

SHORT TITLE: Schools; access by the Oklahoma Health Care Authority to school immunizations records. Effective date.

STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

SENATE BILL NO. 1239

By: Monson

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 1991, Section 1210.191, which relates to immunizations; modifying list of immunizations for which certification must be presented; requiring release of immunization records of certain school children; requiring transmission of such records to certain medical providers for specified use; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 1991, Section 1210.191, is amended to read as follows:

Section 1210.191 ~~(a)~~ A. No minor child shall be admitted to any public, private, or parochial school operating in this state unless ~~such child can present~~ and until certification is presented to the appropriate school authorities ~~certification~~ from a licensed physician, or authorized representative of the State Department of ~~Public~~ Health, that such child has received or is in the process of receiving, immunizations against diphtheria, pertussis, tetanus, haemophilus influenzae type B (HIB), measles (rubeola), ~~(rubella)~~, poliomyelitis, and smallpox, or is likely to be immune as a result of the disease.

~~(b)~~ B. Immunization tests required, and the manner and frequency of their administration, as prescribed by the State Board

of Health, shall conform to recognized standard medical practices in the state. The State Department of ~~Public~~ Health shall supervise and secure the enforcement of the required immunization program. The State Department of Education and the governing boards of the school districts of this state shall render reasonable assistance to the State Department of ~~Public~~ Health in the enforcement of the provisions hereof.

~~(e)~~ C. The State Board of Health, by rule, may alter the list of immunization tests required after notice and hearing. Any change in the list of immunization tests required shall be submitted to the next regular session of the Legislature and such change shall remain in force and effect unless and until a concurrent resolution of disapproval is passed. Hearings shall be conducted by the State Board of Health, or such officer, agents or employees as the Board may designate for that purpose. The State Board of Health shall give appropriate notice of the proposed change in the list of immunization tests required and of the time and place for hearing. The change shall become effective on a date fixed by the State Board of Health. Any change in the list of immunization tests required may be amended or repealed in the same manner as provided for its adoption. Proceedings pursuant to this subsection shall be governed by the Administrative Procedures Act.

D. The State Department of Education and the governing boards of the school districts of this state shall provide for release to the Oklahoma Health Care Authority of the immunization records of school children covered under Title XIX or Title XXI of the federal Social Security Act. The information received pursuant to such release shall be transmitted by the Oklahoma Health Care Authority to medical providers who provide services to such children pursuant to Title XIX or Title XXI to assist in their efforts to increase the rate of childhood immunization pursuant to the requirements of the

Early and Periodic Screening, Diagnosis and Treatment (EPSDT)
services provisions.

SECTION 2. This act shall become effective November 1, 1998.

46-2-2306 CJ