



March 14, 2023

The Honorable Joseline A. Peña-Melnyk  
Chair, Health and Government Operations Committee  
Room 241, House Office Building  
Annapolis, MD 21401

**RE: HB 1161 – Public Health – Human Papillomavirus Vaccine – Information and Informed Consent (Christina’s Law) – Letter of Opposition**

Dear Chair Peña-Melnyk:

The Maryland Cancer Council (Council) is submitting this letter of opposition for House Bill 1161 entitled, “Public Health – Human Papillomavirus Vaccine – Information and Informed Consent.” This bill would require the Maryland Department of Health (MDH) to develop an information sheet and a written consent form using the incorrect and misleading statements contained in the bill. This bill would then require health care providers, before administration of a human papillomavirus (HPV) vaccine, to provide an individual or an individual’s parent or guardian with this misleading information sheet and obtain written consent.

The Council has many concerns about this bill. First and foremost, it forces the healthcare provider to provide false information regarding the safety of the HPV vaccine. It would negatively affect the physician-patient relationship.

This bill would result in Maryland patients receiving two contradictory information sheets. As required by the Federal National Childhood Vaccine Injury Act (42 U.S.C. §300aa-26), all health care providers in the United States who administer any of the routinely recommended vaccines – including HPV vaccine– are already required to provide the patient with a copy of the most recent Vaccine Information Statement (VIS) before the vaccine is administered. The VISs provide a brief description of the disease as well as the risks and benefits of the vaccination; they are updated periodically.

These VISs are produced by the Centers for Disease Control and Prevention (CDC) based on the scientific literature and the recommendations from the Advisory Committee on Immunization Practices (ACIP). The ACIP is comprised of medical and public health experts from outside of government who review the data and develop recommendations on the use of vaccines in the United States. These recommendations stand as public health guidance for the safe use of vaccines and related biologics. A good portion of the informational statements included in this bill, and thus required to be included in the MDH-developed information sheet, are in fact in contradiction to the ACIP national guidance and simply wrong.

This bill would also place additional burden on Maryland healthcare providers and healthcare practices. Requiring health care providers to obtain a written consent prior to HPV vaccination and document this information in the permanent medical record would increase the burden on medical practices, some of which are small businesses, by potentially changing the workflow of the practice. With many practices currently using electronic medical record systems (EMR), system changes would likely have to be made to the EMR in order to capture the additional information required by this bill. This would result in an increased cost to the individual health care provider.

The Council expresses deep concern with the required statements on the information sheet proposed in the bill, as they present inaccurate, false, and misleading information. HPV vaccines have been proven to be safe and effective.<sup>1</sup> Every year in the United States, 33,700 women and men are diagnosed with a cancer caused by HPV infection and the HPV vaccine could prevent more than 90% of these cancers, 31,200 cases every year, from ever developing.<sup>2,3</sup> In addition, recent studies show that declines in cervical cancer deaths in the US are partly due to the HPV vaccine. Translated, the HPV vaccine is saving lives.<sup>4</sup>

In closing, the Council has great concerns about this bill. It is imperative that MDH continue to ensure that accurate, evidence-based information be provided to Marylanders regarding the safety and effectiveness of the HPV vaccine. The Council does not believe that HB 1161 would contribute to cancer control, and would continue to cause the spread of false or misleading information to the general public around vaccines.

Sincerely,



Kevin Cullen, MD  
Chair, Maryland State Council on Cancer Control

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<sup>1</sup> National Institute of Health, Human Papillomavirus (HPV) Vaccine.

<https://www.cancer.gov/about-cancer/causes-prevention/risk/infectious-agents/hpv-vaccine-fact-sheet#q4>. Accessed February 23, 2023.

<sup>2</sup> Centers for Disease Control and Prevention, HPV and Cancer: HPV Cancers are Preventable.

<https://www.cdc.gov/hpv/hcp/protecting-patients.html#:~:text=HPV%20vaccination%20could%20prevent%20more,the%20United%20States%20every%20year.&text=Cervical%20cancer%20is%20the%20only,detection%20at%20an%20early%20stage>. Accessed February 23, 2023.

<sup>3</sup> U.S. Food and Drug Administration, FDA Approves Expanded Use of Gardasil 9 to Include Individuals 27 Through 45 Years Old.

<https://www.fda.gov/newsevents/newsroom/pressannouncements/ucm622715.htm>. Accessed February 23, 2023.

<sup>4</sup> Tabibi T, Barnes JM, Shah A, et al. Human Papillomavirus Vaccination and Trends in Cervical Cancer Incidence and Mortality in the US. *JAMA Pediatric*. 2022; 176(3):313-316