



California Punishes Doctor who Wrote Vaccine Exemption for 2-Year Old Boy

The Medical Board of California has suspended Dr. Robert Sears, a pediatrician who gave a vaccine exemption to a 2-year old boy after his mother reported that previous immunizations made the boy's body limp, and caused him to lose urinary functions. The agency is threatening to revoke Dr. Sears' medical license. The case is setting a precedent for doctors who choose not to follow the state's strict vaccine schedules. All requested exemptions must be approved by the State Department of Public Health.

In a decision that could signal how California's fierce vaccine debates will play out in the coming years, the Medical Board of California has ordered 35 months' probation for Dr. Bob Sears, an Orange County pediatrician well-known for being sympathetic to parents opposed to vaccines.

In 2016, the board threatened to revoke Sears' medical license for wrongly writing a doctor's note for a 2-year-old boy that exempted him from all childhood vaccinations. This week, the medical board settled on a lesser punishment.

Sears can keep practicing medicine but will be required to take 40 hours of medical education courses a year, as well as an ethics class, and also be monitored by a fellow doctor. He also must notify all hospital and medical facilities where he

practices of the order and is not allowed to supervise physician assistants or nurse practitioners.

The doctor's supporters expressed relief that he was not more severely punished, while critics were pleased that the state did more than simply reprimand him, as some had feared.

"It's not a trivial decision, it's not a slap on the hand," said UC Hastings law professor Dorit Reiss. "It really is strongly limiting his ability to practice ... he's a doctor under supervision now."

Sears found himself in hot water because, according to the medical board, he wrote a vaccine exemption for a young boy without obtaining even basic medical information, such as the child's history of vaccines. He took the boy's mother at her word when she said her son lost urinary function and went limp in response to previous immunizations, according to the filing.

Sears settled his case so he would not have to go to trial. Probation is the most common punishment for doctors in California accused of wrongdoing. In the last fiscal year, the board took away 57 licenses, while putting 197 doctors on probation.

"Many parents, myself included, are relieved that Dr. Sears will maintain his practice and continue to serve his patients that rely on him," said Rebecca Estepp, who is part of an advocacy group that supports alternative vaccine schedules.

Sears' battle, however, does not appear to be over. In a Facebook post Friday, he denied any wrongdoing.

"Isn't it my job to listen to my patients and believe what a parent says happened to her baby? Isn't that what all doctors do with their patients?" Sears wrote. "After all, I don't want a child to receive a medical treatment that could cause more harm. I am going to first do no harm, every time."

Sears also said that the medical board has four more cases lined up accusing him of writing improper vaccine exemptions. Officials from the medical board said investigations are confidential and that they could not confirm there are more cases against Sears.

“It seems there is an attempt to keep me on probation for the rest of my medical career,” Sears wrote.

Vaccine exemptions have become a central part of the immunization debate in California in recent years. After a measles outbreak that originated in Disneyland, California passed a tough inoculation law in 2015. The new law, known as SB 277, prevents parents from citing religious or other personal beliefs to get out of vaccinating their children. Now children must have a doctor’s note if they don’t have their shots.

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