

SB06-099 Bill Analysis

For the Health District of Northern Larimer County Board of Directors

Bill Title: Concerning Prohibition Against Certain Vaccines Containing Mercury

Summary: Prohibits the administration of vaccines containing more than a trace amount of mercury to pregnant women and children less than 3 years of age.

Sponsors: Senate: Evans, House: None

Committees: Senate House and Human Services

History: 01/17/2006 Introduced In Senate - Assigned to Health and Human Services

Estimated Date of Next Action: Scheduled in Senate HHS on 2/16/2006

Date of Analysis: February 13, 2006

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Priority: 1

Background

This bill prohibits the administration of vaccines containing more than a trace amount of mercury to pregnant women and children less than 3 years of age. Requires insurers to pay for vaccines that do not contain mercury. Allows the executive director of the department of public health and environment to exempt the use of vaccines that contain mercury if the executive director finds, and the governor concurs, that an actual or potential public health emergency exists, there are not sufficient vaccines available that do not contain mercury, and it is necessary that pregnant women and children under 3 years of age receive the vaccine.

Thimerosal has been used in some vaccines as a preservative since the 1930s. Thimerosal is 50% mercury by weight. Mercury is a known neurotoxin and can neurological damage at high doses. In 1999 the FDA noted that the cumulative dose of mercury that infants could be exposed to from routine vaccinations could in some cases exceed the limit established as safe by the EPA. As a precautionary measure, the Food and Drug Administration (FDA), American Academy of Pediatrics (AAP), US Public Health Service (USPHS) and others called for manufacturers to reduce or eliminate thimerosal in vaccines, while at the same time initiating studies to evaluate whether there were any possible health effects from this exposure. By 2001 there were thimerosal free vaccines available for all routine immunizations given to infants and young children. Studies addressing the risk of thimerosal containing vaccines and autism were reviewed by the Institute of Medicine in 2004: Their conclusion was that the evidence “favors rejection of a causal relationship between thimerosal-containing vaccines and autism” (IOM 2004).

Why is this issue important?

Some have speculated that a mercury containing preservative (thimerosal) used in some vaccines given to infants and young children might raise the risk of autism or other neurodevelopmental disorders, perhaps in genetically susceptible groups. Mercury has been largely removed from the routinely recommended vaccines of childhood but multi-dose formulations of Influenza vaccine still contain preservative levels of thimerosal.

Reasons to support bill:

- Caution first, science second: Without any biological marker for autism or related disorders, science cannot rule out the possibility that thimerosal in vaccines contributes to autism in some small subset or under very unusual circumstances, although there is currently no evidence to support this hypothesis. So even if the risks are at this point are strictly theoretical, and even though all vaccines routinely given to infants are available in thimerosal free or trace forms, because thimerosal containing vaccines are still available and parents are not always well informed, infants need additional protection from exposure to this theoretical risk.
- The bill allows for exceptions to be made by authorities in the context of public health emergencies.

Reasons to oppose bill:

- This law is unnecessary to protect the health of infants and children and it unnecessarily restricts parent choice—all routine childhood vaccines are now available in thimerosal free (or trace level) forms. If thimerosal free forms of a vaccine are not available at the infant’s site of care, parents can discuss risks and benefits of administering or not administering the vaccine with their child’s health care provider and make an informed decision.
- The scientific evidence on thimerosal safety at the levels previously found in vaccines is very reassuring. Epidemiological studies consistently provide evidence of no association between thimerosal containing vaccines and autism, despite the fact that these studies utilized different methods and examined different populations. Autism has never been documented as a consequence of even very high-dose mercury exposure. The neutral and highly respected Institute of Medicine concluded that the current weight of scientific evidence argues against thimerosal causing autism.
- There are currently protective mechanisms in place to regulate pharmaceuticals and protect the public health that are flexible and can respond to new evidence as it accumulates (FDA, CDC, etc.).
- Two vaccines occasionally administered to young children prior to travel to other parts of the world are available only in preparations containing thimerosal (Japanese Encephalitis vaccine and a meningococcal vaccine) and would be prohibited by this bill.
- Confidence in the safety of vaccines is essential to maintaining high immunization rates. The benefits of vaccination are proven and the hypothesis of that there are thimerosal susceptible populations is an unsubstantiated theory. This bill if passed, could lead to widespread questioning of the safety of vaccines in general, causing vaccination rates to go down and increasing the incidences of serious infectious diseases like measles, whooping cough, and bacterial meningitis.

About this Analysis

This analysis was prepared by Health District of Northern Larimer County staff to assist the Health District Board of Directors in determining whether to take an official stand on various health-related issues. Analyses are based on bills or issues at the time of their consideration by the Board and are accurate to the best of staff knowledge. It is suggested that people check to see that a bill has not changed during the course of a legislative session by visiting the Colorado General Assembly web page at www.state.co.us/gov_dir/stateleg.html. To see whether the Health District Board of Directors took a position on this or other policy issues, please visit www.healthdistrict.org/policy.

About the Health District

The Health District is a special district of the northern two-thirds of Larimer County, Colorado, supported by local property tax dollars and governed by a publicly elected five-member board. The Health District provides medical, mental health, dental, preventive and health planning services to the communities it serves.

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