2018 Regular Session

HOUSE BILL NO. 74

BY REPRESENTATIVE DAVIS

STUDENTS: Requires schools to provide information relative to influenza and immunization against the influenza virus

1	AN ACT
2	To enact R.S. 17:170.5 and 3996(B)(45), relative to immunization information for
3	elementary and secondary school students; to require schools to provide information
4	relative to influenza and immunization against the influenza virus to students'
5	parents; to require the state Department of Education to provide such information to
6	the parents of students enrolled in approved home study programs; to provide for
7	rules and regulations; and to provide for related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 17:170.5 and 3996(B)(45) are hereby enacted to read as follows:
10	§170.5. Immunization information; influenza
11	A.(1) Each public and nonpublic school governing authority shall provide
12	each student's parent or legal guardian with information relative to the risks
13	associated with influenza and the availability, effectiveness, and known
14	contraindications of immunization against the influenza virus. Such information
15	shall include the causes and symptoms of influenza, the means by which influenza
16	is spread, and the places where a parent or legal guardian may obtain additional
17	information and where a student may be immunized against the influenza virus.
18	(2) The state Department of Education shall provide such information to the
19	parents of students enrolled in a home study program approved by the State Board
20	of Elementary and Secondary Education.

Page 1 of 3

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

1	B.(1) The Louisiana Department of Health shall develop and provide such		
2	information, which shall be updated annually if new information on influenza		
3	becomes available, to the state Department of Education. The state Department of		
4	Education shall provide such information to the governing authority of each school,		
5	which shall provide such information to each student's parent or legal guardian as		
6	required by Subsection A of this Section.		
7	(2) The Louisiana Department of Health, the state Department of Education,		
8	and each school governing authority shall determine respectively the most cost-		
9	effective and efficient means of distributing such information, including but not		
10	limited to posting on school websites and electronic distribution.		
11	C. The Louisiana Department of Health, in consultation with the state		
12	Department of Education, shall establish all guidelines and procedures for carrying		
13	out the provisions of this Section by rule promulgated in accordance with the		
14	Administrative Procedure Act.		
15	D. Nothing in this Section shall be construed to require any school governing		
16	authority, the state Department of Education, or the Louisiana Department of Health		
17	to provide or pay for vaccines against the influenza virus.		
18	* * *		
19	§3996. Charter schools; exemptions; requirements		
20	* * *		
21	B. Notwithstanding any state law, rule, or regulation to the contrary and		
22	except as may be otherwise specifically provided for in an approved charter, a		
23	charter school established and operated in accordance with the provisions of this		
24	Chapter and its approved charter and the school's officers and employees shall be		
25	exempt from all statutory mandates or other statutory requirements that are		
26	applicable to public schools and to public school officers and employees except for		
27	the following laws otherwise applicable to public schools with the same grades:		
28	* * *		

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(45) Immunization information, influenza, R.S. 17:170.5.

* * *

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 74 Engrossed	2018 Regular Session	Davis
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Abstract: Requires schools to provide up-to-date information about influenza and immunization against the influenza virus and the state Dept. of Education to provide such information to parents of students enrolled in approved home study programs.

Proposed law:

- (1) Requires the governing authority of each public school, including charter schools, and each nonpublic school to provide information about influenza and vaccination against the influenza virus and requires the state Dept. of Education (DOE) to provide such information to parents of students enrolled in approved home study programs.
- (2) Requires that this information include the causes, symptoms, and means by which influenza is spread and the places where parents and guardians may obtain additional information and vaccinations for their children.
- (3) Requires the La. Dept. of Health (LDH) to develop and provide information about influenza and the vaccination to DOE. LDH shall provide updates annually if new information on influenza is available. LDH, DOE, and each school governing authority shall determine the most cost-effective and efficient means of information distribution, including but not limited to posting on school websites and electronic distribution.
- (4) Requires LDH, in consultation with DOE, to establish rules for carrying out proposed law.
- (5) States that nothing in <u>proposed law</u> requires LDH, DOE, or any school governing authority to provide or purchase vaccines.

(Adds R.S. 17:170.5 and 3996(B)(45))

Summary of Amendments Adopted by House

- The Committee Amendments Proposed by <u>House Committee on Education</u> to the <u>original</u> bill:
- 1. Expand applicability of <u>proposed law</u> requirements to nonpublic schools.
- 2. Add requirement that state Dept. of Education provide information to parents of students enrolled in approved home study programs.