

# Medical Board of California refuses to give full support of medical exemption bill

Medical Board of California committee members express multiple concerns with SB 276

May 30, 2019

**Guasti, CA --** The Medical Board of California held a teleconference board meeting with board members throughout seven locations around the state on Tuesday, May 28, 2019 from 4-6 pm. The public was allowed to participate and give public comment for no more than 30 seconds either at the physical locations or over the phone. Educate. Advocate. urged families concerned with SB 276, which was item #4 on the agenda for discussion and possible action, to phone into the Medical Board of California or email them with concerns prior to the meeting.

The Medical Board of California received hundreds of phone calls and emails all in opposition with the exception of 2-3 in support. As item #4 began during the meeting a motion and second were immediately made prior to public comment. During public comment, many families shared their stories of obtaining medical exemptions due to family history of autoimmune disease and concern with the narrow criteria of CDC contraindications and precautions, of concern with allowing a government bureaucrat who has never met the patient to come between a patient and their doctor, and the privacy issues surrounding the database.

After the extensive public comment, both at the seven locations and on the telephone, the board members deliberated and the individual who had motioned with a second withdrew his motion. The board members then began to express concerns with SB 276. Some of these concerns included: the California Department of Public Health not being the right entity to review Medical Exemptions, CDC guidelines being too narrow and specifically mentioned that both genetics and family history should be considered and database privacy and potential for discrimination in schools.

A second was given for a neutral position with confusion that there had been a motion for neutral. There had not been. After more deliberation a motion for a support in concept was given and seconded. Originally the committee members planned to offer amendments with areas of concern or at least offer areas of concerns. However, Jennifer Simoes, Chief of Legislation voiced that she was *“not going to bring up all these issues as concerns because if we bring them up as concerns we have to have a solution with it. So I can say the concepts that we support which I’m hearing is that the medical exemption be reviewed and that the medical board obtain the records so that we can do our investigations and then we would have to come, you know, at the next meeting talk about possible alternatives for the other things.”*

Of the 13 board members, 8 were in attendance at this point in the meeting to vote and 5 voted yes (Friedman, GnanaDev, Hawkins, Lubiano, Warmoth), 2 voted no (Bholat (Secretary), Yip), and 1 abstained (Pines (President)).

According to a legislative insider, a position of supporting a bill in “concept” is generally a position that lets others know, including the bill author, that the organization supports the concept but not the particulars of the bill. Committee analyses do not generally recognize this position as it is more of a mild statement of liking an idea generally but not full out support of the bill. The committee members of the Medical Board of California indeed expressed multiple concerns during their deliberations after hearing extensive public comment and should express these concerns directly to the bill author and work with his office to address these valid concerns.