

SENATE RESOLUTION NO. 178

BY SENATORS HEWITT, ABRAHAM, ALLAIN, BARROW, BERNARD, BOUDREAUX, BOUIE, CARTER, CATHEY, CLOUD, CONNICK, CORTEZ, FESI, FOIL, HENRY, HENSGENS, JACKSON, LAMBERT, LUNEAU, MCMATH, MILLIGAN, FRED MILLS, ROBERT MILLS, MIZELL, MORRIS, PEACOCK, PRICE, REESE, STINE, TALBOT, WHITE AND WOMACK

A RESOLUTION

To acknowledge the right of parents to decide whether to vaccinate a child for COVID-19 and the role of the state in providing information to allow parents to make an informed decision.

WHEREAS, in September of 2021, the Louisiana Department of Health gave notice in accordance with R.S. 49:953 of its intention to adopt an administrative rule to add the COVID-19 vaccine to the state immunization schedule, require schools to prohibit in-person school attendance by certain unvaccinated students, and impose upon schools recordkeeping requirements related to compliance with the rule; and

WHEREAS, in its December 6, 2021, legislative oversight hearing concerning this proposed rule, the House Committee on Health and Welfare voted to reject the proposed rule; and

WHEREAS, subsequent to the legislative oversight hearing, the governor exercised the power conferred by R.S. 49:968(G) to disapprove the legislative action taken to reject the rule, making Louisiana the only state in the country to add the COVID-19 vaccine to the state immunization schedule for school children; and

WHEREAS, on April 20, 2022, the Louisiana House of Representatives passed House Concurrent Resolution 3 of the 2022 Regular Session of the Legislature to repeal the portion of the Louisiana Department of Health's rules adding the COVID-19 vaccine to the state immunization schedule, requiring schools to prohibit in-person school attendance by certain unvaccinated students, and imposing upon schools recordkeeping requirements related to compliance with the rule; and

WHEREAS, on May 18, 2022, the governor announced that the Louisiana Department of Health will rescind the COVID-19 vaccine requirement for school-aged children, and instructed the department to stop enforcing the rule and to initiate the actions

required by the Administrative Procedure Act to rescind the rule; and

WHEREAS, although the COVID-19 vaccine will no longer be part of the state immunization schedule, the Louisiana Department of Health, in accordance with its statutorily imposed duty to prevent the occurrence or spread of communicable diseases, continues to recommend that all eligible children receive the COVID-19 vaccine; and

WHEREAS, the members of the Louisiana Senate acknowledge the right of parents to choose what is best for their children, including the decision to vaccinate them; and

WHEREAS, parents, through communications with legislators, have shown they want to choose whether or not to vaccinate their children and do not want to opt out of a policy that could lead to discriminatory or unfair treatment of their children as a result of their choice not to vaccinate; and

WHEREAS, it is important for the state of Louisiana, through the state's health agency, the Louisiana Department of Health, to provide timely information necessary to assist parents in choosing whether or not to have their children vaccinated.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby acknowledge the right of parents to choose whether or not to vaccinate a child for COVID-19.

BE IT FURTHER RESOLVED that the Senate does hereby concur with the administration's decision to rescind the Louisiana Department of Health's rules and joins the Louisiana House of Representatives in support of the policy allowing parents to decide what is best for their children.

BE IT FURTHER RESOLVED that the Senate urges and requests the Louisiana Department of Health to provide parents with balanced, evidence-based information to assist them in making an informed decision regarding childhood vaccinations.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the president of the Senate, the speaker of the House of Representatives, the chairman of the Senate and House committees on health and welfare, the secretary of the Louisiana Department of Health, and the governor.

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PRESIDENT OF THE SENATE