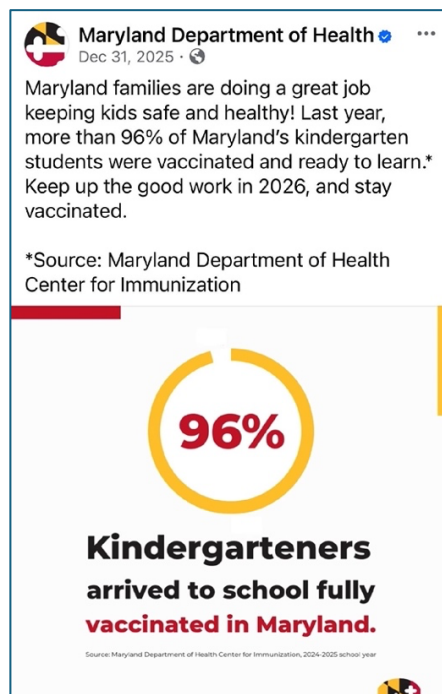


HB0637- The Governor's Vax Act 2026
Alliance for Science Based Policy
Silver Spring, MD
Unfavorable

Good Afternoon Chair Bagnall, Vice Chair Cullison and Members of the House Health Committee,

The Alliance for Science Based Policy (ASBP) has many concerns about HB0637 and asks that the Committee give it an **Unfavorable report**. We cannot support a bill that gives so much authority to a professional organization, like the American Academy of Pediatrics (AAP), that has enormous conflicts of interest. However, after attending the hearing on the Senate side, **we could be supportive of the bill if it is amended to have an expiration date of January 2029, which is the end of the current Federal administration's term.**

Unnecessary: This bill is unnecessary. While the Federal government has made changes to some recommendations for vaccinations in terms of dosage and appropriate populations, NO vaccines have been taken away and ALL Marylanders are able to work with their physicians to receive any and all vaccinations. Medical decisions are best made with physicians and patients, not governments, and Maryland is a leader in the nation for vaccination uptake. Physicians are perfectly capable of reading both CDC recommendations and AAP recommendations and coming up with their own treatment plan for individual patients. That is how medical care is supposed to work.



Liability/ Med Mal/ Healthcare Worker Shortage: Since 1986, professionals that administer vaccinations are protected from liability for any injuries and/or deaths that the administration of the shot may cause, through the Federal Law, the 1986 National Childhood Vaccine Injury Act. The Act was signed after vaccine makers were inundated with injury and deaths claims. They threatened Congress that they would stop making vaccinations if they had to keep compensating the injured. Congress passed the National Childhood Vaccine Injury Act which removed liability from vaccine manufacturers and also removed liability from people who administer vaccines, but only for vaccinations *that are routinely recommended on the CDC's childhood schedule.*

The Act set up the Vaccine Injury Compensation program, or VICP, that has paid out over \$5.8 billion dollars in damages to the vaccine injured, even though awards are capped at very low maximums. The max award for a deceased individual in the VICP is \$250,000. Maryland residents that have gone through the program describe it as arduous, with the average claim taking 8-10 year to resolve.

In 1986, there were very few shots on the regularly recommended childhood schedule and the only administrators were physicians and nurses. The state of Maryland has included pharmacists and pharmacy techs as vaccine administrators.

In what could be considered a perversion of the original intent of the 1986 Act, even shots that adults get are protected from liability. Meaning if an adult gets a flu shot, they also cannot sue the manufacturer or administrator simply because the flu shot appears on the list of routinely recommended childhood vaccines.

Vaccines receiving Liability Protection in 1986	Vaccines Receiving Liability Protection 2026
Diphtheria, Tetanus, Pertussis Measles, Mumps, Rubella Polio	Diphtheria, Tetanus, Pertussis Measles, Mumps, Rubella Polio Hep B Hep A Varicella Influenza Meningococcal ACWY Meningococcal B Rotovirus RSV Hib Pneumococcal

Providers Receiving Liability Protection for Errors 1986	Providers Receiving Liability Protection for Errors 2026
Physicians Nurses	Physicians Nurses Pharmacists Pharmacy Techs

Liability is only given to administrators for shots that are regularly recommended through the CDC. *If the CDC is no longer routinely recommending certain shots, but the state of Maryland is, healthcare professionals who administer those shots may be open to liability and lawsuits.*

This liability would be for all administrators of vaccines including doctors, nurses, pharmacists and pharmacy techs, and would include injuries like SIRVA (Shoulder Injury Related to Vaccine Administration). This could raise malpractice insurance costs and lead to healthcare providers leaving the state.

In their Legislative Session Priorities for 2026, dated 12/22/2025, Medchi warns to fight any efforts to “weaken current liability protections for health care providers, such as legislation that repeals or increases non-economic damages caps, or that lowers standards for awarding punitive damages. Exposing physicians to higher damage awards increases their malpractice insurance costs and only worsens the State’s severe physician shortage.”

Corporate Funded Advocacy Organizations: There is also great concern about our state taking advice from professional organizations like the AAP. All of the organizations mentioned in HB637 take enormous amounts of money from the very companies that stand to profit from their recommendations.

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