

2022 Regular Session

SENATE RESOLUTION NO. 178

BY SENATOR HEWITT

HEALTH CARE. Acknowledges 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.

1 A RESOLUTION

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

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

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

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

17 WHEREAS, on April 20, 2022, the Louisiana House of Representatives passed
18 House Concurrent Resolution 3 of the 2022 Regular Session of the Legislature to repeal the

1 portion of the Louisiana Department of Health's rules adding the COVID-19 vaccine to the
2 state immunization schedule, requiring schools to prohibit in-person school attendance by
3 certain unvaccinated students, and imposing upon schools recordkeeping requirements
4 related to compliance with the rule; and

5 WHEREAS, on May 18, 2022, the governor announced that the Louisiana
6 Department of Health will rescind the COVID-19 vaccine requirement for school-aged
7 children, and instructed the department to stop enforcing the rule and to initiate the actions
8 required by the Administrative Procedure Act to rescind the rule; and

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

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

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

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

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

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

29 BE IT FURTHER RESOLVED that the Senate urges and requests the Louisiana
30 Department of Health to provide parents with balanced, evidence-based information to assist

