

Senate Health and Human Services Committee

Sophie Walsh 271-3469

HB 1022, relative to religious exemption from immunization requirements.

Hearing Date: April 16, 2026

Time Opened: 1:01 p.m.

Time Closed: 1:31 p.m.

Members of the Committee Present: Senators Rochefort and Prentiss

Members of the Committee Absent: Senators Avard, Birdsell and Long

Bill Analysis: This bill specifies the form for religious exemption from childhood immunization requirements.

Sponsors:

Rep. Drew

Rep. Korzen

Rep. Polozov

Rep. Wherry

Who supports the bill: 163 people signed in support of the bill. Full sign in sheets are available upon request by contacting the Legislative Aide, Sophie Walsh (sophie.walsh@gc.nh.gov).

Who opposes the bill: 104 people signed in opposition to the bill. 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 Matt Drew, Hillsborough – District 19

- Representative Drew reviewed the legislative history of this issue.
- In 2022, House Bill 1035 was introduced. At this time, law required parents choosing to exercise religious exemptions to submit a notarized statement to the school indicating their choice. Before 2022, the system worked fine and statute had not been amended for approximately 20 years.
- The original version of House Bill 1035 was almost identical to this bill, as it specifies a simple textual statement with no notarization required.
- In 2022, a replace-all amendment was filed for House Bill 1035 to simply remove the word “notarized” from statute. It was signed into law and was uncontroversial.

- In March 2023, a new rule appeared under Department of Health and Human Services (DHHS) rules, requiring that parents and legal guardians complete a New Hampshire child care & school immunization religious exemption form. This form did not exist before 2023 and there was no statutory requirement for it.
- This form goes far beyond the purpose of recording a religious exemption to vaccine mandates, asking for address, phone number, grade level, and specific information on various vaccines.
- Nothing in this form is used by schools for anything other than recording religious exemption. Any exclusion or issue based on medical records do not include this form, and it does not need to be completed annually as implied by the grade level information.
- The legislature attempted to fix this issue in 2025 with House Bill 358, but it was vetoed by the Governor. Representative Drew noted that the veto message did not seem to apply to the specific issue at hand.
- This bill has nothing to do with larger questions around the ethics and utility of vaccine mandates. It simply specifies the exact text required for a parent to exercise their right to a religious exemption.

Representative Lucy Weber, Cheshire – District 5

- Representative Weber emphasized that the current system is simple, with nothing difficult or intrusive.
- The additional information would be very useful in the case of an outbreak for the protection of both vaccinated and unvaccinated students.

Megan Heddy and Dr. Ben Chan, Department of Health and Human Services

- Ms. Heddy stated that the Department is in opposition to the bill.
- Current statute allows for medical and religious exemptions from school and child care immunization requirements. This balances public health protection with accommodations for a child's individual medical needs or religious beliefs.
- The Department respects the religious beliefs of any families seeking these exemptions.
- The current form effectively allows for parental choice while minimizing administrative burden for school professionals and administrators. This allows for the consistent collection of exemption records within a school and between school districts.
- This form also serves as a useful administrative tool by providing a clear, uniform process for schools and families seeking religious exemptions. The Department has heard from both school nurses and parents that the form is helpful.

- The form also allows schools to share important information with families of unvaccinated children in the event of an outbreak of a preventable disease for which an immunization is required.
- This bill omits this critical information.
- Ms. Heddy noted that these forms are kept within schools and are not sent to the Department.

Alyson Fava, New Hampshire Families for Vaccines

- New Hampshire already has a clear, simple, and effective process for claiming religious exemptions using the standardized DHHS form.
- The form only requires basic information while allowing for flexibility, such as optionally indicating which vaccines the exemption applies to. It clearly states that providing this information is voluntary and does not affect the validity of the exemption.
- This bill introduces a change without a clear benefit.
- Even small administrative changes can create unnecessary burdens for school staff.
- Ms. Fava emphasized that New Hampshire has already faced challenges maintaining high immunization rates. Altering this system could further drive declines.
- Senator Prentiss asked if it is Ms. Fava's position that the use of this well-established and recognized form would support clarity and efficiency across the board with school nurses and anybody who would receive the form.
- Ms. Fava confirmed it is a standardized form that serves a functional purpose.

North Saunders, American Families for Vaccines

- Mr. Saunders stated that he is speaking in opposition to the bill.
- While this may appear to be a minor administrative change from the national perspective, it does have broader consequences.
- Mr. Saunders consistently sees that when the process for claiming exemptions becomes less clear and standardized, exemption rates rise over time and cluster.
- After a personal belief exemption was introduced in Arkansas, exemption rates increased immediately by 17% and surged to 50% the following year. Exemptions clustered geographically, creating localized vulnerability.
- Mr. Saunders emphasized that New Hampshire's current system works. It helps ensure that exemptions are clearly documented, which is essential for maintaining accurate records and effectively responding to outbreaks.
- Senator Prentiss asked if it is Mr. Saunders' position that a change in the established process could bring confusion for families thinking about making this choice, and Mr. Saunders confirmed. He emphasized that religious exemptions exist for those who want to use them. It is important for school

nurses and administrators to have accurate information to ensure all kids are protected in the event of an outbreak.

- Senator Prentiss asked if it is fair to say that a standardized form would protect families using religious exemptions as well, and Mr. Saunders confirmed.

Representative Yury Polozov, Merrimack – District 10

- Representative Polozov stated that he is speaking in support of the bill. He does not think it goes far enough.
- He explained that not all vaccines actually stop the transmission of disease and emphasized the importance of having placebo control studies.

Kate Frey, New Futures

- New Futures has heard from school nurses that the current form provides for a consistent and standard system that families are familiar with. Stepping away from this process would introduce confusion and concern.
- Ms. Frey emphasized the importance of the impacts this could have on herd immunity and having healthy communities for a strong economy.

Representative Kelley Potenza, Strafford – District 19

- Representative Potenza reviewed the history of this issue. She emphasized that there has never been any complaints from schools in regard to the previous process in place for approximately 20 years.
- The 2022 legislation did not authorize the Department to create their own form.
- Representative Potenza referenced written testimony including an example form she drafted in her capacity as a member of Health Freedom New Hampshire.
- She explained that parents must provide all medical and immunization records annually, so these forms are not used in the event of an outbreak.
- The current form used by DHHS looks like an official department form. Furthermore, it contains “shall” language for parents to sign the form.
- Representative Potenza believes this form is unconstitutional in some ways, as it infringes on religious rights and rights to privacy. She noted that while it may contain language that certain pieces are optional, many people do not read it and simply comply.
- Representative Potenza emphasized that all rules should be based on statutory authority.
- This change will not affect vaccination rates, as people are allowed to exercise religious exemptions.

SW

Date Hearing Report completed: April 20, 2026