

FREEDOM FROM RELIGION *foundation*

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March 6, 2023

The Hon. Stephenn Nass
The Hon. Adam Neylon
Joint Committee for Review of Administrative Rules
412 East State Capitol
Madison, WI 53702

Re: Testimony in opposition to committee suspension of DHS Ch. 144.

Dear Chairs Nass and Neylon, and Committee Members:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) to strongly oppose the proposal to suspend parts of the state's student vaccination policy. FFRF is a Madison-based national nonprofit organization with more than 40,000 members across the country, including more than 1,600 members in Wisconsin. FFRF works to protect the constitutional separation between state and church, and educates about nontheism.

We were dismayed to learn that this committee is considering suspending parts of DHS Ch. 144, which would interfere with the state's attempts to avoid dangerous outbreaks among Wisconsin students. Specifically, we understand that this committee is considering suspending the Department of Health Services policy, announced in February, that K-12 students must receive a meningitis vaccine in seventh grade (plus a booster in twelfth grade), and either a chickenpox vaccine or medical documentation showing a history of chickenpox infection. These two serious, highly communicable diseases are also now very reasonably included in the definition of an outbreak.

Our recent experience with Covid-19 underscores the importance of legislating vaccines based on science and evidence rather than on politics. The legislature delegated the authority to interpret and apply current evidence to DHS, and should not interfere with its expert conclusions. The current DHS policy is undeniably aimed at protecting Wisconsin students based on our best understanding of the current science on outbreaks and vaccines. Suspending this policy based on the lie that DHS is opposed to the rights of parents risks the welfare and even potentially the lives of Wisconsin students in order to score cheap political points.

In recent years, we have seen the results of ignoring experts when it comes to vaccines. Vaccines are, after all, so effective that in short order we often forget the seriousness of the diseases they have prevented, and thereby undervalue the vaccines themselves, bending to those who are willing to put others at risk by failing to vaccinate their children. The

predictable result is students who become seriously ill or die, completely unnecessarily — often these students have legitimate medical necessity for not receiving a vaccine, or are a rare individual instance of a vaccine failing to prevent serious illness, in either instance relying on herd immunity to avoid infection.

One such instance was a Madison college student named Henry Mackaman, who was 21 when he tragically died suddenly due to meningitis-B in 2013.¹ University students come from all over the world and live in close quarters, where diseases can easily multiply, and their immune systems are notoriously stressed due to sleep deprivation. It is crucial that we ensure optimal vaccination status for K-12 Wisconsin students so that we protect them both through high school and when thousands of them continue on to college. 10 to 15 percent of people who get meningococcal disease each year die, even with treatment, and up to 20 percent of survivors have permanent side effects.²

Chickenpox, too, is a serious disease that we, as Wisconsin parents and adults, have a responsibility to protect our children from. The disease is tremendously contagious and includes rare but serious side effects, including meningitis.³ Shingles, too, is a serious condition that those who have had chickenpox often develop later in life, sometimes more than once. All of this is preventable if we follow the expert advice, which is what DHS has attempted to do.

Please do not play politics with Wisconsin children's health. Allow DHS to do the important work delegated to it by the Wisconsin legislature, and focus your attention on how you can work with DHS rather than interfering with its policies.

Sincerely,



Ryan D. Jayne
Senior Policy Counsel

¹ See WMTV, *Mom who lost son to meningitis stresses importance of vaccine*, available at www.nbc15.com/content/news/Mom-who-lost-son-to-meningitis-stresses-importance-of-vaccine-397995471.html (2016).

² See Milwaukee Journal-Sentinel, *UW-Madison student dies from meningitis*, available at archive.jsonline.com/news/wisconsin/uwmadison-student-remains-hospitalized-with-meningococcal-disease-sf9gv24-202507351.htm.

³ Meningitis Research Foundation, *Viral Meningitis*, available at www.meningitis.org/meningitis/causes/viral-meningitis.