

Senate Health and Human Services Committee

Matthew Schelzi 271-3266

HB 1449, limiting times vaccine clinics may operate at schools and requiring parents or legal guardians to be present with their child during the administration of vaccinations at such a clinic.

Hearing Date: April 2, 2026

Time Opened: 3:31 p.m.

Time Closed: 4:16 p.m.

Members of the Committee Present: Senators Rochefort, Avard, Birdsell, Prentiss and Long

Members of the Committee Absent: None

Bill Analysis: This bill prohibits the operation of a vaccination clinic at schools during school hours and requires the parent or legal guardian of a child be present during the administration of any vaccination to their child at such a clinic.

Sponsors:

Rep. McGrath

Rep. DeRoy

Rep. DeVito

Rep. Litchfield

Rep. McFarlane

Rep. Morton

Rep. Perez

Rep. Sabourin dit
Choiniere

Rep. Terry

Who supports the bill: 137 individuals were in support. Full sign in sheets are available upon request by contacting the Legislative Aide, Sophie Walsh (sophie.walsh@gc.nh.gov).

Who opposes the bill: 352 individuals were in opposition. Full sign in sheets are available upon request by contacting the Legislative Aide, Sophie Walsh (sophie.walsh@gc.nh.gov).

Who is neutral on the bill: No one.

Summary of testimony presented:

Representative Linda McGrath, Rockingham District 40

- Rep. McGrath said that in 2011, pharmacists were authorized the ability to administer vaccines.
- She said they were never allowed to inject a child without a parent or guardian present in the immunization room.

- She said there have been at least two documented instances where school children were vaccinated at a clinic without a parent present, even though the notification form said do not vaccinate.
- She said the biggest criticism that will be said about this bill is that parents are too busy, but there are few areas where safety is sacrificed for convenience.
- She said this bill would require parents to be present during the immunization of their child at a school clinic which would put it in line with pharmacy requirements.
- Senator Prentiss asked Rep. McGrath if she was aware of the practice of schools sharing medical history and consent forms on file from parents. Rep. McGrath said she was aware.
- Senator Prentiss asked if there is a difference between medical history and the consent compared to what might be readily available at a pharmacy on hand. Rep. McGrath said that is a good analogy, but the risks from a vaccine are different from an aspirin.
- Senator Prentiss said Section I talks about how vaccination clinics cannot be held during school hours, but Section II says a parent should accompany a child if they will be immunized, so it would be off-hours. Rep. McGrath said the purpose is to protect the safety of the children; however, she did say they could remove the requirements around school hours.
- Senator Rochefort asked if his nephew wanted a vaccine and the parents wrote a note saying the vaccine could be given under the supervision of Senator Rochefort's wife would that not be permitted under the bill. Rep. McGrath said it would need to be under the supervision of a parent or guardian.
- Senator Rochefort asked about administering a vaccine to a teenager. Rep. McGrath said if a teenager walked into the pharmacy with a form, but not a parent, the pharmacy would not administer that vaccine.

Representative Jessica LaMontagne, Strafford District 17

- Rep. LaMontagne said that HB 1449-FN would limit access to vaccinations, as this bill will prevent schools from having vaccination clinics during school hours, and require parents to be present.
- She said parents already opt-in or opt-out with consent forms with these clinics.
- She said while it was terrible that two children were vaccinated without their parent's consent, the state should not eliminate a whole program based on that situation.

- She said if there were a flu outbreak at school it would be better for a child to miss 15 minutes of class to get vaccinated than being sick with the flu and missing a whole week of school.

Megan Heddy, Chief of the Bureau of Infectious Disease Control, DHHS, and Iain Watt, Director for the Division of Public Health

- Ms. Heddy said the Department of Health and Human Services thought that if HB 1449-FN is enacted it will prevent the Department, local communities and regional healthcare partners from using local health care clinics to respond to an infectious disease outbreak.
- She said school based immunization clinics are an effective avenue for children and staff who may want to be immunized but otherwise lack access to care.
- School based clinics help alleviate issues with transportation, scheduling and arranging childcare.
- She said school based clinics are always voluntary and always require informed consent from a parent or guardian.
- If HB 1449-FN were in place when an infectious disease outbreak occurred it would create an increased burden on the healthcare system, and logistical challenges for families to drive to a healthcare facility.
- HB 1449-FN removes the control for communities to determine how to provide public health emergency services based on their community's needs.
- Senator Rochefort asked if the Department was taking a formal position on this bill. Mr. Watt said the Department is just expressing concerns.
- Senator Birdsell asked what actions can be taken against nurses who immunize children without parental consent. Mr. Watt said onsite there are thorough protocols and procedures to ensure only children with parental consent receive the vaccine. In instances where mistakes were made, there would be a very thorough post-mortem with medical providers to look at what went wrong and how it can be changed in a future clinic, but he noted that would be outside of the purview of the Department.
- Senator Avard said that issue has already happened and asked what the Department has done about it. Mr. Watt said they have worked with their vendor to look over the procedure and tighten up the process, so those instances don't happen anymore.
- Senator Avard asked what happens if there is an adverse reaction and a child gets sick, and he asked if there is a civil action allowed. Ms. Heddy said there are protocols in place when they host vaccine clinics so that there is support for the child in the moment if they do have an adverse reaction.
- Senator Rochefort asked about the basic mechanics of doing a school vaccine clinic. Mr. Watt said the Department is funding the clinics through the

regional public health networks, and they are voluntary for the school, and the individual children. It starts with interest from the school and they coordinate with their public health networks.

- Senator Rochefort asked if the Department has a set standard that needs to be followed. Mr. Watt said the Department oversees the medical director along with a vendor, and that vendor would oversee the medical oversight of the vaccine clinic.
- Senator Rochefort asked if this was an opt-in process. Mr. Watt said yes, these are always voluntary and the parents provide informed consent.

Patrica Edwards, Pediatrician

- Ms. Edwards said she opposed this bill because it puts an undue burden on parents to find other alternatives to get their children vaccinated.
- She said many of the families who take part in these vaccine clinics; the parents have full-time jobs that don't allow them to leave during the day to accompany their child.
- Shifting clinic hours can unintentionally create barriers to vaccines.
- She said schools already use a system where the parents must sign a permission form stating they would like their children vaccinated.
- Ms. Edwards said school clinics help ease the high demand for vaccines in pediatric and family practices.

Pam DiNapoli, President of the NH School Nurse Association

- Ms. DiNapoli said she opposed HB 1449-FN as it is a continued effort to limit school-based services.
- She said school-based health services increase accessibility to preventative care.
- She said vaccine clinics are put on with care, and they do everything they can to prevent errors.
- Senator Rochefort asked if there are any other school vaccine clinics beside the flu. Ms. DiNapoli said there was a COVID clinic, but they are not widespread at this point.

Kate Frey, New Futures

- Ms. Frey said she opposed HB 1449-FN as it brings new regulations to school-based vaccine clinics and prohibits the operation of such clinics during school hours.
- She said school-based clinics have been scaled back in recent years based on federal funding changes; this law would be short-sighted in a new public health emergency.

- She said the cost to addressing an outbreak could be anywhere from \$100,000 to \$350,000.

Alyson Fava, New Hampshire Families for Vaccines

- Ms. Fava opposed HB 1449-FN as school-based vaccination clinics are a critical way to ensure that school children have timely and equitable access to immunizations.
- She said these clinics remove barriers to care including transportation, scheduling clinics and access to health care providers. By restricting these clinics, access will be made more difficult particularly for working families, and those in rural communities.
- She said these limitations could result in gaps in vaccination rates and that could lead to dangerous and costly outbreaks.

Rebecca Lozman, American Academy of Pediatrics

- Ms. Lozman opposed HB 1449-FN because as a pediatric nurse practitioner providing care in rural health centers and school-based health centers, she has seen the profound impact vaccine clinics have on the health and wellbeing of children and families.
- She said limiting access to these clinics creates unnecessary barriers to care and disproportionately affects vulnerable communities in our state.

Sarah Schleef, Population Health Coordinator at Dartmouth Hitchcock Medical Center

- Ms. Schleef said she was opposed to HB 1449-FN as it eliminates low barrier access to flu vaccination clinics for children.
- She reiterated that vaccine clinics during the school day greatly reduces the time that students spend out of class and prevents parents and guardians from missing work.
- She said these clinics have successfully provided 75,000 flu vaccinations to students since 2013.
- She said students registered for the clinics are removed from class in small groups to avoid wait times and are observed by licensed medical professionals for a mandatory 15 minute observation period to catch any adverse reaction, and students are returned to class by a school nurse.
- She said parents only return the consent forms if they want their children to be vaccinated and the forms are verified by three separate individuals before the child is eligible for immunization.
- Senator Rochefort asked if it is just flu clinics that are going on in schools. Ms. Schleef said the only recurring clinic at this time is for the flu.

Gary York, Hopkinton NH

- Mr. York said he was in support of HB 1449-FN.
- He said the flu vaccine is ineffective to prevent the flu, and there is a greater likelihood of getting the flu based on a study from the Cleveland Clinic.
- He said this policy will protect parents' rights and he stated as a physician he does not believe there is any room for health care at school where education should be of the utmost importance.
- He said there is no recourse for parents of children who get mistakenly vaccinated.

Representative Yury Polozov, Merrimack District 10

- Rep. Polozov said he was in support of HB 1449-FN
- He said schools should be focused on education, not questionable medical practices.
- He said it's a gamble when getting the flu vaccine, as it is not always effective.

mjs

Date Hearing Report completed: April 7, 2026