

What is the Philosophical Exemption?

Vermont has been a leader in the nation—enacting a philosophical exemption that has been successful for thirty-six years. The philosophical exemption allows the State to respect personal liberties while balancing public health. Vermont law honors the right to choice and informed consent for medical procedures and the rights of parents to decline one or more shots for their day-care baby or school-attending child, after being given educational information about the risks and benefits of vaccination.

- In 1898 conscientious objection was allowed under British smallpox vaccination law
- For more than 100 years the right to make choices about mandatory vaccines has been legally recognized, maintaining fundamental values of individual liberty balanced with the health of society.
- Vaccinations were not mandated in Vermont, but linked to the right to attend school up until 1979 when “the legislature enacted Act 40 allowing unvaccinated children to attend school “if a parent or guardian states in writing that the parent or guardian has religious beliefs or moral convictions opposed to immunization.” In 2007 the legislature replaced the word “moral” with “philosophical.”
- Since 1979, Vermont law has included three forms of exemptions from mandatory vaccines: medical, religious and philosophical, which allow parents to make medical choices for their families.
- in 2012, after 33 years, a legislative attempt was made to eliminate Vermont’s philosophical exemption. The bill was defeated in the House of Representatives by a vote of 133 to 6 and choice remained intact.
- In 2015, even though there are high vaccination rates and no major disease outbreaks in the State, the philosophical exemption is again under attack.

Reasons to maintain the philosophical exemption:

- No disease outbreaks in the State due to exemptions
- Over the past thirty years the number of vaccines for children has risen significantly to as many as 29 shots by 2 years of age and 7 shots in a single visit for required and recommended vaccines.
- New vaccines continue to be added to the schedule, not all are for highly infectious diseases. The philosophical exemption provides a necessary mechanism for medical choice.
- In 1986, Congress granted liability protection to drug companies that manufacture vaccines.
- In 2011, the U.S. Supreme Court affirmed that protection, ruling:
“No manufacturer shall be liable in a civil action for damages arising from a vaccine related injury or death associated with the administration of a vaccine after October 1, 1988, if the injury or death results from side effects that were unavoidable even though the vaccine was properly prepared and was accompanied by proper directions and warnings.” —Bruesewitz v. Wyeth, 2011.
- Medical exemptions are near impossible to receive—the philosophical exemption is the only safety valve for parents making medical choices for their families.
- Due to federal law, if a child suffers from a vaccine reaction or injury, the parents are solely responsible without legal recourse, except for the federal vaccine court which has limited criteria.
- Vaccine injuries *do* happen. The vaccine court has awarded over 3 billion dollars in damages.

The 2015 list of “required” or “recommended” vaccines promoted by CDC for minor children is as follows:

Birth:	Hepatitis B*	4 yrs. old:	Flu
2 mo:	Hepatitis B*	5 yrs. old:	Flu
	PCV*		
	Hib*	6 yrs. old:	DTap*
	Polio*		Polio*
	DTap*		MMR*
	rotavirus		Varicella*
			Flu
4 mo:	PCV*		
	Hib*	7 yrs. old:	Flu
	Polio*		
	DTap*	8 yrs. old:	Flu
	rotavirus		
		9 yrs. old:	Flu
6 mo:	Hepatitis B*		
	PCV*	10 yrs.:	Flu
	Hib*		
	Polio*	11 yrs:	Tdap*
	DTap*		HPV
	rotavirus		HPV
	Flu		HPV
			MCV4
12 mo:	Hib*		Flu
	PCV*		
	MMR*	12 yr:	MCV4
	Varicella*		Flu
	Hep A		
	Flu	13 yr:	Flu
18 mo:	DTap*	14 yr:	Flu
	Hep A		
	Flu	15 yr:	Flu
24 mo:	Flu	16 yr:	Flu
36 mo:	Flu	17 yr:	Flu

* = Required vaccine at this age. If a parent says no to even one dose of these vaccines, the parent must file an [exemption.](#)