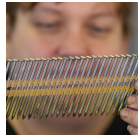


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California doctor critical of vaccines is punished for exempting 2-year-old boy from all childhood immunizations



By SOUMYA KARLAMANGLA JUN 29, 2018 | 1:50 PM



Dr. Bob Sears is seen in his Capistrano Beach office. (Don Bartletti / Los Angeles Times)



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4:10 AM

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

A changing



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

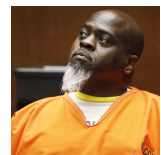
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California doctor critical of vaccines is punished for exempting 2-year-old boy from all childhood immunizations

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Born in a



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 Estep, 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

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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.

The law makes California one of only three states to require that parents have a medical reason for not vaccinating their kids. Under the new regulations, doctors determine what qualifies as a medical exemption.

Some public health advocates have criticized doctors who have advertised online that they will write exemptions for children with asthma or skin conditions such as psoriasis.

Many looked to the Sears case to see how aggressively California would patrol doctors who are writing exemptions for children.

“It struck me as possibly the best decision that was going to come down ... I don’t believe that the board really wants to get involved in this,” said Dr. Jay Gordon, a pediatrician in Santa Monica who supports Sears. “I think the law is pretty clear in this issue about medical exemptions — it’s in the hands of the doctor who knows the patient best.”

Thousands of parents who had been citing personal beliefs to get out of immunizations took their kids to get vaccinated after the law took effect, pushing up overall vaccination rates. But some schools continue to have dangerously low rates of vaccinated children, in large part because many students got new medical exemptions.

Catherine Martin, of the pro-vaccine advocacy group California Immunization Coalition, said she expected the Sears’ decision would make other doctors think twice about writing exemptions without verifying medical records.

“I hope it gives them pause and helps them understand that this is not acceptable,” Martin

said. “I think it’s a sign that the medical board takes these infractions seriously.”

In addition to the complaint that launched the Sears investigation, more than 50 others have been filed against physicians who are accused of improperly writing exemptions in the past three years, according to the state medical board.

Roughly half have been investigated and closed without any disciplinary action, while the others are still pending.

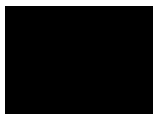
Sears said Friday that he was tired of keeping quiet over the last two years while his case was underway. He added that he would fight until there are no more mandatory vaccination laws.

“It alarms me to see any medical board questioning exemptions that are given to families who have suffered severe vaccine reactions,” he said. “More doctors need to stand up for their patients, especially the ones who are most vulnerable. I’m going to continue to stand for these children.”

1:50 p.m.: This article was updated throughout with additional reaction and background.

10:35 a.m.: This article was updated with reaction from Sears and others.

This article was originally published at 7:30 a.m.



Monday - Saturday

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Soumya Karlamangla covers health care in California. She was part of the team of reporters awarded the Pulitzer Prize for its coverage of the 2015 San Bernardino terrorist attack. Before joining the Times in 2013, she worked for the Oregonian, San Francisco Chronicle, Nation magazine in D.C., and Thomson Reuters in London. She was raised in Thousand Oaks and graduated from UC Berkeley with degrees in biology and English literature.

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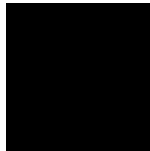
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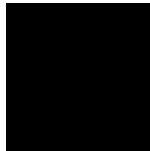
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