

## **Record of Committee Proceedings**

### **Joint Committee for Review of Administrative Rules**

#### **Department of Health Services**

Chapter DHS 144, Relating to Immunization of Students, Wisconsin Administrative Code. The committee intends to hear and consider testimony related to the possible suspension of portions of DHS Ch. 144.

March 07, 2023

#### **Public Hearing Held**

Present: (9) Senator Nass; Representative Neylon; Senators Stroebe, Bradley, Roys and Larson; Representatives Petersen, Spiros and Baldeh.

Absent: (0) None.

Excused: (1) Representative Conley.

#### **Appearances For Suspension**

- Tara Czachor - Wisconsin United for Freedom
- Erin Runk - Wisconsin United for Freedom
- Dr. Pierre Kory
- Dr. Daniel Koster - Physicians for Freedom
- Marc Savard - Physicians for Freedom
- Sarah Hardison - Wisconsin United for Freedom
- Dr. Nathan Jackson
- Andrea Wahhab
- Heather Allen - Wisconsin United for Freedom
- Judith Jolly - National Vaccine Information Center
- Kelly Holmes
- Susanne Leffler
- Christy Schweiss
- Cheryl Mealey - Wisconsin United for Freedom
- Jack Hodgendyk - Wisconsin Family Action
- Kevin Tuttle
- Celeste Ortmeier
- Kim Feldkamp
- Mendee Monfils
- Amber Westergard
- Melinda DeGier
- James Williams
- Susan Arneson
- Vonda Dahms
- Dr. Sonya Naryshkin
- Denise Brusveen - Vaccine Choice Wisconsin
- Susan Michetti

- Soslan Temarson
- Gabrielle Stanley
- Amberlee Ohlsen - Wisconsin United for Freedom

#### Appearances Against Suspension

- Dr. Ryan Westergaard - DHS
- Dr. Stephanie Schauer - DHS
- HJ Waukau - DHS
- Jennifer Kleven - Wisconsin Chapter of the American Academy of Pediatrics
- Dr. Jim Conway - UW Health and UW School of Medicine & Public Health
- Brian Stamm - Dane County Immunization Coalition

#### Appearances for Information Only

- None.

#### Registrations For Suspension

- Wendy Fjelstad
- Larry Seffrood - Sauk County Health Freedom
- Rose Bohmann
- H. Mark Lepinske
- Jade Siedschlag
- Clint Moses - State Representative - 29th District
- Elijah Behnke - State Representative - 89th District
- Ty Bodden - State Representative - 59th District
- Jessamyn Kovacs
- Lorenz Scherzer
- Amanda Shoemaker
- Larry Ratz
- Kayla Coumbe
- Pam Courtney
- Robert Ventura
- Abraham Anderson
- Nicole Tyo
- Deena Cortright
- Elizabeth Wagi
- James Nohr
- Bianca Hengeveld
- Vanessa Backer
- Sheryl Hengeveld
- Malia King
- Lyndsay O'Connor
- Abigail Collett

- Amanda Theys
- Jessica Sickler
- Sarah Burgess
- Kaity James
- Holly Ottesen Liska
- Jessica Kibler
- Jody Burmeister
- Ashley Smith
- Krista Sperger
- Kelly Westfall
- Stephanie Galli
- Hans Scherzer
- Sara Scherzer
- Darcy Turner
- Karla Redepenning
- Dina Steinberger - Wisconsin United for Freedom
- Tammy Kobishop
- Larry Redepenning
- Michelle Voss
- Emma Sunde
- Susan Seymour
- Carrie Fox
- Maribeth Binsfeld
- Molly Waisman
- Cathy Walters
- Cathi Ferry
- Karen Pings
- Clint Ruesch
- Fawn Mueller
- Mike Schleisman
- Julie Schliesman
- Daren Pagenkopf
- Laura Hachmeister
- Lauren Zaehow
- Cindy Marquis
- Katherine Poiron
- John Poiron
- Steve Paske
- Ava LaBracke
- Dustyn Smith
- Chante Haremza
- Laura Van Roo
- Rhonda Schaefer
- Vannessa Ramos

- Todd Fioreutino
- Donna Richmond - Wisconsin United for Freedom
- Jennifer Borchardt
- Lindsey Smith
- Cheryl Bournoule
- Tammy Paul
- Kelly Cheramy
- Sarah Selle
- Tony Niehausen
- Dr. Robin Baker
- Randy DeBron
- Jen Repenshele
- Lauren Niehausen
- Diane Holland
- Arika Wyldberry
- Kristy Hornung
- Theresa Bray
- Dayton Nitz
- Kara Nitz
- Barb Clemmons
- Seth Allen
- Steyr Hardison
- Tabitha Uitenbroek
- Andrew Uitenbroek
- Leonard Boltz
- Larry Raonsey
- Michael Bautsch
- Kim Smith
- Dr. Gene Musser

#### Registrations Against Suspension

- Nathan Butzlaff - Wisconsin Public Health Assn., Medical College of Wisconsin, Wisconsin Academy of Family Physicians, Wisconsin Association of Local Health Departments & Boards
- Connie Schulze - UW Health and UW School of Medicine & Public Health
- Kevyn Radcliffe - DPI
- Jack O'Meara - Wisconsin Association of School Nurses
- Carrie Springer - Public Health Madison Dane County
- Paul Hunter
- Mark Grapentine - Wisconsin Medical Society
- Kia Kjensrud - Wisconsin Chapter of the American Academy of Pediatrics

- Jordan Lamb - Bio Forward

Registrations for Information Only

- Srinivasaa Ramu
- Bill Mitchell

March 09, 2023

**Executive Session Held by Paper Ballot**

Present: (10) Senator Nass; Representative Neylon; Senators Stroebel, Bradley, Roys and Larson; Representatives Petersen, Spiros, Conley and Baldeh.

Absent: (0) None.

Excused: (0) None.

Moved that the Joint Committee for Review of Administrative Rules, pursuant to s. 227.26 (2) (d), Stats., suspend certain provisions of ch. DHS 144, relating to immunization of students, as indicated in items A. to C., below, on the grounds that the provisions of the rule are arbitrary and capricious, and impose an undue hardship:

A. Suspend s. DHS 144.02 (21) (h) and (i).

B. In s. DHS 144.03 (2) (g), suspend the sentence, “A physician, physician assistant, or an advanced practice nurse prescriber, must document a reliable history of varicella disease by indicating on the department’s student immunization record form that the student has had varicella disease.”

C. Suspend the references to “1 Mening” and “2 Mening” in Table DHS 144.03-A and suspend s. DHS 144.03 (2) (k).

Ayes: (6) Senator Nass; Representative Neylon; Senators Stroebel and Bradley; Representatives Petersen and Spiros.

Noes: (4) Senators Roys and Larson; Representatives Conley and Baldeh.

**MOTION PASSED, Ayes 6, Noes 4**

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Adam Field  
Committee Clerk