Special Commentary

Vaccine Exemptions: When Do Individual Rights Trump Societal Good?

To the Editors—This year’s measles epidemic is different.

Last year, in 2014, about 650 people in the United States suffered measles, an outbreak larger than any in 20 years. Neither the press nor the public took much notice.

This year, as of February 17, 2015, more than 140 people have been infected with measles in 17 states. Now, the media and the public have surely taken notice. For about 2 weeks, articles appeared daily in every major newspaper and segments aired on every national television program. ABC, NBC, CBS, CNN, FOX, as well as the New York Times, Washington Post, and Wall Street Journal covered the 2015 measles outbreak in the manner of a national emergency. Why the difference? One possibility is that, at the current rate, this year’s outbreak will be twice as large as last year’s. But the more likely difference is where these outbreaks occurred. Last year’s outbreak centered on an insular Amish community in Ohio; this year’s epicenter was Disneyland—a shared space, a commons. Disneyland, “the happiest place on earth,” is perceived by many as a kind of utopia, a Garden of Eden—which now, because of our selfish public policies, has been corrupted by a potentially fatal viral infection. It’s almost biblical. No longer are newspaper stories about whether vaccines cause autism or other chronic diseases; they’re about parents who are angry at other parents for choosing not to vaccinate—a choice that puts all children at risk.

Now, the question of the day is, “Should it be a parent’s right to have their children catch and transmit a potentially fatal infection?” Or, said another way, “When do the rights of the individual trump the good of society?” The emphasis has shifted from ill-founded concerns about vaccine safety to nonmedical vaccine exemptions, which first came into existence in the United States in the 1970s and 1980s.

Three types of exemptions to vaccination are legal in the United States: medical exemptions, which are available in every state; philosophical or personal belief exemptions, which are available in 19 states; and religious exemptions, which are available in 47 states.

During the past few weeks, legislators, doctors, public health officials, and columnists have weighed in on the question of nonmedical exemptions; perhaps no one more prominently than Chris Christie, governor of New Jersey. On February 2, 2015, Governor Christie said, “It’s more important what you think as a parent than what you think as a public official.” Parents, argued Christie, are in the best position to decide what’s best for their children, not public health officials (an odd dichotomy given that many public health officials are parents).

Christie had implied that one could reasonably choose not to vaccinate a child on philosophical or religious grounds. Ironically, Chris Christie governs a state that has a child passenger safety law. Children who are under 8 years of age or who weigh less than 80 pounds must be secured in a child safety seat or in a booster seat. If not, parents could be ticketed in accordance with New Jersey’s “Click It or Ticket” program. No exceptions. Parents in New Jersey are not allowed to claim personal belief or religion exemptions to the child seat law. The reason for the lack of parental choice in the car seat program is obvious—car seats save lives.

So why does Governor Christie draw a distinction between car safety seats and vaccines? Both are safe. Both are effective. Both save lives. And in both cases, the benefits clearly outweigh the small risks. One difference is that a choice not to use a car seat puts only the child at risk. But a choice not to give a vaccine also puts those with whom the child comes in contact at risk. None of this explains why Governor Christie said what he said.

The more likely reason that Christie distinguished car seats from vaccines is that car seats involve simply clicking a strap, whereas vaccines involve taking a child to a clinic, pinning him down against his will, inserting a painful needle under his skin, and injecting him with a biological fluid. Because of the perceived violent nature of the act, and because most people don’t really know what’s in vaccines, many fears surround their use. By agreeing that parents could reasonably choose not to vaccinate their children, Governor Christie plays into these ill-founded fears. In a better world, Governor Christie would stand up for the science that clearly supports vaccines and, in that way, stand up for the children in his state.

After much criticism about his comments, Governor Christie tried to explain why he had supported the right of New Jersey’s parents to put their children at unnecessary risk, especially in light of the growing measles epidemic. “Not every vaccine is created equal,” he said, “and not every disease type is as great a public health threat as others.” In other words, some diseases
are more worthy of prevention than others. Neither Christie nor his office provided a list of which diseases he was willing to grandfather in.

In the face of the current measles epidemic, legislators from 2 states, California and Washington, have introduced bills to eliminate philosophical exemptions to vaccination. It’s a good start. But until nonmedical exemptions are either completely eliminated or at least made far tougher to obtain, we will always be living on the precipice of eroding herd immunity. And, as is so often the case, it will be the children who will suffer our willful ignorance.

Paul A. Offit
The Children’s Hospital of Philadelphia
Abramson Research Building
Philadelphia, Pennsylvania

Corresponding Author: Paul Offit, MD, The Children’s Hospital of Philadelphia, Abramson Research Building, Room 1202D, 34th Street and Civic Center Blvd., Philadelphia, PA 19104, Pennsylvania, E-mail: offit@email.chop.edu.
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DOI:10.1093/jpids/ipv018
Electronically published April 9, 2015