

1 Declaration of Dr. Joel Waddell

2 I, Dr. Joel Waddell, declare as follows under penalty of perjury pursuant to 28 U.S.C. §
3 1746:

4 Background

- 5 1. I am currently a practicing pediatric infectious diseases physician at the Blank Children's
6 Hospital in Des Moines, Iowa. At the Blank Children's Hospital, I currently serve as the
7 Pediatric Residency Associate Program Director and as the Pediatric Residency
8 Curriculum Committee Chair. All statements within this declaration represent my
9 thoughts, and these statements do not necessarily represent the positions of Blank
10 Children's Hospital, Iowa Methodist Medical Center, or UnityPoint Health.
- 11 2. I received my Bachelor of Science from East Tennessee State University in 2009 and my
12 D.O. from Des Moines University in 2013. I completed my residency in General Pediatrics
13 at Kansas University in 2016 and fellowship in Pediatric Infectious Diseases at the
14 University of Missouri-Kansas City in 2019. I received three years of additional training
15 in Pediatric Clinical Pharmacology at the University of Missouri-Kansas City. I am
16 currently a member of the Society for Pediatric Research, the Pediatric Infectious Diseases
17 Society, the Infectious Diseases Society of America, the Society for Healthcare
18 Epidemiology of America, and the American Academy of Pediatrics.
- 19 3. Since completing my residency and fellowship training, I have practiced at the Blank
20 Children's Hospital in Des Moines providing both inpatient and outpatient consultations in
21 pediatric infectious diseases. In addition to serving as the Pediatric Residency Associate
22 Program Director and as the Pediatric Residency Curriculum Committee Chair, I am also
23 a member of the Pediatric Residency Scholarship Oversight Committee and the Pediatric
24 Death Review Committee. Before beginning at the Blank Children's Hospital, I also served
25 on various committees during my time as a resident and as a fellow. I served for two years
26 (2017-2019) as a member of the Pediatric Infectious Diseases Society Research Affairs
27 Committee, for two years (2017-2019) as a member of the Musculoskeletal Infection
28 Hospital Care Committee at Children's Mercy Hospital, for two years (2014-2016) as a
29 member of the Pediatric Hospital Ethics Committee at the Kansas University Medical
30 Center, for three years (2013-2016) as a member of the Pediatric Medical Education
31 Committee at the Kansas University Pediatric Residency program, and for two years (2009-

32 2011) as the Research Committee Chair of the Student Osteopathic Medical Association at
33 Des Moines University.

34 4. My academic and medical policy work includes forty scientific presentations and invited
35 lectures, two co-authored hospital policies and handbooks, and two co-authored
36 publications on subjects relevant to pediatric infectious diseases. I have also appeared in
37 nine television, newspaper, and radio interviews where I provided insight into the impact
38 of COVID-19 on children. I spoke at the state of Iowa's annual school nursing conference
39 discussing COVID-19 clinical presentations, treatment options, and various modalities to
40 prevent COVID-19 infections in schools. I have provided five didactic lectures regarding
41 COVID-19 in children at three different medical centers in Iowa. Additionally, I will be
42 the keynote speaker at the 2021 Iowa Physiology Society annual meeting in December
43 2021.

44 5. I received the Most Outstanding Faculty Teaching Award at the Blank Children's Hospital
45 Pediatrics Residency Program in 2021, the Teaching & Academic Excellence Award at the
46 Blank Children's Hospital Pediatric Education Department in 2019, the Most Outstanding
47 Fellow Teaching Award at Children's Mercy Hospital, the Most Outstanding Pediatric
48 Resident Award at the Kansas University Pediatric Residency program in 2016, and the
49 Resident Researcher of the Year Award at the Kansas University Pediatric Residency
50 program in 2015.

51 6. My CV is attached as Exhibit A.

52 7. I am familiar with the state law prohibiting mask mandates in schools. In my expert
53 opinion, this law will hurt the children of this state and their families by denying schools
54 the ability to fashion policies for their districts that attend to the health needs of their
55 students. If students face the prospect of going to school in areas of substantial or high risk
56 of COVID-19 transmission, with no requirements of masks, they are forced either to attend
57 school at risk to their health and that of their families or to stay out of school, also a risk to
58 their physical psychological, emotional, and developmental well-being. I am particularly
59 concerned for those students with disabilities that increase the risk of severe illness should
60 they contract COVID-19. Given the dominance of the Delta variant in Iowa and across the
61 United States, it is even more likely that entire classrooms, including those with students

62 with disabilities, could be infected with COVID-19 in the absence of vaccines or mask
63 mandates.

64 8. I am not being compensated for my time reviewing materials and preparing this report.
65

66 **I. Increased COVID-19 Transmission and Prevalence of the Delta Variant in Iowa**

67 9. The beginning of this school year coincides with a dramatic increase in COVID-19
68 transmission. As of August 31, all but three of Iowa's ninety-nine counties were
69 experiencing "high" levels of community COVID-19 transmission, with "high" being the
70 most severe CDC transmission designation.¹ Between June 27 and August 31, the average
71 daily cases per 100,000 residents in Iowa has risen sixteen-fold from two per 100,000 to
72 thirty-three per 100,000.² Furthermore, the test positivity rate, an indicator of increasing
73 COVID-19 community spread,³ has risen seven-fold from about 2% to over 14% during
74 this same time period.⁴ Iowa is also experiencing a faster rate of increase in new COVID-
75 19 cases than the United States as a whole; for the fourteen-day period ending on August
76 31, Iowa recorded a 46% increase in daily average COVID-19 cases per 100,000 residents,
77 compared to a 18% increase in this same rate for the United States as a whole.⁵

78 10. Iowa's hospitals show the strain of the COVID-19 pandemic. As of August 31, the State
79 of Iowa reported 498 COVID-19 hospitalizations, a number not seen since the 2020-2021
80 winter COVID-19 surge.⁶ August also saw an all-time low availability of ICU beds
81 available in Iowa. On September 2, the state of Iowa Regional Medical Coordination
82 Center Dashboard reported only 297 available ICU beds in the state of Iowa, fewer
83 available beds than at any point during the 2020-2021 winter COVID-19 surge.⁷

¹ *COVID-19 Integrated County View*, Ctrs. for Disease Control & Prevention (Aug. 31, 2021 update),
<https://covid.cdc.gov/covid-data-tracker/#county-view> (last visited Sept. 2, 2021).

² Mayo Found. for Medical Educ. & Res., *Iowa coronavirus map: What do the trends mean for you?*, Mayo Clinic,
<https://www.mayoclinic.org/coronavirus-covid-19/map/iowa> (last visited Sept. 2, 2021).

³ *See, e.g., Positivity Rate Explained*, Barry-Eaton Dist. Health Dep't. (Oct. 2020),
<https://www.barryeatonhealth.org/sites/default/files/Positivity%20Rate%20Explained.pdf> (last visited Sept. 2,
2021).

⁴ Mayo Found. for Medical Educ. & Res., *supra* note 2.

⁵ *Coronavirus in the U.S.: Latest Map and Case Count*, N.Y. Times (Sept. 2, 2021 update),
<https://www.nytimes.com/interactive/2021/us/covid-cases.html> (last visited Sept. 2, 2021).

⁶ *Hospitalization Analysis*, Iowa Dep't of Pub. Health, <https://coronavirus.iowa.gov/pages/hospitalization-analysis>
(last visited Sept. 2, 2021).

⁷ *Hospital Data Summary, Regional Medical Coordination Center Dashboard*, Iowa Dep't of Pub. Health,
<https://coronavirus.iowa.gov/pages/rmcc-data> (last visited Sept. 2, 2021).

84 11. The COVID-19 Delta variant is estimated to account for 99.7% of COVID-19 infections
 85 in HHS Region 7, which includes Iowa, as of August 31.⁸ This is relevant to the overall
 86 COVID-19 transmission landscape given that the Center for Disease Control and
 87 Prevention (CDC) estimates that the Delta variant is at least twice as transmissible as
 88 previous variants and that it could likely lead to more severe illness in adults.⁹

89
 90 **II. The Impact of the Delta Variant for Children**

91 12. Pediatric COVID-19 cases comprise an increasing share of overall COVID-19 cases in the
 92 United States. While Iowa stopped updating its pediatric COVID-19 testing data on July
 93 15,¹⁰ the most recent available data from Iowa suggest a similar trend statewide as well.
 94 On August 16, 2021, the number of children hospitalized due to COVID-19 in the United
 95 States reached an all-time high exceeding 1,900.¹¹ Pediatric hospitalizations now account
 96 for 2.3% of all COVID-19-related hospitalizations, compared to less than 1% in May of
 97 2020.¹² Similarly, pediatric COVID-19 cases represented fewer than 5% of all cases in
 98 May of 2020, but now account for over 14% of total cases.¹³

99 13. In Iowa, the most recent data indicate similar trends. According to the last full week of
 100 pediatric data reporting in Iowa, ending on July 8, there were nearly 50,000 cumulative
 101 childhood COVID-19 cases reported in the state.¹⁴ Even with the gap in data reporting,
 102 Iowa still exceeds the national average in terms of cumulative COVID-19 cases per
 103 100,000 children.¹⁵ Since Iowa last reported pediatric COVID-19 data, the weekly number
 104 of new pediatric COVID-19 cases has increased ten-fold from fewer than 20,000 to over

⁸ *COVID Data Tracker: Variant Proportions*, Ctrs. for Disease Control & Prevention (Aug. 28, 2021 update), <https://covid.cdc.gov/covid-data-tracker/#variant-proportions> (last visited Sept. 2, 2021).

⁹ *Delta Variant: What We Know About the Science*, Ctrs. for Disease Control & Prevention (May 7, 2021 update), <https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html> (last visited Sept. 2, 2021).

¹⁰ *Children and COVID-19: State Data Report: Version: 8/26/21*, Am. Acad. Pediatrics (Aug. 26, 2021 update), <https://www.aap.org/en/pages/2019-novel-coronavirus-covid-19-infections/children-and-covid-19-state-level-data-report/> (last visited Sept. 2, 2021).

¹¹ Carolyn Crist, *U.S. Reports Record COVID Hospitalizations of Children*, WebMD (Aug. 16, 2021), <https://www.webmd.com/lung/news/20210816/u-s-reports-record-covid-hospitalizations-of-children> (last visited Sept. 2, 2021).

¹² *Children and COVID-19: State Data Report*, *supra* note 11, at 16, 20.

¹³ *Id.* at 12, 15.

¹⁴ *Id.* at 25.

¹⁵ *Id.*

203,962 as of August 26.¹⁶ It is clear from the available data that COVID-19 currently presents as acute threat to children in Iowa.

III. The Availability of Vaccines for Children and Overall Vaccination Rates in Iowa

14. Children in Iowa are vulnerable to the Delta variant given the unavailability of vaccines from children under the age of twelve and the low vaccination rate for children twelve to nineteen years old. None of the three available COVID-19 vaccines have been approved, for emergency use or otherwise, for children under the age of twelve.¹⁷ As of September 2, only about 30% of children aged twelve to fifteen were fully vaccinated, only about 39% of children aged sixteen and seventeen were fully vaccinated, and only about 40% of adolescents aged eighteen and nineteen were fully vaccinated in Iowa.¹⁸ Nationally, 64% of adults above the age of eighteen were fully vaccinated as of September 2, underscoring the particularly low vaccine coverage for Iowa minors.¹⁹

15. In addition, as with adults, some children with cancer, immunodeficiencies, and those receiving immunosuppressive medications cannot mount an appropriate immune response to COVID-19 vaccines. Therefore, they are less protected from COVID-19 vaccination.

16. According to the CDC, unvaccinated people are much more likely to contract, transmit, and experience severe symptomatic illness from the Delta variant than their vaccinated counterparts.²⁰ In light of the data on pediatric vaccination rates and the unavailability of vaccines to the youngest school-aged children, children account for a disproportionate share of Americans to whom the Delta variant poses the greatest risk.

¹⁶ *Id.* at 9.

¹⁷ *Covid-19 Vaccines for Children and Teens*, Ctrs. for Disease Control & Prevention (Aug. 17, 2021 update), <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/recommendations/adolescents.html> (last visited Sept. 2, 2021).

¹⁸ *Fully Vaccinated Demographics*, Iowa Dep't of Pub. Health, <https://coronavirus.iowa.gov/pages/vaccineinformation> (last visited Sept. 2, 2021).

¹⁹ *See How Vaccinations Are Going in Your County and State*, N.Y. Times (Sept. 1, 2021 update), <https://www.nytimes.com/interactive/2020/us/covid-19-vaccine-doses.html> (last visited Sept. 2, 2021).

¹⁹ *Hospitalization Analysis*, Iowa Dep't of Pub. Health, <https://coronavirus.iowa.gov/pages/hospitalization-analysis> (last visited Sept. 2, 2021).

²⁰ *Delta Variant: What We Know About the Science*, Ctrs. for Disease Control & Prevention (Aug. 27, 2021 update), <https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html> (last visited Sept. 2, 2021).

127 **IV. Conditions That Can Put Children at Greater Risk of Severe Illness from**
 128 **COVID-19**

- 129 17. As noted above, children are particularly vulnerable to COVID-19 as a result of vaccination
 130 rates within this population. Of greatest concern are those children who are not or cannot
 131 be vaccinated who have underlying medical conditions that increase their risk for severe
 132 illness as a result of COVID-19 infection. According to the CDC, “children with medical
 133 complexity, with genetic, neurologic, metabolic conditions, or with congenital heart
 134 disease,” as well as “children with obesity, diabetes, asthma or chronic lung disease, sickle
 135 cell disease, or immunosuppression” may fall into this category.²¹
- 136 18. Most if not all of the children with these conditions are disabled within the meaning of the
 137 Americans with Disabilities Act (the ADA).²² The ADA defines disability as “a physical
 138 or mental impairment that substantially limits one or more major life activities of such
 139 individual.”²³ Major life activities for purposes of the Act “include but are not limited to,
 140 caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking,
 141 standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking,
 142 communicating, and working;” a major life activity “also includes the operation of a major
 143 bodily function, including but not limited to, functions of the immune system, normal cell
 144 growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine,
 145 and reproductive functions.”²⁴ Conditions such as asthma, chronic lung disease, diabetes,
 146 sickle cell disease, and congenital heart disease by definition substantially limit a major
 147 bodily function.
- 148 19. These are not the only children at risk of grave harm. Individuals with intellectual
 149 disabilities are also at increased risk of contracting COVID-19 and of dying from COVID-
 150 19 infection. A recent study published in the New England Journal of Medicine—working
 151 with a data set of 64,414,495 patients across more than 500 U.S. healthcare systems, of
 152 which “127,003 were patients with intellectual disabilities and 64,287,492 were patients
 153 without intellectual disabilities”—concluded that “intellectual disability was the strongest

²¹ *People with Certain Medical Conditions*, Ctrs. for Disease Control & Prevention (Aug. 20, 2021 update), <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html> (last visited Sept. 2, 2021).

²² 42 U.S.C. § 12101 *et seq.*

²³ 42 U.S.C. § 12102(1).

²⁴ 42 U.S.C. §§ 12102(2)(A)-(B).

154 independent risk factor for presenting with a Covid-19 diagnosis and the strongest
155 independent risk factor other than age for Covid-19 mortality.”²⁵ The study found
156 individuals with intellectual disabilities were more likely to contract COVID; if diagnosed
157 with COVID, more likely to be admitted to the hospital; and more likely to die following
158 admission.²⁶ The risks reflect the risks associated with intellectual disability itself, as well
159 as comorbidities that in the study were overrepresented among those with intellectual
160 disabilities. Notably, the odds of mortality among those with intellectual disabilities in the
161 study were “significantly higher than other conditions such as congestive heart failure,
162 kidney disease, and lung disease.”²⁷

163 20. During the 2020-2021 school year, the families of many of my patients have expressed
164 significant concerns about their children being exposed to COVID-19 in school. However,
165 they are even more concerned about the 2021-2022 school year due to the Delta variant
166 and lack of mask mandates. The parents of a young child (under the age of twelve) told
167 me they lie awake every night trying to balance the risks of sending their boy to school.
168 The child has a genetic immunodeficiency. Therefore, he is at higher risks of various
169 infections and their complications, including more severe outcomes from COVID-19.
170 These parents are anguished because they know how healthy and important in-person
171 school is for their boy, but they fully understand the likelihood of their child contracting
172 COVID-19 from their unvaccinated peers without masks. Another family of a young girl
173 with leukemia has expressed similar concerns. They no longer believe that our schools are
174 a safe place for their child. I have been caring for a teenage young lady who is on various
175 immunosuppressant medications due to a rheumatologic condition. While she has been
176 vaccinated against COVID-19, she is less likely to be protected from COVID-19 infection.
177 I have sat with the mother of this patient as she cries not seeing a safe avenue for in-person
178 school for her daughter. I have also had to sit with many distraught families of previously
179 healthy children who require hospitalization with post-infectious complications of
180 COVID-19 called Multisystem Inflammatory Syndrome in Children (MIS-C). With MIS-

²⁵ Jonathan Gleason et. al., *Commentary: The Devastating Impact of Covid-19 on Individuals with Intellectual Disabilities in the United States*, *New Eng. J. Med.* (Mar. 5, 2021), <https://catalyst.nejm.org/doi/full/10.1056/CAT.21.0051> (last visited Sept. 2, 2021).

²⁶ *Id.*

²⁷ *Id.*

181 C, children often require continuous infusions of medications that help their heart beat
 182 strong enough to maintain life. Several of these parents have looked me in the eyes while
 183 crying and asked, “could we have done something to prevent this from happening?” If the
 184 appropriate risk mitigation steps are not taken in the schools of Iowa, we will almost surely
 185 see more cases of MIS-C and other complications of COVID-19 in children this school
 186 year compared to last year.

- 187 21. Finally, when we think about the risk to children in the state, we can’t ignore the risk of
 188 children developing what has come to be known as long COVID, where symptoms remain
 189 months after an initial COVID diagnosis. While study is essential to know the scope of
 190 long COVID in children, with current estimates varying significantly, there are increasing
 191 concerns about the long-term impact of COVID even among the asymptomatic.²⁸

192
 193 **V. CDC and State Department of Health Recommendations on Masking in Schools**
 194 **and the Efficacy of Masking for Reducing COVID-19 Transmission**

- 195 22. The CDC recommends “universal indoor masking for all students, staff, teachers, and
 196 visitors to K-12 schools, regardless of vaccination status.”²⁹ Underlying the CDC guidance
 197 are concerns about “the highly transmissible nature of this variant,” the ineligibility of
 198 children under twelve for the vaccine, and low levels of vaccination among youth ages
 199 twelve to seventeen, all factors present in our state at this time.³⁰

- 200 23. Leading medical organizations, including the American Academy of Pediatrics and the
 201 American Medical Association, similarly recommend universal masking as part of school
 202 openings.³¹

- 203 24. In addition to national organizations, the local health departments in each of Iowa’s three
 204 most populous counties (Polk, Linn, and Scott counties) all recommend universal mask-
 205 wearing in indoor settings. The Scott County Health Department simply recommends
 206 “[m]asking of all in indoor spaces,” and the Polk County Health Department and the Linn

²⁸ See, e.g., Dyani Lewis, *Long COVID and Kids: Scientists Race to Find Answers*, 595 *Nature* 482 (2021).

²⁹ *Guidance for Covid-19 Prevention in K-12 Schools*, Ctrs. for Disease Control & Prevention (Aug. 5, 2021 update), <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html> (last visited Sept. 2, 2021).

³⁰ *Id.*

³¹ See, e.g., *American Academy of Pediatrics Updates Recommendations for Opening Schools in Fall 2021*, *Am. Acad. Pediatrics* (July 19, 2021), <https://www.aap.org/en/news-room/news-releases/aap/2021/american-academy-of-pediatrics-updates-recommendations-for-opening-schools-in-fall-2021/>.

207 County Health Department both explicitly state that schools fall under their universal
 208 mask-wearing recommendations.³² The Iowa Medical Society and the Iowa Chapter of the
 209 American Academy of Pediatrics both recommend universal indoor masking by all
 210 students (age two and older), staff, teachers, and visitors to K-12 schools, regardless of
 211 vaccination status.³³

212 25. Recent studies have confirmed that wearing masks is one of the most powerful tools to
 213 thwart the transmission of COVID-19 in indoor settings, such as schools. Researchers at
 214 Duke University conducted a study on COVID-19 transmission within schools following
 215 “Plan A” which “provided full, in-person instruction, masking, and minimal physical
 216 distancing.”³⁴ Analysis conducted by Duke University researchers using data from North
 217 Carolina K-12 schools—data that included more than 1,280,000 students and 160,000
 218 staff—found that “there is very limited within-school transmission of COVID-19 in
 219 schools participating in Plan A,” leading the researchers to conclude that “wearing masks
 220 is an effective strategy to prevent in-school COVID-19 transmission.”³⁵

221 26. This study confirms what the CDC and other studies have reported. The CDC has stated,
 222 “Experimental and epidemiological data support community masking to reduce the spread”
 223 of the Delta variant.³⁶ A recent literature review concluded that “nonmedical masks have
 224 been effective in reducing transmission of respiratory viruses; and places and time periods

³² *Quad Cities COVID-19 Coalition: August 19 Press Release*, Scott Cnty. (Aug. 19, 2021), https://www.scottcountyiowa.gov/sites/default/files/attachments/posts/20210819_COVID-19_Update_on_Public_Health_Response.pdf (Scott County); *COVID-19 cases and hospitalizations are surging: It is time for our community to step up and do the right thing*, Polk Cnty. (Aug. 24, 2021), <https://www.polkcountyiowa.gov/health-department/news-and-press-releases/covid-19-cases-and-hospitalizations-are-surging-it-is-time-for-our-community-to-step-up-and-do-the-right-thing/> (Polk County); Grace King, *Masks should be mandated to be worn in schools, Linn County board of health says*, *Gazette* (Aug. 30, 2021), <https://www.thegazette.com/k/masks-should-be-mandated-to-be-worn-in-schools-linn-county-board-of-health-says/> (last visited Sept. 2, 2021).

³³ Sydney Maras, *IMS & IA AAP: Back to School Face Mask Usage Statement*, Iowa Medical Society (Aug. 19, 2021), <https://www.iowamedical.org/news/10941537> (last visited Sept. 2, 2021).

³⁴ *The ABCs of North Carolina's Plan A*, ABC Science Collaborative (July 1, 2021), <https://abcsciencecollaborative.org/the-abc-of-north-carolinas-plan-a/> (last visited Sept. 2, 2021).

³⁵ Letter from Danny Benjamin & Kanecia Zimmerman to Joint Legislative Education Oversight Committee et al. (June 30, 2021), <https://abcsciencecollaborative.org/wp-content/uploads/2021/06/ABCs-Final-Report-June-2021.06-esig-DB-KZ-6-29-21.pdf> (last visited Sept. 2, 2021).

³⁶ *Science Brief: Community Use of Cloth Masks to Control the Spread of SARS-CoV-2*, Ctrs. for Disease Control & Prevention (May 7, 2021 update), https://www.cdc.gov/coronavirus/2019-ncov/science/science-briefs/masking-science-sars-cov2.html#anchor_1619456988446 (last visited Sept. 2, 2021).

225 where mask usage is required or widespread have shown substantially lower community
226 transmission.”³⁷

227 27. Masking is also critical for the health of those who, for reasons of disability, cannot mask.
228 Those include people who struggle to take a mask off and on, whether because of motor
229 skills or cognitive issues; people with sensory processing disorders; and people with facial
230 deformities incompatible with a mask, among others.³⁸

231 28. As noted above, families that I worked with and all of the children not vaccinated are at
232 great risk for a COVID-19 infection. Given the rise in pediatric infections (and adult
233 infections) due to the Delta variant of COVID-19, in my expert opinion, the only safe
234 course at this time is universal masking for children for safe attendance at school and
235 school-related functions until our public health officials declare a safe level of population-
236 wide vaccination. As a pediatric infectious diseases physician, I am concerned about all
237 children but particularly worried about those children with complex medical conditions
238 and/or disabilities since the latter group could more likely sustain severe illness or even
239 death. The risk of death is low overall, but certainly elevated for the vulnerable group. Any
240 severe illness or death is unacceptable for a preventable disease.

241

242 **VI. The Necessity of Allowing Iowa Schools to Set Their Own Mask Policies**

243 29. Iowa’s Mask Mandate Prohibition denies school districts the ability to require masks to
244 protect their students and staff. In communities where COVID-19 is prevalent, parents with
245 children with conditions that can make them vulnerable to severe illness in particular will
246 face a terrible dilemma of whether to risk their children’s health and even life, or to keep
247 the children out of school. That is not a decision they should be forced to make, when we
248 have the option of masks to protect the safety of those in the school.

249 30. My concern is greatest for these children, but it does not stop there. No child should risk
250 serious illness if we can prevent it.

³⁷ Howard et. al., *An evidence review of face masks against COVID-19*, 118 PNAS 1, 1-12 (2021); Cheng, et al., *Face masks effectively limit the probability of SARS-CoV-2 transmission*, 372 Science 1439, 1439-1443 (2021).

³⁸ Doron Dorfman & Mical Raz, *Mask Exemptions During the COVID-19 Pandemic—A New Frontier for Clinicians*, JAMA Health Forum (July 10, 2020), <https://jamanetwork.com/journals/jama-health-forum/fullarticle/2768376?resultClick=1>.

251 31. Without a mask requirement, children who chose to wear a mask will inevitably be subject
252 to a multitude of negative psychological effects, such as bullying and feeling ostracized
253 from their peers. Therefore, in the absence of mask mandates, we are not really giving
254 Iowa's children a fair choice. We are telling them they have to choose between their
255 physical health and emotional/psychological health.

256 32. And it's not just the children. Children who catch the virus at school will bring it home,
257 risking their families' health and security. Without mask requirements, it is quite possible
258 that schools in Iowa could become hotspots for COVID-19 outbreaks, which then increase
259 the community spread of disease throughout our state. This is particularly concerning
260 given the state's low vaccination rates and high rates of comorbidities in the adult
261 population.

262 33. In my opinion, the state cannot in good conscience let this policy stand given the threat it
263 poses to children and their families.

264

265 I swear under the penalty of perjury under the laws of the United States that the foregoing is true and
266 correct to the best of my knowledge.

267 Dated this 2nd day of September 2021, at Clive, Iowa. 6:31 PM

268

269

270

Joel Waddell  D.O.

Curriculum Vitae
Joel Waddell, D. O.

EXHIBIT A

Date of Preparation: 08/28/2021

Citizenship Status

Country of Citizenship	Type of Visa	Work Authorization End Date
USA		

EDUCATION

• **Baccalaureate Degree**

Year	Degree	Institution	City, State
2004-2009	Bachelor of Science	East Tennessee State University	Johnson City, TN

• **Graduate Degrees (Masters/Doctorate)**

Year	Degree	Institution	City, State
2009-2013	D.O.	Des Moines University	Des Moines, IA

• **Residency/Fellowship Training**

Year	Specialty	Institution	City, State
2013-2016	General Pediatrics	Kansas University	Kansas City, KS
2016-2019	Pediatric Clinical Pharmacy	University of Missouri-Kansas	Kansas City, MO
2016-2019	Pediatric Infectious Diseases	City/Children's Mercy Hospital	

Practice/Employment History (starting with most recent)

Years	Practice Organization/Employer	City, State
2019-Present	Blank Children's Hospital	Des Moines, IA

Certification and Licensure

• **Certifications:**

Board	Initial Year	Most Recent Cert. Yr.	Certificate No.
American Board of Pediatrics	2016	2016	118135
American Board of Pediatrics	2019	2019	1747

- **Medical Licensure (current)**

State	Initial Date	License No.
Iowa	2019	DO-05386

Leadership Positions

Years	Position
2021 – Present	<i>Pediatric Residency Associate Program Director</i> Blank Children’s Hospital, Des Moines, IA
2021 – Present	<i>Pediatric Residency Curriculum Committee Chair</i> Blank Children’s Hospital, Des Moines, IA
2020 – Present	<i>Pediatric Residency Scholarship Oversight Committee Member</i> Blank Children’s Hospital, Des Moines, IA
2020 – Present	<i>Pediatric Death Review Committee Member</i> Blank Children’s Hospital, Des Moines, IA
2017 – 2019	<i>Musculoskeletal Infection Hospital Care Committee Member</i> Children’s Mercy Hospital, Kansas City, MO
2017 – 2019	<i>Pediatric Infectious Diseases Society Research Affairs Committee Member</i>
2016 – 2019	<i>Fellow Representative of Graduate Medical Education Committee</i> Children’s Mercy Hospital, Kansas City, MO
2015 – 2016	<i>Resident Representative of Clinical Learning Environment Review Program</i> Kansas University Pediatric Residency, Kansas City, KS
2014 – 2016	<i>Resident Representative of Pediatric Hospital Ethics Committee</i> Kansas University Medical Center, Kansas City, KS
2014 – 2016	<i>Clinical Skills Preceptor for Medical Students</i> Kansas University School of Medicine, Kansas City, KS
2013 – 2016	<i>Resident Representative of Pediatric Medical Education Committee</i> Kansas University Pediatric Residency, Kansas City, KS
2009 – 2011	<i>Research Committee Chair of Student Osteopathic Medical Association</i> Des Moines University, Des Moines, IA

Professional Affiliations and Memberships (currently only)

Organization

2017 – Present Society for Pediatric Research
2016 – Present Pediatric Infectious Diseases Society
2016 – Present Infectious Diseases Society of America
2016 – Present The Society for Healthcare Epidemiology of America
2013 – Present American Academy of Pediatrics

Honors and Awards (if any)

2021 *Most Outstanding Faculty Teaching Award*
Blank Children's Hospital Pediatrics Residency, Des Moines, IA

2019 *Teaching & Academic Excellence Award*
Blank Children's Hospital Pediatric Education Department, Des Moines, IA

2019 *Most Outstanding Fellow Teaching Award Recipient*
Children's Mercy Hospital Graduate Medical Education, Kansas City, MO

2018 *Most Outstanding Fellow Teaching Award Nominee*
Children's Mercy Hospital Graduate Medical Education, Kansas City, MO

2017 *Most Outstanding Fellow Teaching Award Nominee*
Children's Mercy Hospital Graduate Medical Education, Kansas City, MO

2016 *Excellence in Teaching Award: Most Outstanding Pediatric Resident*
Kansas University School of Medicine, Kansas City, KS

2016 *Most Outstanding Pediatric Resident*
Kansas University Pediatric Residency, Kansas City, KS

2015 *Excellence in Residency Award Nominee: Exceptional Student Mentoring*
Kansas University School of Medicine, Kansas City, KS

2015 *Resident Researcher of the Year Award*
Kansas University Pediatric Residency, Kansas City, KS

2014 *Pediatric Hematology/Oncology Intern of the Year Award*
Kansas University Pediatric Residency, Kansas City, KS

Publications and Presentations (if any)

• Papers Published or In Press

Kathryn E. Kyler, Brian R Lee, Earl F Glynn, Joel P Waddell, Mark A Hoffman, and Jennifer L Goldman. Clinical outcome and antibiotic dosing differences by weight in children with acute osteomyelitis. Hospital Pediatrics. Accepted on 4/27/2021.

Television Interview: Channel 8 KCCI News, Des Moines, IA. *COVID-19 Delta variant, upcoming school semester in Iowa, masks, and vaccines.* August 27, 2021

Television Interview: Channel 8 KCCI News, Des Moines, IA. *RSV, other illnesses keep Blank Children's Hospital full, doctor says masks should be worn this fall.* July 19, 2021.

Radio Interview: Iowa Public Radio – Talk of Iowa: *Vaccine Offers Children 'Return To Normalcy,' Iowa Doctors Say.* May 13, 2021.

Newspaper Interview: Des Moines Register, Des Moines, IA. *COVID vaccine will soon be offered to kids ages 12-15 — but will they come in for the shots?* May 11, 2021.

Radio Interview: WHO Radio, Des Moines, IA. *COVID-19 vaccine among adolescents.* May 6, 2021.

Newspaper Interview: Des Moines Register, Des Moines, IA. *Iowa doctor: 'It's going to be extremely difficult' to get COVID herd immunity if kids can't be vaccinated.* April 28, 2021.

Newspaper Interview: Des Moines Register, Des Moines, IA. *COVID-19 rate in kids may be higher than known, experts say, and until they can be vaccinated, pandemic may linger.* April 25, 2021.

Television Interview: Channel 8 KCCI News, Des Moines, IA. *What is PMIS? Rare illness linked to COVID-19 comes to Iowa.* May 18, 2020.

Television Interview: Channel 13 WHO News: *MIS-C among children in Iowa.* May 18, 2020.

Waddell, J. and McCulloh, R. "Pertussis." From: Ferri's Clinical Advisor. 2018.

Invasive mucormycosis management: mucorales PCR provides important, novel diagnostic information (poster presentation). IDWeek™2018. San Francisco, CA. October 2018.

Coauthor of hospital's outpatient antibiotic handbook. Children's Mercy Hospital. Kansas City, MO. August 2018.

Clinical course and antibiotic dosing in healthy vs non-healthy weight children with osteomyelitis (poster presentation). 2018 St. Jude/PIDS Pediatric Infectious Diseases Research Conference. Memphis, TN. March 2018.

Coauthor of hospital's outbreak/suspected outbreak investigation policy. Children's Mercy Hospital. Kansas City, MO. January 2018.

- **Scientific Presentations/Invited Lectures**

2021	Blank Children's Hospital, Des Moines, IA: Pediatric Grand Rounds Topic: COVID-19 vaccines in children
2021	Greater Regional Medical Center, Creston, IA: Lunch and Learn Topic: COVID-19 in children
2021	State of Iowa Annual School Nursing Conference, Des Moines, IA: Topic: COVID-19 in children
2021	Blank Children's Hospital, Des Moines, IA: Pediatric Residency didactic lecture series Topic: COVID-19 associated Multisystem inflammatory syndrome in children (MIS-C)
2021	Blank Children's Hospital, Des Moines, IA: Webinar for Blank Children's Hospital Employees Topic: COVID-19 pandemic and vaccines
2021	Clark County Hospital, Osceola, IA: Lunch and Learn Topic: COVID-19 pandemic and vaccines
2021	Blank Children's Hospital, Des Moines, IA: Hospital employee open forum Topic: Q&A session regarding COVID-19 vaccines
2021	Blank Children's Hospital, Des Moines, IA: Pediatric Residency board review lecture series Topic: Pediatric infectious diseases
2021	Blank Children's Hospital, Des Moines, IA: Pediatric Residency didactic lecture series Topic: Cervical lymphadenitis and skin/soft tissue infections
2021	Broadlawns Medical Center, Des Moines, IA: Family Medicine Residency didactic lecture series Topic: Top 10 outpatient pediatric infectious diseases
2020	Blank Children's Hospital, Des Moines, IA: Pediatric Grand Rounds Topic: Top 10 Vaccine Myths
2020	Blank Children's Hospital, Des Moines, IA: Clinical Pathology Conference Topic: Potts Puffy Tumor
2020	Blank Children's Hospital, Des Moines, IA: Pediatric Residency didactic lecture series Topic: Top 10 general outpatient pediatric infectious diseases
2020	Blank Children's Hospital, Des Moines, IA: Pediatric Residency didactic lecture series Topic: Infections in immunocompromised hosts
2020	Iowa Lutheran Hospital, Des Moines, IA: Family Medicine Residency didactic lecture series Topic: Top 10 general outpatient pediatric infectious diseases
2019	Blank Children's Hospital, Des Moines, IA: Pediatric Residency didactic lecture series Topic: Bugs and Drugs
2019	Children's Mercy Hospital, Infectious Diseases Department, Kansas City, MO: Fellows' didactic lecture series

Topic: Congenital infections

- 2019 Children's Mercy Hospital, Infectious Diseases Department, Kansas City, MO: Fellows' didactic lecture series
Topic: Recurrent fevers
- 2019 Children's Mercy Hospital, Infectious Diseases Department, Kansas City, MO: Fellows' didactic lecture series
Topic: Gastroenteritis
- 2018 Progressive disseminated histoplasmosis of infancy (platform presentation). Kansas City Infectious Diseases Society. Kansas City, KS. September 2018.
- 2018 Children's Mercy Hospital, Clinical Pharmacology Mini Masters Course, Kansas City, MO.
Topic: Utilizing big data resources to generate pharmacologic hypotheses
- 2018 Children's Mercy Hospital, Infectious Diseases Department, Kansas City, MO: Journal Club
Topic: Pharmacokinetic cefazolin modeling in bariatric surgery patients
- 2018 Children's Mercy Hospital, Infectious Diseases Department, Kansas City, MO: Fellows' didactic lecture series
Topic: Zoonoses
- 2017 Comparative analysis of initial antibiotic dosing among healthy weight, overweight, and obese children with osteomyelitis (poster presentation). IDWeek™2017. San Diego, CA. October 2017.
- 2017 Children's Mercy Hospital, Infectious Diseases Department, Kansas City, MO: Fellows' didactic lecture series
Topic: Viral CNS infections
- 2017 Children's Mercy Hospital, Infectious Diseases Department, Kansas City, MO: Fellows' didactic lecture series
Topic: Bacterial CNS infections
- 2017 Children's Mercy Hospital, Infectious Diseases Department, Kansas City, MO: Journal Club
Topic: Cellulitis, cephalexin, & obesity
- 2017 University of Missouri-Kansas City School of Pharmacy, Kansas City, MO: Second year pharmacy student lecture series
Topic: Pediatric community-acquired pneumonia
- 2017 Children's Mercy Hospital, General Pediatric and Medicine/Pediatric Residents, Kansas City, MO: Core resident educational lecture series
Topic: Bugs and drugs
- 2017 Children's Mercy Hospital, Infectious Diseases Department, Kansas City, MO: Research Conference
Topic: Utilizing informatics-based research to answer questions regarding appropriate antibiotic dosing among obese children
- 2017 Children's Mercy Hospital, Infectious Diseases Department, Kansas City, MO: Fellows' didactic lecture series

Topic: Antibiotic resistance mechanisms – a three part series

- 2016 Children's Mercy Hospital, Infectious Diseases Department, Kansas City, MO: Journal Club
Topic: Fever in returning traveler
- 2016 Children's Mercy Hospital, Infectious Diseases Department, Kansas City, MO: Journal Club
Topic: Impact of reported beta-lactam allergy on inpatient outcomes multicenter prospective cohort study
- 2016 Children's Mercy Hospital, Infectious Diseases Department, Kansas City, MO: Journal Club
Topic: Antimicrobial dosing and pediatric obesity: murky waters
- 2016 Kansas University, Department of Pediatrics, Kansas City, KS: Senior Resident Conference
Topic: Improving resident research in an attempt to further evidence-based medicine within pediatrics
- 2015 Improving pediatric immunization rates in the inpatient setting: a hospital-based intervention (poster presentation). Academic Pediatric Association Region VI Fall Meeting. Kansas City, KS. September 2015.
- 2015 Children's Mercy Hospital, Infectious Diseases Department, Kansas City, MO: Laboratory Presentation
Topic: Ceftolozane/tazobactam activity against *Pseudomonas aeruginosa* strains in pediatric cystic fibrosis patients
- 2015 Kansas University, Department of Pediatrics, Kansas City, KS: Neonatology Conference
Topic: Short & long term management of neonatal HIV
- 2014 Kansas University, Department of Pediatrics, Kansas City, KS: Board Prep lecture series
Topic: Presented various COMLEX Step 1 topics to incoming 1st year pediatric residents
- 2013 Kansas University, Department of Pediatrics, Kansas City, KS: Center for Child Health & Development Lecture Series
Topic: Congenital cytomegalovirus infections- neurodevelopmental/behavioral outcomes
- 2013 Kansas University, Department of Pediatrics, Kansas City, KS: Neonatology Conference
Topic: Neonatal bacterial meningitis