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January 2, 2024

The Honorable Don Harmon, President
Illinois Senate
Room 327, State House
Springfield, IL 62706

The Honorable Emanuel “Chris” Welch, Speaker
Illinois House of Representatives
Room 300, State House
Springfield, IL 62706

Dear President Harmon and Speaker Welch:

Public Act 94-0614, the Mercury-Free Vaccine Act, became effective January 1, 2006, and was amended on January 28, 2008, to provide that “no person shall be vaccinated with a vaccine or injected with any product that contains, or prior to dilution, had contained as an additive, any mercury-based product, whether as a preservative or trace amount levels.” This Act requires vaccines to be mercury-free but provides in the statute a process by which the Department can evaluate and assess the needs of Illinois citizens to have access to vaccines.

Section 10, paragraph (3), requires that upon issuing an exemption, the Illinois Department of Public Health shall, within 48 hours, notify the legislature about any exemption and about the Department’s findings justifying the exemption approval. The Illinois Department of Public Health hereby notifies the General Assembly that it has filed a statewide Declaration of Exemption on behalf the public and private health care providers for the following vaccines, known to currently contain trace or greater amounts of mercury-based products, and therefore affected by the act: Tetanus and Diphtheria toxoids (Td) and multi-dose vial formulations of Influenza Vaccine for the 2023-2024 season. The Declaration of Exemption and requisite justifications are attached for your information.

Declaration of Exemption

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The Illinois Department of Public Health has long supported and continued efforts to ensure vaccine safety and implemented policies to use preservative-free vaccines for its Vaccines for Children and Adult Section 317 programs. For the reasons identified in the attached exemption, it is imperative that the people of Illinois continue to be allowed access to lifesaving vaccines, when necessary, without potential compromise to health and safety.

If you have any questions about this Declaration of Exemption, please contact Allison Nickrent, Division Chief of Governmental Affairs, (217) 785-4650 or allison.nickrent@illinois.gov.

Sincerely,

Sameer Vohra

Sameer Vohra, MD

Director

Attachment

C: The Honorable John Curran, Senator, 110 D Capitol Building, Springfield, IL 62706
The Honorable Tony McCombie, Representative, 316 Capitol Building, Springfield, IL 62706