

# In Opposition to HB 1616-FN

## *An Act Prohibiting State Agencies and Political Subdivisions from Advertising or Expending Funds to Advertise Vaccines in the State of New Hampshire*

### New Hampshire House Executive Departments and Administration Committee

Chairwoman Erica Layon and Members of the Executive Departments and Administration Committee—

My name is Joseph Zamboni, and I submit this testimony in opposition to HB 1616-FN on behalf of the Pro-Vaccine Legal Alliance (PVLA), a project of American Families for Vaccines. PVLA is a national network of legal, public health, and medical experts dedicated to protecting access to safe, effective vaccines and supporting evidence-based immunization policy. Our work focuses on ensuring that laws governing vaccination promote child health, equity, and public trust while remaining grounded in sound science and long-standing public health practice.

HB 1616-FN would prohibit state agencies and political subdivisions from advertising vaccines or expending funds to do so, including through third-party contractors. While framed as a fiscal or neutrality measure, this bill would severely impair the state's ability to communicate essential public health information, weaken vaccination infrastructure, increase preventable disease risk, and expose New Hampshire to substantial long-term financial and legal consequences.

Vaccination outreach by state and local health agencies is not commercial advertising. It is core public health communication, used to inform residents about disease risks, vaccination availability, eligibility changes, outbreak response, and emergency guidance. HB 1616-FN would silence these communications, regardless of context, timing, or public health need. Under this bill, state and local agencies would be prohibited from promoting routine childhood immunizations, informing communities about outbreak-related vaccination clinics, educating providers and parents about schedule changes or eligibility, and conducting targeted outreach to vulnerable or underserved populations.

This blanket prohibition removes professional judgment from public health officials and replaces it with a statutory gag order, one that applies even during declared public health emergencies.

In addition, the fiscal note confirms that HB 1616-FN would immediately result in a reduction of at least \$61,000 in federal immunization grant funding, which is currently used for provider education and contracted services across the state. However, more critically, the Department of Health and Human Services warns that restricting vaccine education and communication may place up to \$3.5 million in federal funding at risk if

the state is unable to meet grant requirements tied to immunization outreach and education.

This bill therefore jeopardizes not only communications, but the financial backbone of New Hampshire's immunization infrastructure, funds that support clinics, providers, surveillance, and disease prevention statewide. Any short-term reduction in spending is dwarfed by the potential loss of federal support and the downstream costs of preventable disease. The Department further notes that reduced vaccination communication is expected to contribute to declining vaccination rates over time, increasing the likelihood of outbreaks. The estimated cost to manage a single outbreak ranges from \$100,000 to \$350,000, with the possibility of multiple outbreaks per year.

These are not hypothetical risks. Public health history consistently shows that when communication falters, misinformation fills the gap, vaccination coverage declines, and disease resurges. HB 1616-FN would disable one of the state's most effective prevention tools at the exact moment it is most needed.

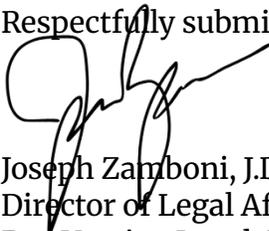
HB 1616-FN also raises serious constitutional and governance concerns. The bill prohibits government speech promoting vaccines while leaving untouched private and commercial messaging, including misinformation. This is not viewpoint neutrality; it is viewpoint discrimination, restricting one side of a critical public health dialogue while allowing the other to proliferate unchecked.

Parents and caregivers rely on trusted, accurate information from state and local health authorities. Silencing those voices undermines public trust, weakens informed decision-making, and exacerbates confusion, particularly during outbreaks or emergencies. New Hampshire has recognized that strong immunization systems depend on clear, timely, and evidence-based communication. HB 1616-FN would dismantle that foundation by prohibiting public health agencies from doing one of their most basic and essential jobs, informing the public about how to prevent disease.

The bill would increase preventable illness, raise healthcare and emergency response costs, risk millions in federal funding, and erode public confidence in state institutions. For these reasons, on behalf of the Pro-Vaccine Legal Alliance, I respectfully urge the Committee to vote Inexpedient to Legislate on HB 1616-FN.

Thank you for your time and consideration.

Respectfully submitted,



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