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Massachusetts Legislature

**Testimony against the forced endurance of a medical procedure,
Human Papilloma Virus (HPV) Vaccine**

I speak as a representative of the Select Committee on Public Health Oversight. I am a board-certified Internal Medicine specialist from South Hadley, Massachusetts. I graduated from Haverford College, then earned my medical degree from the State University of Buffalo School of Biomedical Sciences in 1983.

The HPV vaccine, its genesis, and its effectiveness have been of special interest to me. As a citizen of the nation and state with the longest active Constitutions, individual freedom is also a special interest.

The assertion that the current HPV vaccine, Gardisil, should be forced upon any member of the citizenry represents not only an assault upon person freedom, but also demonstrates the power of influential lobbyist to contradict sound public health.

The idea that one can give a vaccine and prevent cancer is seductive. Perhaps it is so seductive that the idea alone demands mandatory imposition. In the case of Gardisil, eradication of cervical cancer would be a false understanding of the capability of the vaccine.

Basic information

Cervical cancer is caused by the sexual transmission of HPV. While there are 130 subtypes of HPV, only 30 cause genital disease. We classify some as 'high risk' meaning they are more likely to cause cervical cancer than the 'low risk' types. Periodically, we are forced to reclassify them when new data is generated. Each reclassification has occurred, a type we thought was low-risk is reclassified as high-risk. We have not done the reverse.

The vaccine

Of the 30 types subtypes of HPV, Gardisil only protects against four; of those four, two

are high-risk. At this point, we cannot state how long the protection lasts. We cannot state the effect on future fertility. The vaccine is only administered to females. It is the most expensive vaccine of the current panel of vaccines. The manufacturer has made nationwide efforts to make the vaccine mandatory. It has lobbied us physicians in such a manner that pediatricians have called parents 'irresponsible' if they refuse the vaccine for their children. More recently, the manufacturer has pulled back on its efforts because the tactics and ethical conduct were called into question.

The motivations for rushing the vaccine to market, directly approaching legislators and even governors of a variety of states are starkly opportunistic. If the vaccine mandated, the manufacturer then has a ready-made, even captive, consumer. Second, the financial responsibility of the manufacturer for adverse damage to the patient is handled differently; this is to the manufacturer's advantage and to the consumer's and taxpayer's disadvantage. The third point is age-old attempt to slam the competition. The big hurry is not out of compassion as one might think but is actually designed to curtail the sales of a similar vaccine in development from a competing pharmaceutical firm. If millions are vaccinated now, they will have only one vaccine from which to choose. The manufacturer hopes that by the time the second product is released from its competitor, brand loyalty will have developed.

Q: As a legislator, I want to protect people from cancer. Won't Gardisil do this?

A: The populace is still highly susceptible to HPV infection and cervical cancer. First, only females are vaccinated. Even if 100% of females take a vaccine which is 100% effective, only 4 of 26 HPV subtypes will be prevented. Second, the male population will be 100% susceptible to HPV infection. While less common than cervical cancer, HPV also causes penile and anal cancer in males. Males and females will continue to be susceptible to 26 other genital HPV infections.

It is not the government's job to force medical procedures on individuals unless there is a compelling interest. Genital HPV is only transmitted sexually, not through casual contact, therefore, the compelling State interest is lacking. This is in sharp contrast to polio. Polio can be spread in a common classroom environment, it has high morbidity and mortality. The compelling interest in mandating a medical procedure in that setting is obvious. In the case of Gardisil, this argument can not be validly made.

A nation of free persons should not be forced to accept the judgment of others as regards medical procedures. If the legislature establishes this precedent, what is next – forced mammograms, forced colonoscopies?

In this Commonwealth, in this legislative body, the argument has been made and laws have been passed codifying that a woman has the right to kill her unborn child through a medical procedure, abortion, under the rubric that she controls her body. <u>How then, if you, as a legislator find this sequence acceptable, can you even contemplate forcing another person's body to endure a medical procedure?</u>

And yet, here we are today, considering exactly that governmental coercive legislation.

In summary, my testimony against the mandatory HPV vaccine is based upon the following.

- While the HPV vaccine is effective for 4 subtypes, recipients will still be subject to the other 26.
- The manufacturer gets a 'pass' on adverse effects.
- The Gardisil has not been in use long enough to document the prolonged effects on other body systems, including future fertility.
- Gardisil creates a false sense of security that one is protected from cervical cancer. False security is worse than truthful knowledge.
- The manufacturer has used under-handed methods to sell its product, deceptively appealing to the idea that Gardisil will stop cervical cancer. Meanwhile, the manufacturer's less transparent motivation is to capture market share.
- Up to this point, public health departments, including the Massachusetts Department of Public Health, have been remiss in educating the populace about HPV. How do we legitimately go from observably treating HPV as relatively trivial, to suddenly treating it as such a threat that ALL females of a certain age are forced to undergo this medical procedure? One cannot legitimately do so. The lack of logical sequence smacks of a hidden agenda.

When agendas are hidden, they can usually be brought to light when you 'follow the money.'

I ask that you reject this legislation for mandatory HPV vaccine. The legislation assaults individual freedom, assaults the unalienable right of parents to decide raise their children and consent to medical interventions, and it reflects a lack of understanding of the shortcomings of this product and the nature of HPV infection.

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