

Oklahoma docs lying and crying, lawsuits flying—all to mandate vaccines

BY J.B. HANDLEY January 24, 2017

3 hrs ago

(Author's note: this article was originally written on January 17, 2017. This morning, Medium informed me of a takedown notice and removed the article. The notice concerned a picture of Dr. Eve Switzer that I had used. Clearly, someone does not want this article to be read, so please read it. I have included a screenshot of the takedown complaint at the bottom of my article. And, out of respect for Medium and the takedown notice, I have removed the picture in question.)



Dr. Eve Switzer

TULSA, Oklahoma —It's safe to say that Oklahoma has become the momentary epicenter for a national struggle. Once again, a doctor-turned-politician has introduced a forced-vaccination bill. Meanwhile, a pediatrician who heads the American Academy of Pediatrics Oklahoma chapter has sued a Political Action Committee of mostly autism parents, ostensibly for "defamation," but given the weakness of her case, more likely to shut them up and give the mandatory vaccination law a better chance of passing.

Read on!



It started in Disneyland

In 2015, a media-fueled panic over a small number of non-fatal measles cases emanating from Disneyland turned into a legislative struggle, played out in more than 20 state capitols, pitting pharma-funded state politicians against well-informed and organized parent groups over laws intended to make all CDC recommended vaccinations mandatory in order for children to attend school (health laws are the rights of states, thus the state-level struggle).

Doing away with [the Nuremberg Code](#), basic [principles of informed consent](#), and the constitutionality of medical coercion or denying a healthy child a public education, these lawmakers (typically democrats, often former doctors) introduced bills into their state legislatures, setting off pitched

battles across the country.

Of the more than 20 states that endured some level of legislative fighting, only one state lost the battle completely (becoming the third state in the union to have mandatory vaccination laws for children): California.

California State Senator Richard Pan—watch out for water!

I'm not going to belabor the passage of the mandatory legislation in California. It was a ferocious battle, and multiple lawsuits are now trying to overturn the new legislation, which to most laypeople appears to be a fairly blatant violation of the California constitution. If you'd like to be entertained, here's a video of the California bill sponsor, Senator Richard Pan, telling an audience the most dangerous ingredient in a vaccine is water. Seriously.

While Big Pharma and their legislative minions pointed to the victory in California in 2015 as the start of a nationwide change, two years later proves that most Americans, and the politicians they elect, prefer to leave medical decisions about children in the hands of parents:

since 2015, no new states have added mandatory vaccination laws, meaning 94% of American states support vaccine choice (47 states), while only 6% (WV, MS, CA) have taken away parental rights.

Is Oklahoma the next state to force vaccinate ?

You wouldn't think Oklahoma would aspire to emulate California on too many fronts, but a single doctor-turned-politician named Dr. Ervin Yen is trying to change all that. Senator Yen is also a Republican, which makes his quest for removing parental rights even more unusual.



Senator Ervin Yen

Yesterday, Oklahoma Channel 9 News reported that, *“for a third year in a row, State Senator Ervin Yen has introduced legislation making mandatory for just about every Oklahoma school student to be vaccinated. The Oklahoma City Anesthesiologist wants to eliminate a parent’s ability to check a box and keep their school-attending child from being vaccinated.”*

As is often the case, Senator Yen has become masterful at using scare tactics to justify a draconian bill, while also violating simple, basic truths of public health (meaning he is lying).

For example, Senator Yen is using a recent mumps outbreak in Oklahoma to justify the need to force vaccinate every child in Oklahoma, and his warning for what will happen without vaccines is scary and dire (while also being a huge, indefensible lie):

He claims the fact that there were over 300 cases of the mumps in Oklahoma this past year could impact lawmakers this legislative session. “I’d like to get it passed right away before we have a huge outbreak and a lot of people die,” said Yen.

Dr. Yen—an anesthesiologist by training (which has nothing to do with infectious disease or vaccines)—has a history of making incredibly baseless and wild statements about vaccines and public health, and his interview yesterday was no different. A few quick, easily confirmable facts would show that Dr. Yen seems to think falsehoods are the only way to convince Oklahoma’s parents to give up their medical rights. Here’s five quick facts to

show you how Dr. Yen is lying:

Fact #1: People don't die from the mumps. This [CDC website](#) says "Death from mumps is exceedingly rare...There have been no mumps related deaths reported in the United States during recent mumps outbreaks."

Fact #2: Almost everyone who gets mumps during mumps outbreaks has been vaccinated for mumps. The state health department spokesperson in Massachusetts, after a Harvard University mumps outbreak in 2016, [said](#), "the infected students had all been vaccinated against mumps."

Fact #3: Merck (the maker of the MMR [mumps] vaccine) is being sued by two former scientists who allege the mumps portion of the MMR vaccine is less effective than Merck represents. "[According to the lawsuit, Merck began a sham testing program in the late 1990's to hide the declining efficacy of the vaccine.](#)"

Fact #4: Oklahoma's department of health issued a report about their own recent mumps outbreak. What did they find? Of 455 cases, [only 9% had NOT been vaccinated!](#)

Fact #5: Senator Yen's primary reason for introducing his bill again is to "maintain herd immunity," which the data shows the U.S. population has not remotely achieved, because of adults. He claims that the vaccination rate amongst children for the MMR vaccine has declined in Oklahoma:

"We are now at 90 percent," he said. "If we were still at 95 percent, I would not be doing this."

Politicians across the country have used this "herd immunity" gambit to try to justify stealing medical rights from parents. They never mention that disease does not distinguish between whether a host is 15 years old or 35, and the truth is that only half of adults in the U.S. are properly vaccinated, so we don't actually have anything that resembles herd immunity. Are you up to

speed on all your shots?

An incredibly dense Senator in my home state of Oregon, Elizabeth Steiner-Hayward (also a doctor), would constantly make the argument that schools need to have “community immunity.” This is a new, made up term that has no basis in fact.

Teachers, administrators, and volunteer parents make up anywhere from 20–40% of the “community” population in a school on any given day, and their vaccination status is completely unknown, but likely to be 50% or less.

Senator Yen and others are precise with numbers about herd immunity that actually mean nothing, this single article from [The Hill Newspaper](#) makes all of this abundantly clear, gutting Senator Yen’s entire argument for making vaccinations mandatory:

Of course, if we look back over the decades and note the lack of rampant epidemics in our nation, while remembering that vaccine protection is in perpetual decline, the myth of herd immunity quickly unravels. Our society has never achieved this level of herd immunity, yet not a single major outbreak of disease has occurred.

Noted author and neurosurgeon Russell Blaylock, MD, offers this analysis:

“It was not until relatively recently that it was discovered that most of these vaccines lost their effectiveness 2 to 10 years after being given. What this means is that at least half the population, that is the baby boomers, have had no vaccine-induced immunity against any of these diseases for which they had been vaccinated very early in life. In essence, at least 50% or more of the population was unprotected for decades.”

[If only half of America is properly vaccinated, where are the epidemics?](#)

One final point about Dr. Yen and his arguments for forcing vaccines on children. His typical argument is the “herd immunity” lie, but I have lately seen him also use the “protect the immunocompromised” lie, which this article completely debunks, here’s just one quote from the mother of an immunocompromised child:

“If my child were at a stage of treatment in which she was very immunocompromised, she would not be in school. My daughter missed most of fourth grade and a good portion of fifth, not because she was so sick, but because others were sick. Despite a nearly 100% vaccine compliance rate at our school, there were regular outbreaks of shingles, occurring after chicken pox vaccine boosters, influenza and other illnesses. Please note that, even in areas in which vaccine compliance is extremely high, there are still outbreaks of disease that are not caused by the unvaccinated.”

Doctor vs. Doctor—most crushing debate I have ever seen

Dr. Yen is one of the least informed doctors I have ever seen on the topic of vaccination (and, reminder, he’s an anesthesiologist, which has nothing to do with vaccines), as the slaughtering he took in a filmed debate on the topic of mandatory vaccination shows back in 2016:

Just listen, if you can.

Dr. Yen’s buffoonery on a small stage in an Oklahoma church has been making the Facebook rounds, where it’s had over 100,000 views. What might surprise you is that the person administering the beating in the debate with Senator Yen was also an Oklahoma Doctor, in this case Dr. Stephanie Christner who, aside from having an excellent grasp of the science of vaccination and the weaknesses of Senator Yen’s arguments, has another reason to care very much about this issue: **her young daughter died from a vaccine injury.**

Oklahoma media, I have a simple request: a LIVE, televised debate, Doctor Yen vs. Doctor Christner. PLEASE!

Are mandatory vaccination laws becoming a political minefield?

The Presidential election has changed the playing field for the war between mandatory vaccination advocates like Senator Yen and medical rights supporters. President Trump and many members of his team are firm supporters of medical freedom—this excellent article published last week by journalist Lawrence Solomon is well worth a quick read:

“Moreover, although vaccine skeptics are often associated with far-left Birkenstock elites, many Republicans—including top Republicans close to Trump—have expressed doubts about the uncritical acceptance of vaccines...Aside from a small minority, neither Trump nor any of the so-called vaccine skeptics are ideologically opposed to all vaccines, or even consider themselves anti-vaccine in any way. They’re more likely to think vaccines are over-hyped and overused, and want them to be used in ways they consider more judicious and more consistent with personal freedom.”

[Lawrence Solomon: How vaccine safety turned into one of Trump’s first presidential priorities](#)

That’s quite a backdrop for the fight brewing in the state of Oklahoma!

Dr. Eve Switzer and the Hot Mess of Litigation

Malicious Prosecution: “Malicious prosecution occurs when one party has knowingly and with

malicious intent initiated baseless litigation against another party.”

The (horrifying) e-newsletter

Written in late 2015, the [e-newsletter](#) that is the subject of a lawsuit between a pediatrician and a group of parents of children with vaccine-induced autism was written by the Oklahoma chapter of the American Academy of Pediatrics. The e-newsletter’s opening article was a “Letter from the President,” in this case another Oklahoma doctor—pediatrician Dr. Eve Switzer. It’s one of the most disturbing and horrifying letters I’ve ever seen a pediatrician write, but I’ll let you judge Dr. Switzer’s words for yourself:

“It’s flu season. I hear the collective groan from every pediatrician in Oklahoma. Even if you don’t see Medicaid patients in your office, or give vaccinations, or work in an outpatient setting, the words “flu season” probably still makes you groan. As a provider who works in both an inpatient and outpatient setting personally giving the flu vaccine and admitting/caring for patients with influenza complications, I find myself counseling parents about the flu vaccine for their child, about flu vaccines for themselves, and dispelling rumor after unfounded rumor about “getting the flu from the vaccine”. This is what “flu season” means to someone like me and I know I’m not alone.

So it’s with this premise in mind that I have made a conscious decision to make a change in my office this flu season. In years past, we had parents sign a separate consent form for the influenza vaccine being given in our office. We stopped doing that years ago. In more recent years, my nurses were in the habit of asking, “Do you want your baby/child to get a flu vaccine?” This is the year I decided to put an end to that question. Am I out of my mind? Did I decide to no longer give the flu vaccine in my office? No. I made a decision to stop asking and treating the flu vaccine differently than all the other routinely recommended vaccines in my office.

So now when a child between the ages of 6–24 months comes in for their routine checkup, unless directed to do so otherwise, we draw up ALL the recommended vaccines including the flu vaccine without that one clarification. So, yes, we assume that if you are coming in for vaccines, you're coming in for ALL your vaccines. My nurse draws them up and has them in the room ready for me, hands the parent a copy of their vaccination record, and I ask if they have any questions"



NOVEMBER/DECEMBER 2015 **OK PEDIATRICIAN**

LETTER FROM THE PRESIDENT



Dear Colleagues,

It's flu season. I hear the collective groan from every pediatrician in Oklahoma. Even if you don't see Medicaid patients in your office, or give vaccinations, or work in an outpatient setting, the words "flu season" probably still makes you groan. As a provider who works in both an inpatient and outpatient setting personally giving the flu vaccine and admitting/caring for patients with influenza complications, I

find myself counseling parents about the flu vaccine for their child, about flu vaccines for themselves, and dispelling rumor after unfounded rumor about "getting the flu from the vaccine". This is what "flu season" means to someone like me and I know I'm not alone.

So it's with this premise in mind that I have made a conscious decision to make a change in my office this flu season. In years past, we had parents sign a separate consent form for the influenza vaccine being given in our office. We stopped doing that years ago. In more recent years, my nurses were in the habit of asking, "Do you want your baby/child to get a flu vaccine?" This is the year I decided to put an end to that question. Am I out of my mind? Did I decide to no longer give the flu vaccine in my office? No. ***I made a decision to stop asking and treating the flu vaccine differently than all the other routinely recommended vaccines in my office.***

So now when a child between the ages of 6 - 24 months comes in for their routine checkup, unless directed to do so otherwise, we draw up ALL the recommended vaccines including the flu vaccine without that one clarification. So, yes, we assume that if you are coming in for vaccines, you're coming in for ALL your vaccines. My nurse draws them up and has them in the room ready for me, hands the parent a copy of their vaccination record, and I ask if they have any questions

MARK YOUR CALENDAR - 2016

- AAP Annual Leadership Forum- March 10-13
- Annual Chapter Meeting and CME Conference- April 22 - 23

IN THIS ISSUE

Letter from the President	1
Resident in the Spotlight	2
Free CME: Obesity in Primary Care Training Series	2
Action Alert: HB 830	4
Current HPV Vaccine Coverage in Oklahoma	4
Your Voice is Needed	4
Do You Have an Idea for a Resolution?	4
What's New in Peanut Allergy	5
The Importance of Play	5
Knowledge, Attitudes...about EMDI Systems	6
In the Headlines	9

about their child's vaccines before I give them at the end of the visit. It had been driving me nuts for many years that we were treating the flu vaccine differently than we were treating the other vaccines - it felt as though we were validating a parent's concern about giving a flu vaccine by singling it out with a question. So this year, that practice has stopped.

Now with any change, you can expect issues, right? Last month, I had a mother call back after getting home and more closely examining her child's vaccination record that her 6 month old had, indeed, received the flu vaccine. She was upset. She didn't want her to have the flu vaccine and, of course, gave us a few reasons for her reluctance (nobody in her family gets them, they never get the flu, the flu vaccine can give you the flu, etc., etc.).

We did what we could to explain why the flu vaccine was recommended just like all the other vaccines and why her child received it just like the other recommended vaccines that she DID want (both my nurse and I each spoke to her on the phone). **Continued on page 3...**



Content and articles published in the OKAAP eNewsletter reflect solely the expressed views, opinions and experiences of the authors and do not necessarily represent the position of the OKAAP, the AAP or the leadership or member physicians of the OKAAP or AAP.

Page one of the newsletter that started it all, click picture for link to full document

Yes, this apparently bat-shit crazy (my opinion—don't sue me Dr. Switzer!) pediatrician wrote all of that in a public document that was sent to every pediatrician in Oklahoma, and didn't seem to have any problem with it...

In fact, in an example of what can only be described as "you have got to be

kidding me," [Dr. Switzer's letter](#) only got worse:

*"Now with any change, you can expect issues, right? **Last month, I had a mother call back after getting home and more closely examining her child's vaccination record that her 6 month old had, indeed, received the flu vaccine. She was upset. She didn't want her to have the flu vaccine and, of course, gave us a few reasons for her reluctance (nobody in her family gets them, they never get the flu, the flu vaccine can give you the flu, etc., etc.).** We did what we could to explain why the flu vaccine was recommended just like all the other vaccines and why her child received it just like the other recommended vaccines that she DID want (both my nurse and I each spoke to her on the phone). We made one change as the result of this conversation. The mother did point out to us that the list of routinely recommended vaccines and what ages we gave them at in the office that we had on the back of each exam room door, did not include the in- fluenza vaccine. OK, that was a good point – so we added a note to the bottom of each of these signs that says "The influenza vaccine is routinely recommended for children 6-24 months of age during the fall/winter."*

This is the part of my posts where I usually say something that I at least consider witty, but I'm still tripping over Dr. Switzer's words, so I'll just spell it out for you to consider:

Dr. Switzer decided to stop mentioning to parents that she intended to give their kids the flu vaccine.

Her decision, which any reasonable person would consider highly deceptive, even dangerous behavior, and about as far from informed consent as you can get, led one of her patients to have her son get a vaccine SHE DIDN'T WANT HER SON TO HAVE, because no one told her otherwise!! (At least one, we don't know how many other cases there might be.)

Oh, and as I mentioned before, Dr. Switzer is the president of the Oklahoma chapter of the AAP.

(By the way, the reason the flu shot deserves special consideration, aside from the fact that its status as a “recommended” shot for children by the CDC is very recent, is that the efficacy of the flu shot varies widely from year to year, and has been as low as 10%, [according to the CDC](#). A shot with possibly super-low efficacy and a risk of harm should be called out!!)

Dr. Switzer’s decision and approach seemed so brazen and deceptive, I looked up the American Medical Association’s Code of Ethics about informed consent, and it strikes me that Dr. Switzer violated it completely. It reads:

*“Informed consent to medical treatment is fundamental in both ethics and law. Patients have the right to receive information and ask questions about recommended treatments so that they can make well-considered decisions about care. Successful communication in the patient-physician relationship fosters trust and supports shared decision making. The process of informed consent occurs when communication between a patient and physician results in the patient’s authorization or agreement to undergo a specific medical intervention. In seeking a patient’s informed consent (or the consent of the patient’s surrogate if the patient lacks decision-making capacity or declines to participate in making decisions), physicians should: (a) Assess the patient’s ability to understand relevant medical information and the implications of treatment alternatives and to make an independent, voluntary decision. (b) **Present relevant information accurately and sensitively, in keeping with the patient’s preferences for receiving medical information.**”*

American Medical Association, Code of Medical Ethics, Informed Consent

Note: The American Academy of Pediatrics also has [a statement regarding informed consent](#). Amongst other things, the AAP says:

“The doctrine of informed consent reminds us to respect persons by fully and accurately providing information relevant to exercising their decision-

making rights...patients should have explanations, in understandable language, of the nature of the ailment or condition; the nature of proposed diagnostic steps and/or treatment(s) and the probability of their success; the existence and nature of the risks involved; and the existence, potential benefits, and risks of recommended alternative treatments (including the choice of no treatment)...Assurance, insofar as is possible, that the patient has the freedom to choose among the medical alternatives without coercion or manipulation."

Memo to Dr. Switzer: In my opinion, when you have a patient who didn't realize her son received a flu shot until she left your office, you have not practiced informed consent (at least according to the AMA and AAP)!



-Kate in Edmond, OK | Dec 29, 2016

Do not take your child to there! This woman is evil. She only cares about vaccinating as many people as possible. My child received vaccinations when he was younger & got an adverse reaction. She was still pushy on vaccinating him. After I told her I decided to not vaccinate anymore until there are scientifically proven safe vaccinations available (no mercury & heavy metals), she gave me a dirty look and told me I was endangering my child! Run away from this so called "doctor"!!

Flag Comment  Was this review helpful?

Healthgrades.com review of Dr. Switzer: not a big surprise!

It didn't end there: Dr. Switzer went on to make another public admission:

"I can tell you all, though, that I am the only one in the office that handles the flu vaccine this way. My partner's nurses always ask 'the question.'"

Let me break that down in English for you:

Dr. Switzer's recommendation for hiding the flu shot in the load of other vaccines given to babies, which appears to me to be an egregious violation of the principle in medicine of informed consent, was obviously considered to be just that by THE OTHER DOCTORS IN HER OWN PRACTICE!!

In a podcast I published last week, I asked Dr. Paul Thomas what he thought of Dr. Switzer's lawsuit and her approach to the flu shot, you can hear that part of our conversation at 27:16 in this interview, see what a different pediatrician thought of her approach:



Dr. Switzer receiving a flu shot at her clinic

The bigger picture about Dr. Switzer and Oklahoma

As you already know, Dr. Switzer is the President of the Oklahoma Chapter of the American Academy of Pediatrics, which gives her a certain amount of political gravitas that she apparently takes full advantage of, because the final paragraph in her letter speaks to Senator Yen's aforementioned bill first

introduced in 2015 to try to remove vaccination choice from all Oklahomans —SB 830—where she tells her colleagues:

“Please read the information in this newsletter about this important senate bill which seeks to remove all non-medical vaccine exemptions in Oklahoma. The OKAAP has committed to supporting this bill and want you to help us strengthen the vaccination laws in Oklahoma.”

Dr. Switzer helped kill informed consent bill, too

As you can see from the tweet above, and according to parent-sources I talked to in Oklahoma, Dr. Switzer was also instrumental in convincing the Governor of Oklahoma, Mary Fallin, to veto a different bill—HB 3016—that would have provided more information to parents about vaccines (that pesky “informed consent” thing). According to the *Oklahoman Newspaper*:

Rep. Randy Grau, R-Edmond, co-author of the bill, said he is not against immunizations and that the legislation was merely intended to provide parents with basic written material on “benefits and risks” of these injections, while also making available for review further information. He disputed that doctors would have to give customers a 34-page appendix.

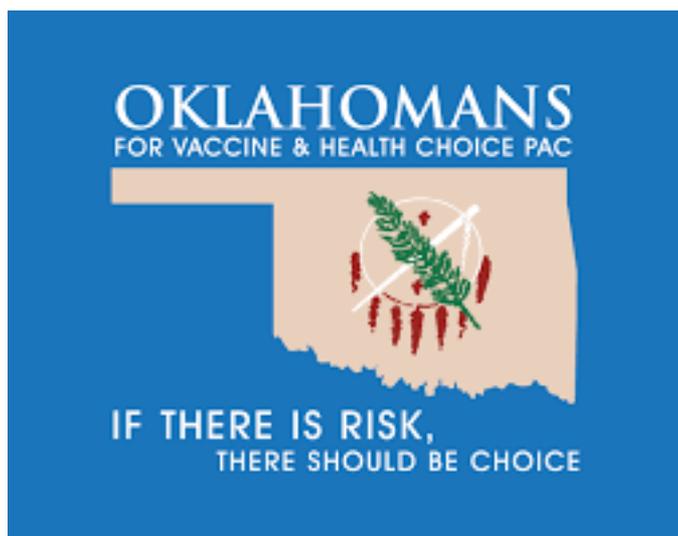
“Unfortunately, the governor listened to different groups putting out information rather than parents who wanted more information and conversation,” he said.

[Oklahoma governor vetoes vaccination bill](#)

Obviously, there shouldn't be any surprise that a pediatrician who appears willing to advocate hiding the flu shot from parents while administering it to

their children and who hopes everyone will support making vaccines mandatory would also oppose a reasonable bill that would require pediatricians to give parents more information about vaccines and demand informed consent, a bill that was passed by both the Oklahoma Senate and Oklahoma House, and a bill that asked the following ([from the text of the bill](#)) of doctors, language that very few reasonable people would have a problem with:

"Each health care provider who administers a vaccine set forth in the Vaccine Injury Table, as established by the United States Department of Health and Human Services, shall obtain informed consent from the legal representative or other adult authorized by law to consent on behalf of a minor of any child to whom such provider intends to administer such vaccine. Prior to administering the vaccine, the health care provider shall provide relevant information regarding benefits and risks of the vaccine as well as information concerning the National Vaccine Injury Compensation Program."



Here come the parents: Oklahomans for Vaccine and Health Choice

With the vetoing of an informed consent legislative bill in the previous Oklahoma legislative session (2016), Dr. Switzer, and many of her physician colleagues are very excited about 2017 and the prospects for making Oklahoma the fourth state in the U.S. to have a mandatory vaccine law for all Oklahoman children (irrespective of how the new administration in

Washington might feel), and they are doing everything they can do to support Senator Yen in his efforts to do so through SB 830.

Dr. Switzer is also involved with a new organization, VaccOK (Vaccinate Oklahoma), a group of vaccinating doctors who have formed a Political Action Committee to support making vaccinations mandatory, which is sort of like a bunch of barbers forming a PAC to support laws to make haircuts mandatory.

[Pro-vaccine group works to increase Oklahoma's immunization rate](#)

From an article in September 2016, describing VaccOK, which is lead by a different doctor, Dr. Thomas Kuhls:



Dr. Thomas Kuhls, Oklahoma Pediatrician

Dr. Thomas Kuhls is leading a new group, VaccOK (Vaccinate Oklahoma), which is promoting required vaccinations. His group was formed in response to bills filed during the past legislative session. "We have got to do a lot better job of vaccinating our children," he said during a meeting of the Central Oklahoma Immunization Coalition held at Variety Care Lafayette.

But, that's not the most telling part of the article, the most telling part of the article is another admission Dr. Kuhls makes:

“Kuhls said the top group opposing the required shots is Oklahomans for Vaccine [and Health] Choice.”



OHVC parents at a health freedom rally

Well, there you go. He said it. Oklahomans for Vaccine Choice (“OVHC”) is the problem, the thing sitting between all these mandatory vaccination laws, this pesky little PAC made up of mostly autism parents.

You see, the thing I haven’t yet mentioned is that the big push back in 2015 to pass all those mandatory vaccination laws had another impact: it woke up a few hundred thousand (probably closer to a few million) parents, and many of them in many different states banded together and formed Political Action Committees, and defeated the bills. Oklahoma parents were no different, and OVHC was the result.

Putting all the pieces together

Dr. Eve Switzer is the President of the Oklahoma chapter of the American Academy of Pediatrics. She fought hard to get a bill vetoed that would have required more information be given to parents about vaccines (also known as “informed consent”), a bill that had passed both the Oklahoma House and Senate. She’s also a table-pounding fan of another bill, an ominous bill,

a bill called SB 830 that DID NOT pass in 2016, a bill that would have made vaccines mandatory in Oklahoma for all children, a bill that got reintroduced last week by Dr. Erwin Yen, a state senator.

Dr. Switzer's desire to veto a bill that would have required informed consent about vaccinations should be no surprise, because she's the author of one of the more disturbing letters I've ever seen a pediatrician write, her *"Letter From the President"* where she explained how she buried the flu shot in the vaccine load given to her patients so she wouldn't have to talk about it with parents.

The doctors who saw their dreams of making vaccines mandatory in Oklahoma a year ago dashed have now formed their own Political Action Committee, VaccOK.

The 2017 legislative session is upon us in Oklahoma, and the major obstacle these doctors see to passing legislation to steal medical freedom is a group of mostly autism parents organized as a Political Action Committee... Oklahomans for Vaccine and Health Choice.



What do we do now...? Let's sue them for something!

The Lawsuit

With the backdrop I just gave you, I hope you can understand why I might think Dr. Eve Switzer's lawsuit against OVHC is a great example of "Malicious Prosecution", which basically means I believe Dr. Switzer is suing OVHC not because they actually violated the law, but because by suing them she will weaken their ability to fight legislation in 2017, particularly legislation that would make vaccines mandatory in Oklahoma.



DISTRICT COURT
FILED

DEC 22 2016

BALLY HOWE SMITH, COURT CLERK
STATE OF OKLA. TULSA COUNTY

IN THE DISTRICT COURT OF TULSA COUNTY
STATE OF OKLAHOMA

DR. EVE SWITZER, M.D.,

Plaintiff,

v.

JIM MEEHAN, M.D.; and OKLAHOMANS FOR
VACCINE CHOICE, ASSN.

Defendants.

CJ-2016-04685

JEFFERSON D. SELLERS

PETITION

Dr. Eve Switzer, M.D., for her Petition against Defendants Jim Meehan, M.D. ("Meehan"), and Oklahomans For Vaccine Choice, Assn., also known as Oklahomans for Vaccine & Health Choice ("OVHC"), states as follows:

PARTIES, JURISDICTION AND VENUE

1. Plaintiff Dr. Eve Switzer, M.D., ("Plaintiff" or "Dr. Switzer"), a natural person, is a pediatrician residing in Garfield County, Oklahoma.
2. Defendant Jim Meehan, a natural person, is a physician residing in Tulsa County, Oklahoma.
3. Defendant OVHC is an anti-vaccine association organized under Oklahoma law, with a registered address in Tulsa County, Oklahoma.
4. The amount in controversy in this action exceeds \$10,000.
5. Defendants' actions, upon which the allegations in this Complaint are based, were done with the knowledge and intention that Plaintiffs would suffer harm in, including but not limited to Tulsa County, Oklahoma.
6. Jurisdiction and venue are proper in this Court.

2016 DEC 22 PM 4:41

BALLY HOWE SMITH
COURT CLERK

The first page of Dr. Switzer's 86-page lawsuit, filed just a few weeks ago, is screenshotted for you, and you can find a complete copy of it right [HERE](#).

While I'm certainly not an attorney, I do have experience with legal principles like defamation and false light, [as I successfully sued the most notorious vaccine industry spokesperson and profiteer, Dr. Paul Offit, for lying about me in his book, *Autism's False Prophets*.](#)

A legal analysis of my case concluded:

"Someone with a negative view of Offit will find ample confirmation of that view in this incident, interpreting it as a deliberate smear—and one of many such, part a consistent pattern of dishonest argument."

Is Dr. Switzer's case baseless?

Dr. Switzer's lawsuit claims that OVHC and a single doctor, Dr. Jim Meehan, "posted false, damaging, misleading, and defamatory statements" about Dr. Switzer related to her insane (my opinion!) e-newsletter. Here, exactly, is an example of the defamation OVHC allegedly committed, according to Dr. Switzer's lawsuit (from a press release OVHC issued publicizing the e-newsletter):

"The President of the Oklahoma chapter of the American Academy of Pediatrics (OKAAP), Eve Switzer, a practicing pediatrician in Enid, made it known in the group's November/December newsletter that she does not ask for parent's consent prior to giving children a flu vaccine. This has resulted in upset parents who were not aware of the benefits and risks and who did not consent to a vaccine."

Like I said, I'm not a lawyer. But, it's fair to say that the above quote by OVHC is really the basis for her lawsuit of defamation. Clearly, it centers on whether or not Dr. Switzer met a reasonable standard of "informed consent" in the way she discussed (or didn't) the flu shot with her patients. I've already

given you my opinion about that, which is why I think Dr. Switzer's lawsuit is without any merit.



Doctor/bad ass Jim Meehan

Also sued (in the same lawsuit) by Dr. Switzer is another doctor based in Oklahoma, [Dr. Jim Meehan](#). I don't know about you, but I'd generally shy away from suing a guy who also happened to be a West Point grad, a 5th degree black belt in Take Kwan Do, and a World Jui-Jitsu champ, but that's exactly what Dr. Switzer did. Dr. Meehan's crime? He not only re-posted OVHC's press release, but he even commented on Dr. Switzer, and gave his opinion, as the [lawsuit alleges](#), he dared to write:

“This is exactly the kind of arrogance and negligence in medicine that cannot be tolerated. Dr. Switzer admits to violating the ethical and moral principle of patient autonomy and ‘informed consent.’”

And:

“I suspect Dr. Switzer has allowed financial bias, the money machine that vaccines mean for pediatric practices, to corrupt her thinking. The medical profession should not tolerate this kind of dangerous arrogance. She needs to be reported to the medical board.”

Dr. Meehan speaking to parents last week (excerpts from 51-minute talk)

These are just two of the many statements by Dr. Meehan that are quoted in the lawsuit. It’s hard not to develop a deep affection for Dr. Meehan and his bombastic honesty if you [read the entire lawsuit](#), and I was heartened to see [a speech he gave to parents just last week](#) on many of the same issues he wrote about—he clearly has not been muffled by a baseless lawsuit!

Now what?

Generally speaking, my posts here on Medium generate somewhere between 50–200,000 reads, which made me a “Top 100 Health writer” on Medium in 2016. I’m a big fan of sunshine, which is what I hope this post has provided. Do you think this is the kind of publicity Dr. Switzer was hoping for with her lawsuit? For most of us, it’s time to sit back and watch the fireworks in Oklahoma, which I think may serve as a harbinger for the direction future mandatory vaccination laws will take.

Can a state controlled by Republicans pass a law stealing parental rights and freedoms? (Oklahoma Senate: 40R, 8D; Oklahoma House: 71R, 30D; Governor: R) We will find out soon enough.

I was heartened to [read a quote](#) from another State Senator, himself a

pharmacist, Rob Standridge, also a Republican, who has a much different take on mandatory vaccine laws in Oklahoma:

“[Legislation] might be more harmful to the cause of getting more children vaccinated than just strengthening that partnership between pediatricians and their patients, because I think pediatricians probably know what’s best for the children they care for and the combination of them working with parents would get practically every child vaccinated,” Standridge said. “I don’t know what the answer is, but countries that are doing better than us aren’t doing so because their government is heavy handed. They’re doing it because they’re making sure people are informed and listening to their pediatricians.”— Oklahoma State Senator Rob Standridge (R)

Some others things you can do:

In solidarity, post the words of OVHC, Dr. Jim Meehan, or both on your Facebook page. Perhaps Dr. Switzer will find a way to sue 10,000 people (or more) saying the same thing. Use the [link to Dr. Switzer’s original newsletter](#), as I just did, sharing it with over 15,000 followers. She’s welcome to sue me, the lawyer who helped me sue Dr. Paul Offit successfully would love to see a lawsuit based on an opinion I posted on a Facebook page—we are still the land of free speech and opinion!

J.B. Handley
@jbhandleyjr

- Home
- Posts
- Videos
- Photos
- About
- Likes
- Manage Tabs

Promote

Liked Following More

J.B. Handley
Just now · 🌐

The President of the Oklahoma chapter of the American Academy of Pediatrics (OKAAP), Eve Switzer, a practicing pediatrician in Enid, made it known in the group's November/December newsletter that she does not ask for parent's consent prior to giving children a flu vaccine. This has resulted in upset parents who were not aware of the benefits and risks and who did not consent to a vaccine.

This is exactly the kind of arrogance and negligence in medicine that cannot be tolerated. Dr. Switzer admits to violating the ethical and moral principle of patient autonomy and 'informed consent'.

#OVHC

<http://www.okaap.org/.../11/OKAAP-Nov-Dec-2015-eNewsletter.pdf>



It's flu season. I hear the collective groan from every pediatrician in Oklahoma. Even if you don't see Medicaid patients in your office, or give vaccinations, or work in an outpatient setting, the words "flu season" probably still makes you groan. As a provider who works in both an inpatient and outpatient setting personally giving the flu vaccine and admitting/caring for patients with influenza complications, I find myself counseling parents about the flu vaccine for their

www.okaap.org

OKAAP.ORG

I posted this to support OVHC and Dr. Meehan

Consider [donating to OVHC](#) so they can continue their important work without the distraction and drain of a lawsuit.

If you live in Oklahoma, I'd recommend you find a pediatrician other than Dr. Switzer.

And, if you live in Oklahoma, write a personal note to your Congressperson and Senator, or better yet go visit them, to let them know your concerns about Senator Yen's mandatory vaccination law, SB 830.

Here's the takedown notice complaint that was filed against the use of a photo of Dr. Eve Switzer:

The top photo on this Medium post

SENDER

Linda Lynn
[Private]
Oklahoma City, OK, 73102,
Sent on January 24, 2017



RECIPIENT

Medium.com
[Private]
San Francisco, CA, 94102,
Received on January 24, 2017

SUBMITTER

Linda Lynn

OTHER ENTITIES: SUBMITTER PRINCIPAL

J.B. Handley is the father of a child with Autism. He and his wife co-founded Generation Rescue, Jenny McCarthy's autism charity. He spent his career in the private equity industry and received his undergraduate degree with honors from Stanford University. He is also the author of "[The Only Vaccine Guide a New Parent Will Ever Need](#)", "[An Angry Father's Guide to Vaccine-Autism Science](#)", and "[7 reasons CDC employees should be crying in the hallways](#)"

Mr. Handley has started a podcast called "How to End the Autism Epidemic"—you might enjoy his first six interviews:

