

# Massachusetts Department of Public Health Has Withdrawn the Mandate for All Students to Receive an Influenza Vaccine

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by [ICAN \(Informed Consent Action Network\)](#)

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**As of today, January 15, 2021, the Massachusetts Department of Public Health has withdrawn the mandate for all students to receive an influenza vaccine. An ICAN-funded lawsuit brought about this amazing development for all in the Commonwealth of Massachusetts.**

Last week, we reported to you about a [lawsuit](#) funded by ICAN, brought against the Massachusetts Department of Public Health (DPH), to challenge the legality of a flu shot vaccine mandate for all children in childcare and all students in school, ages 6 months through 29 years old. [Episode 197's Legal Update segment](#) explained the legal bases for the lawsuit.

Today we bring you even better news: on the same day that the [DPH was to file its response](#) to the lawsuit with the Court – including responding to a request for a preliminary injunction striking the flu shot mandate – the DPH capitulated and withdrew the mandate in its entirety! This means that **NO STUDENT** will be **MANDATED** to receive the flu vaccine in order to attend school!

The DPH's [updated list](#) of required vaccines does not contain influenza vaccine. This is an enormous and significant victory and a huge relief for thousands of individuals and families across Massachusetts who had been backed into a corner by the DPH's fiat.

The DPH first showed signs of weakness when, within days of being sued and the Court ordering an expedited hearing, it pushed back the original December 31, 2020 deadline for receipt of the vaccine to February 28, 2021.

Then, yesterday, the [day before the DPH was due to submit its opposition to the Plaintiffs' motion for a preliminary injunction](#), its attorneys contacted ICAN's legal team, led by Aaron Siri, to inform them that the mandate would be withdrawn. Today, the [DPH has done just that](#).

ICAN is beyond proud that its funding and its legal work continues to make real life changes for real people every day. Victories like this will continue to motivate us to never rest and to always stand up for informed consent and people's right to choose!

[\*\*Affidavit from the Massachusetts Department of Health confirming that the flu shot mandate has been formally withdrawn.\*\*](#)