hrs away from my home to avoid situations like this. Living in this fear every time we go to a doctor or if I have to go to the Emergency Room for something is we as parents should not face. In 2018 I took my son to RMHC Emergency Room and the first words out of the doctors mouth were "I see he is not vaccinated" I was concerned about aspiration pneumonia, was sent there by my sons pulmonologist and only wanted an Xray and was met with hostility and threats. Making sure that the proper language in the children's code would ensure that training would take place to prevent false reporting and that false reporting regarding vaccinations as a sole cause would be held to the same level of accountability in the children's code.

I urge you to vote yes on HB20-1297

Sincerely Els Kreger.

Hello Chair and members of the committee, My name is Kim Zawacki and I represent myself. I am for HB20-1297. As someone with a masters degree in school social work, I believe this is a needed bill. In my profession, I have often been asked if different situations should be reported to the Colorado Department of Human Services. There are many mandated reporters and concerned citizens that are wanting to help but also don't want to report claims that would not be appropriate or a good use of professionals time. My advice has always been if you have any concern it is best to report it. With that said, no one has ever asked me whether a child missing a vaccine should be reported. With all the talk about vaccines, I think it would help for this to be honed in on and clarified. Unfortunately, in my career I have needed to report many instances of possible abuse or neglect. In most of the cases I have needed to report, I was very concerned for the safety of that child. The professionals that investigate often seem hurried and overburdened. I have often heard of a need for foster parents but I have never an abundance of them. The placements for these children that are in need of safety and security are often asking for assistance. In an already very difficult situation, these children are often being shuffled around by professionals that are trying to find the time to do all they can for these children and their potential caregivers. I do not feel a parent that has made a decision to not vaccinate with one or more vaccinations would fit into the category of abusive or neglectful. I believe that we need to clarify this by including the information in this bill and making it law. I do not want to see our already overworked child protection professionals to have to look into cases that are solely based on in most cases a very educated parent deciding not to have their child receive even one vaccination. Please support this bill and help keep our current system protecting the truly abused and neglected children of Colorado. Please vote yes on SB20-1297.

Chair and Committe members,

I am a PTO President for a public elementary school with 431 students. I spend countless hours planning events, fundraising, and purchasing resources for these students. I care deeply that they have every opportunity to experience the magic of learning in these early years. I also have children that I have chosen to exempt from one vaccine. This bill gives me the confidence that I will not be persecuted based on this choice. My character will not be called into question. I will not be prohibited from investing in my own children as well as 429 others in my community. This bill is about tolerance and common sense. It protects really great people like me in the heat of a moment where a health care professional's opinion may differ from my own. I'm okay with my kids getting an itchy rash for a week. I know how to take care of them. I'm not okay with injecting a product that contains human DNA into my children. That's my choice and it's not criminal. While everyone does not hold the same religious, medical, or personal beliefs; Colorado should be a place where deeply held beliefs about vaccination are not criminalized. Please support HB 1297. Sincerely,

Emily Davis

March 13, 2020

I urge you to vote yes on HB20-1297. Protect our children, protect our rights as parents. Vaccines have HUGE risk to some people. Children and adults who have been previously injured by vaccination are a vulnerable, marginalized population. Please vote yes on HG1297 to protect parents from being falsely accused of abuse or neglect for exercising their informed consent rights and for choosing to delay or decline a vaccine for their child. Vaccines are pharmaceutical products that carry the risk for INJURY AND DEATH. Informed consent ethics that have guided the modern practice of medicine provides for REFUSAL and DELAY of medical procedures like vaccination.

Stand for the minority, the marginalized population. VOTE YES ON HB20-1297.