



PENNSYLVANIA MEDICAL FREEDOM ALLIANCE

Jeffrey R. Schott, Esq.
PAMFA Director

March 15, 2017

Dr. Thomas E. Price, Secretary
U.S. Department of Health & Human Services
200 Independence Avenue, SW
Washington, D.C. 20201
Secretary@HHS.gov

Dear Secretary Price:

The undersigned write to express our concern regarding the Office of Child Care's requirement that Ohio legislatively alter its exemptions to vaccine requirements, and to request the assistance of the Department of Health and Human Services in rectifying this matter. By way of background, the Regional Manager and former Director of the OCC conditionally approved Ohio's Child Care and Development Fund Plan on or about June 10, 2016. Among the conditions provided in the approval is "corrective action" to modify the state's current law with regard to exemptions from vaccination requirements. This "corrective action" consists of legislatively eliminating the conscience portion of its exemptions, a portion rooted in the state constitution's protections of religious liberty.

The former Director incorrectly asserts in the June 10, 2016 letter that Ohio "does not meet the existing immunization requirement" of the Child Care and Development Block Grant Act of 2014 and regulations thereunder. To the contrary, nothing in the Act or regulations requires that the definition of religion be so limited as to exclude matters of conscience. In fact, 45 C.F.R. 98.34 provides that "[n]othing under this part should be construed or applied in any manner to infringe on or usurp the moral and legal rights and responsibilities of parents or legal guardians." Section 98.1 also specifically provides as its purpose: "[t]o allow each State maximum flexibility in developing child care programs and policies that best suit the needs of children and parents within that State." Accordingly, we respectfully submit that the interpretation of the former Director and of the Regional Manager is in error.

The exemption at issue is written in a manner to comport with the state's constitutional definition of religion. Article I, Section 7 of the Ohio Constitution provides: "All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience. No person shall be compelled to attend, erect, or support any place of worship, or maintain any form of worship, against his consent; and no preference shall be given, by law, to any religious society; nor shall any interference with the rights of conscience be permitted." Consistent with this constitutional definition of religion, the Ohio Revised Code, Section 5104.014(C) provides for exemptions from vaccination requirements for reasons of health, religion and conscience.

Often, matters of conscience and even religious faith fall outside the mandates of a citizen's particular organized religion. For example, many of the required vaccines utilize in the course of their production and contain aborted fetal tissue. Although major organized religions that typically oppose abortion have raised little concern about this, you can easily see how this is still offensive to the consciences of many of us who refuse to participate in a program that requires abortions to sustain itself and have our children injected with aborted fetal tissue matter. In addition, many of the vaccines on the schedule utilize in their production and contain numerous animal based products. As a matter of conscience, some citizens understandably do not eat or utilize products that require the killing of God's creatures over which we were given stewardship. These matters and decisions based on conscience are no less bestowed upon us by the Creator than are other matters of faith.

Many of us also have vaccine injured children and family members. In fact, as you certainly already know, the vaccine court has issued over \$3.3 billion in awards and settlements to thousands of persons and families of persons killed or injured by vaccines. If not as a matter of religion, then certainly as a matter of conscience, many of us cannot and should not be required to expose our children and loved ones to something that even President Trump, Congress, and the federal courts acknowledge has risk attached to it.

The Administration has asserted on numerous occasions its devotion to the maintenance and restoration of the rights of states. The Agency's requirement that Ohio legislate to comport with the whims of one Agency Director or Regional Manager, and do so in a manner that quite likely violates the extent of freedom of religion and conscience provided under its state constitution is repugnant to the principle of maximization of the rights of states.

In light of the above, the undersigned respectfully request that the Department of Health and Human Services take any action necessary to overturn the requirement asserted by the Director and Regional Manager of the Office of Child Care and permit the state of Ohio to maintain its current law.

Respectfully submitted,

Pennsylvania Medical Freedom Alliance

by: Crystal Hunsicker, Director
Susan Love, Director
Jeffrey Schott, Esq., Director
Kalea Keppley, President
Malinda Schuck, Secretary

New Jersey Medical Freedom Advocates

by: Bridget Martinovitch, Trustee
Denise Cosner, Trustee

Ohio Advocates for Medical Freedom

by: Robert Wise, President
Anthony DiBiase, Vice President
Tina Wise, Treasurer

Texas Medical Freedom Alliance

by: Sheila Lewis Ealey, Director
Kim Houston, Director
Dawn L. Tollefson, Director

Jenna Magill, Pennsylvania Medical Freedom Alliance, Pittsburgh Region Chair

Erin Zuclich, Pennsylvania Medical Freedom Alliance, Pocono Region Co-chair

Cindy Stolten, Pennsylvania Medical Freedom Alliance, Pocono Region Co-chair

Toni Sparling, Pennsylvania Medical Freedom Alliance, Central Region Chair

Colleen Rasmussen, Pennsylvania Medical Freedom Alliance, Southeast Region Co-chair

Gina Badalaty, Pennsylvania Medical Freedom Alliance, Southeast Region Co-chair

Cristin Lightcap, Pennsylvania Medical Freedom Alliance, Southeast Region Co-chair

Cassandra Kennedy, Pennsylvania Medical Freedom Alliance, West Shore Region Chair

Marianne Gainey, Pennsylvania Medical Freedom Alliance, Fund Raising Chair

Julienne Bullock, Pennsylvania Medical Freedom Alliance

Bruce Brenan, Pennsylvania Medical Freedom Alliance

Rusty Hexter, Pennsylvania Medical Freedom Alliance

Adrienne Leasa, Pennsylvania Medical Freedom Alliance

Nira Eckstein, Pennsylvania Medical Freedom Alliance

Jade Hunsicker, Pennsylvania Medical Freedom Alliance

Marc Calicchio, DC, Pennsylvania Medical Freedom Alliance

David B. Smith, DC, Pennsylvania Medical Freedom Alliance

Shannon L. Smith, Pennsylvania Medical Freedom Alliance

Bonnie Jeffers, Pennsylvania Medical Freedom Alliance

Alex Snoke, Pennsylvania Medical Freedom Alliance

Melissa Rebeck, Pennsylvania Medical Freedom Alliance

Jacyn Hunsicker, Pennsylvania Medical Freedom Alliance

Chris Gainey, Pennsylvania Medical Freedom Alliance

Jason Hunsicker, Pennsylvania Medical Freedom Alliance

Rebecca Butler, Pennsylvania Medical Freedom Alliance

Cara Taylor, Pennsylvania Medical Freedom Alliance

James Taylor, Pennsylvania Medical Freedom Alliance

Lisa Drace, Pennsylvania Medical Freedom Alliance

Sara Alleman, Pennsylvania Medical Freedom Alliance

Bekki Roth, Pennsylvania Medical Freedom Alliance

Michael J. Folmer, Pennsylvania State Senator, 48th District

PAMFEA.ORG