

# California Medical Board Hears Testimony in Trial of Physician Who Risks Losing License for Writing Vaccine Medical Exemptions

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*Dr. Kelly Sutton risks losing her medical license for not strictly following CDC guidelines for writing vaccine medical exemptions. Attorney Greg Glaser, who represents Sutton, provided this eyewitness account.*

by [Greg Glaser, Esq., The Defender](#)

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A California physician could lose her medical license for not strictly following the guidelines for writing vaccine medical exemptions as outlined by the Centers for Disease Control and Prevention's (CDC) Advisory Committee on Immunization Practices (ACIP).

Earlier this month, the Medical Board of California conducted a trial during which they heard testimony from witnesses in support of and those opposed to Dr. Kelly Sutton's approach to writing vaccine medical exemptions for her patients.

The three-day trial, which ended June 16, took place in an administrative court with a single judge and no right to a

jury. The judge is expected to issue a decision sometime in the fall of 2021 on whether or not to rescind Sutton's medical license.

Sutton, an integrative physician, argued that her clinical observations confirm her unvaccinated patients are [healthier](#) than those who are vaccinated.

During her trial, Sutton was represented by health freedom attorney [Rick Jaffe](#), who marshaled evidence from three top experts in defense of Sutton's methods to protect patients from vaccine injury.

The state produced one expert, who lacked basic knowledge of vaccine risk, and who stated that all doctors should follow whatever the CDC's one-size-fits-all [vaccine schedule](#) recommends at any given time.

Below are highlights from testimony provided during Sutton's trial.

### **Sutton's testimony on her behalf:**

- Sutton provided thoughtful discussion of how she helps and heals patients. She is a doctor member of [Physicians for Informed Consent](#) (PIC), which puts patients first. She was humble throughout the trial, going out of her way to be kind to everyone involved in the proceeding – including the state expert testifying against her. Her kindness and credibility were so strong that even the prosecuting attorney was forced to change his tone of voice to lessen the blameful nature of his scripted words.
- Sutton did not need a script. She showcased her detailed scientific knowledge by explaining the biological mechanisms of disease and vaccine risk. At times the court reporter could not keep up with Sutton's fluent use of scientific terminology. Sutton described how [California's Senate Bill](#)

[277](#) removed parental rights to medical decision-making and made the doctor's discretion the standard for medical exemptions.

- Sutton discussed the process of meeting with integrative colleagues at PIC to arrive at best practices for medical exemptions.
- Sutton discussed the benefit of a physical exam for patient intake, and when it is needed (i.e., diagnosing an ear infection) versus when it is not needed (i.e., taking a family history). She also discussed the reality that certain patients cannot afford the time and/or money to conduct unnecessary physical exams.
- Sutton reviewed each of the relevant patient records cited by the medical board as evidence of Sutton's non-compliance with CDC recommendations, focusing on vaccine risk based on the individual patients' complex medical histories.
- Sutton emphasized her proactive approach to protect patient privacy when writing medical exemptions.
- Sutton discussed the extensive scientific citations she provided to the medical board to support her medical decisions, including Dr. Chris Exley's [findings on aluminum](#). The board tried to use a technical objection to prevent Sutton from introducing the science behind her decisions. However, during Jaffe's questioning of Sutton, she was able to explain the science of vaccine risk.
- Sutton testified that doctors make a lot of money by giving vaccinations, but not a lot from writing medical exemptions. Indeed, there is no profit in writing medical exemptions, only prosecution – so the doctors who write them truly care for the patient's best interest rather than pharma's.
- Sutton testified that it is neither intelligent nor humane to force a family to continue to vaccinate after one of their children has already died or been injured by a vaccine.

- Sutton said the government's failure to compare vaccinated persons to fully unvaccinated persons is a systematic and intentional blind spot in science designed to wrongfully promote vaccines.

**State's expert witness, Dr. Deborah Lehman, infectious disease physician at the University of California, Los Angeles:**

- Lehman repeatedly claimed that, as a physician, her one-size-fits-all vaccine opinion was medical fact and should not be challenged.
- During cross examination, Lehman was asked to quantify the risk of all vaccine injuries. Lehman responded, "I don't think I need a number ... I can't give you a number." She stated, "I don't need to cite articles in my report, because the science has been decided ... If you want answers to these questions, I would refer you to the CDC." Lehman ignored that the only way to obtain the vaccine injury rate is to compare vaccinated people to fully unvaccinated people. She did not appear to know that the government refuses to study the fully unvaccinated, but instead only compares vaccinated patients to other vaccinated patients.
- Lehman testified she had never heard of [Dr. Peter Aaby](#), one of the world's foremost vaccine experts who has published more than 400 articles on PubMed. Lehman, who has published about [15 articles](#) on PubMed, tried to dismiss [Aaby's publications on vaccine danger](#) by falsely claiming Aaby published in a low-impact journal. Lehman stated she would never read this type of research by Aaby, and that it is the same kind of "[anti-vax](#)" information found through a Google search.
- Lehman testified she is not aware of any [pertussis vaccine deaths](#). She claimed if there were any deaths caused by the pertussis vaccine she would have heard about them. Her callous admission proves her ignorance

of even basic information from the [Vaccine Adverse Event Reporting System](#) or any other source.

- Lehman admitted she has never personally written a medical exemption. At most she communicated with other doctors that all medical exemptions should adhere to the one-size-fits-all per the ACIP's contraindications.
- Lehman testified she didn't know about the mandatory vaccine law at issue in the case, namely the [California Health and Safety Code section 120370](#), authorizing medical exemptions.
- Lehman at one point angrily blurted out, "We're being saved by [COVID](#) vaccines."
- Lehman repeatedly used nebulous phrases such "greater risk" and "lower risk," yet never cited any risk value numbers with the exception of a handful of false numbers. For example, in one instance she falsely cited a 1/1,000 death rate for measles cases. This is a false number because it is based only on reported cases and ignores the fact that only about 1/10 cases are reported.
- Lehman criticized Sutton's already vaccinated patients for having some infections. Lehman did not see the self-contradicting nature of her own testimony. In other words, Lehman overlooked that vaccines are causing increased risk of infection in already vaccinated patients. She ignored published studies and Sutton's observation that patients experience less infection over time as they stop vaccinating, and fully unvaccinated patients are the healthiest of all.
- Lehman testified the standard of care is whether another physician would treat the medical issue the same or similarly. But she intentionally omitted the phrase "in the same community," meaning that the standard of care is not simply "another physician" but "another physician in the same community." Sutton is in the integrative medicine community, of which Lehman is not a member. It is common for conventional physicians to use one-size-

fits-all thinking.

- Lehman testified that before the [meningococcal](#) vaccine, she performed several lumbar punctures to treat meningitis. However, Lehman never stated how many of the meningitis patients were already vaccinated with meningococcal and other vaccines (i.e., [polio vaccine](#)).
- Lehman testified that children with [asthma](#) have a higher rate of morbidity and mortality. But Lehman failed to provide any numerical risk value for her testimony. For example, she cited no studies showing health outcomes of children with asthma when vaccines are stopped versus when vaccines are continued. In fact, no such studies exist to support Lehman's position. Moreover, Lehman didn't cite any of the studies linking asthma to increased risk from vaccination. It is common for conventional doctors to lack knowledge that common [chronic illnesses](#) are proven to be immune-mediated and caused by vaccination.
- Lehman testified "febrile seizures have no long-lasting effect." Her testimony directly contradicts even government-accepted scientific evidence that approximately 5% of febrile seizures [develop into full-blown epilepsy](#).

### **Defense expert Dr. Andrew Zimmerman, pediatric neurologist:**

- [Zimmerman](#) is a highly published pediatric neurology expert, with expertise in diagnosing and treating [autism](#), mitochondrial dysfunction and many other conditions.
- Zimmerman testified that Sutton followed the community standard of care to protect her patients outside the narrow CDC/ACIP guidelines. With expert attention to detail about neurodevelopmental disorders, Zimmerman agreed with Sutton's risk assessments to protect her patients. He discussed the interaction between the

immune system and the brain.

**Defense expert Dr. James Neuenschwander, family physician with vaccine expertise:**

- [Neuenschwander](#) treats chronic illness, including autism. He attends ACIP meetings and has offered public comment. He does not administer vaccines.
- Neuenschwander cited a bell curve phenomenon, which represents an inverse relationship: 10% of people who fail to respond to a vaccine compared to 10% of people who overreact to a vaccine. His example illustrates a point often overlooked by mainstream scientists.
- Neuenschwander explained that vaccines cause the immune system to remain in hyperactivation, creating vaccine injuries like brain inflammation.
- Neuenschwander said autoimmune conditions result when the vaccine creates antibodies against the human body itself through the mechanism of chronic immune activation. Neuenschwander cited [scientific evidence](#) to support the fact that it is logical for Sutton to ask patients about their personal and family history risk factors, such as recurring infections, asthma and autism.
- Neuenschwander discussed vaccines one by one to show how conventional physicians exaggerate infection risk. Neuenschwander confirmed conventional physicians are vaccinating for rare diseases on the [CDC schedule](#) while failing to ask about vaccine injury. Neuenschwander emphasized that even common diseases have questionably effective vaccines, such as [flu](#) which has a high vaccine failure rate.
- Neuenschwander said the CDC/ACIP system categorically fails to properly study vaccine injury, by comparing vaccinated individuals to unvaccinated individuals, despite the CDC's admission in a [2016 white paper](#) showing such a study could be done.

- Neuenschwander cited numbers throughout his testimony. For example, he exposed Lehman's above-referenced lie about 1/1000 measles deaths (where Lehman falsely only included reported measles cases rather than all measles cases). Neuenschwander cited the [correct numbers](#).
- Neuenschwander highlighted the three recent published peer-reviewed studies, [Mawson 2017](#), [Hooker 2020](#) and [Thomas 2020](#), showing the unvaccinated are exponentially healthier than the vaccinated. He also explained [Aaby's findings](#) showing a five-fold increased death rate from diphtheria vaccines in Africa.
- Neuenschwander cited government admissions, for example Institute of Medicine (IOM) [publications](#), revealing a [lack of data](#) on vaccine safety and absence of government studies on vaccinated v. fully unvaccinated patients.

### **Defense expert Dr. LeTrinh Hoang, pediatrician:**

- [Hoang](#) is an experienced integrative pediatrician in California with a busy and successful clinic.
- Hoang emphasized integrative medicine's role to protect patients in ways conventional medicine systemically fails. Hoang criticized one-size-fits-all vaccination, and the specific ways ACIP/CDC creates a ridiculously limited vaccine contraindication list that ignores entire areas of independent research and clinical findings.
- Hoang criticized Lehman's casual approach to vaccine injury.
- Hoang emphasized her clinical experience that unvaccinated patients are exceptionally healthy, by contrast to vaccine-injured patients whom she must heal regularly and on an ongoing basis because of their chronic illnesses.

Society is learning valuable lessons from this trial about vaccine injury, including about the consequences of allowing



biotechnology to disrupt natural human immune systems.

To help support Sutton's defense fund, [visit this website](#).

**Greg Glaser, J.D.** is a vaccine rights attorney with a litigation and transactional law background.

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