### 2018 Regular Session

HOUSE BILL NO. 176

#### BY REPRESENTATIVE LEGER

STUDENTS: Requires students who are entering eleventh grade or who are 16 and entering any grade to provide satisfactory evidence of current immunization against meningococcal disease as a condition of school entry

1	AN ACT
2	To amend and reenact R.S. 17:170.4(A)(1) and (C)(2), relative to immunizations; to require
3	certain students to be immunized against meningococcal disease; to provide for
4	exceptions; to provide relative to rules and regulations; and to provide for related
5	matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 17:170.4(A)(1) and (C)(2) are hereby amended and reenacted to read
8	as follows:
9	§170.4. Immunizations of certain persons against meningococcal disease;
10	exceptions
11	A.(1)(a) Except as provided in Subsection B of this Section, beginning with
12	the 2009-2010 school year and continuing thereafter, a student shall provide
13	satisfactory evidence of current immunization against meningococcal disease in
14	accordance with a directive provided by the state Department of Education and the
15	Louisiana Department of Health that shall be based on the recommendations of the
16	Centers for Disease Control and Prevention as a condition of entry into the sixth
17	grade and as a condition of entry into the eleventh grade at any city, parish, or other
18	local public school or nonpublic school.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(b) Except as provided in Subsection B of this Section, beginning with the
2	2009-2010 school year and continuing thereafter, a student who is eleven years old
3	and is entering a grade other than the sixth grade and a student who is sixteen years
4	old and is entering a grade other than the eleventh grade shall provide satisfactory
5	evidence of current immunization against meningococcal disease in accordance with
6	a directive provided by the state Department of Education and the Louisiana
7	Department of Health that shall be based on the recommendations of the Centers for
8	Disease Control and Prevention as a condition of entry into such grade at any city,
9	parish, or other local public school or nonpublic school.
10	(c) Except as provided in Subsection B of this Section, beginning with the
11	2009-2010 school year and continuing thereafter, a each student who is eleven years
12	old and each student who is sixteen years old and is participating in an approved
13	home study program pursuant to R.S. 17:236.1 shall provide satisfactory evidence
14	of current immunization against meningococcal disease in accordance with a
15	directive provided by the state Department of Education and the Louisiana
16	Department of Health that shall be based on the recommendations of the Centers for
17	Disease Control and Prevention to the State Board of Elementary and Secondary
18	Education as provided by rule adopted by the board in accordance with the
19	Administrative Procedure Act.
20	* * *
21	C.
22	* * *
23	(2) The secretary of the Louisiana Department of Health shall provide such
24	rules, including the implementation schedule, to the state Department of Education
25	by not later than August 1, 2009. The state Department of Education shall notify
26	each city, parish, and other local school board, the governing authority of each
27	nonpublic school system or school in the case of a school not a part of a school
28	system, and the parent or legal guardian of any student participating in an approved
29	home study program as specified in Subparagraph (A)(1)(c) of this Section of the

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- 1 requirements of this Section and the rules and schedule for their implementation as
- 2 provided by this Section.
- 3 \* \*
- 4 Section 2. This Act shall become effective on July 1, 2019.

## DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 176 Engrossed	2018 Regular Session	Leger

Abstract: Requires current immunization against meningococcal disease by students who are entering 11th grade or who are age 16 and entering any grade; effective July 1, 2019.

Present law requires:

- (1) A student to provide satisfactory evidence of current immunization against meningococcal disease as a condition of entry into sixth grade.
- (2) A student who is 11 and entering a grade other than sixth grade to provide such evidence as a condition of entry into such grade.
- (3) A student who is 11 and participating in an approved home study program to provide such evidence to the State Bd. of Elementary and Secondary Education (BESE).

Present law excepts from such requirements any person:

- (1) Whose parent, tutor, or legal guardian signs a waiver stating that the person shall not be immunized for religious or other personal reasons.
- (2) Whose parent, tutor, or legal guardian has submitted a written statement from a physician stating that the immunization is contraindicated for medical reasons.
- (3) Who is unable to comply due to a shortage in the supply of available vaccinations.

<u>Proposed law</u> retains <u>present law</u>; makes the same requirement a condition of entry into 11th grade and entry into any grade by a student who is 16; also requires a student who is 16 and participating in an approved home study program to provide such evidence to BESE. <u>Proposed law</u> applies <u>present law</u> exceptions to <u>proposed law</u> requirements. Also provides that satisfactory evidence of current immunization against this disease provided pursuant to <u>present law</u> and <u>proposed law</u> shall be in accordance with a directive from the state Dept. of Education and La. Dept. of Health that is based on recommendations of the Centers for Disease Control and Prevention.

Present law provides for the following:

- (1) Implementation according to LDH rules, including an implementation schedule.
- (2) A requirement that LDH provide such rules to the state Dept. of Education (DOE) and a requirement that DOE notify each school governing authority and the parent

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or legal guardian of any student participating in an approved home study program of <u>present law</u> requirements and the rules and schedule for their implementation.

Proposed law additionally applies such provisions to proposed law.

Effective July 1, 2019.

(Amends R.S. 17:170.4(A)(1) and (C)(2))

Summary of Amendments Adopted by House

- The Committee Amendments Proposed by <u>House Committee on Education</u> to the <u>original</u> bill:
- 1. Specify that satisfactory evidence of current immunization against disease, instead of being in accordance with recommendations of Centers for Disease Control and Prevention (CDC), shall be in accordance with a directive from the state Dept. of Education and La. Dept. of Health that is based on such recommendations.

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