

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1537

By: Peterson (Ron)

AS INTRODUCED

An Act relating to education; amending Section 1, Chapter 322, O.S.L. 2003 and Section 2, Chapter 322, O.S.L. 2003 (70 O.S. Supp. 2004, Sections 3243 and 3244), which relate to postsecondary student vaccinations; modifying type of postsecondary institution required to comply with requirements for policy and notification on student vaccinations; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 322, O.S.L. 2003 (70 O.S. Supp. 2004, Section 3243), is amended to read as follows:

Section 3243. A. Beginning with the 2004-2005 academic year, public or private postsecondary educational institutions that provide on-campus housing shall provide detailed information on the risks associated with meningococcal disease and the risks and benefits of the vaccination as well as the availability of vaccine to students who reside or plan to reside in on-campus student housing.

B. Beginning with the 2004-2005 academic year, students who are first-time enrollees in any public or private postsecondary educational institution in this state and who reside in on-campus student housing shall be vaccinated against meningococcal disease, unless:

1. In the case of an individual who is eighteen (18) years of age or older, the individual signs a written waiver provided by the institution of higher education stating that the individual has

received and reviewed the information provided and has chosen not to be vaccinated against meningococcal disease; or

2. In the case of an individual who is a minor, the individual's parent or guardian signs a written waiver provided by the institution of higher education stating that the parent or guardian has received and reviewed the information provided and has chosen not to have the individual vaccinated against meningococcal disease.

C. The Oklahoma State Regents for Higher Education shall consult the State Department of Health regarding the preparation of the informational material and waiver form required in subsection B of this section. The Regents shall provide the material and form to all public or private postsecondary educational institutions with on-campus student housing in this state. It shall be the responsibility of the governing body or board of regents for each public or private postsecondary institution or group of institutions providing on-campus housing to adopt policies for the implementation of this section.

D. Public or private postsecondary institutions in this state shall not be required to provide or pay for vaccinations against meningococcal disease.

SECTION 2. AMENDATORY Section 2, Chapter 322, O.S.L. 2003 (70 O.S. Supp. 2004, Section 3244), is amended to read as follows:

Section 3244. A. 1. Beginning with the 2004-2005 academic year, in order to enroll as a full-time or part-time student in an institution within The Oklahoma State System of Higher Education or a private institution of higher learning located within this state and accredited pursuant to Section 4103 of Title 70 of the Oklahoma Statutes, an individual shall provide written documentation of vaccinations against hepatitis B, measles, mumps, and rubella (MMR).

2. The ~~requirement~~ requirements of this section shall not apply to students enrolling in courses delivered via the Internet or through distance learning in which the student is not required to attend class on campus, or to institutions that do not provide on-campus housing.

B. Beginning with the 2004-2005 academic year, institutions not exempted under this section shall notify students of the requirements of subsection A of this section and provide students with educational information on hepatitis B, measles, mumps, and rubella (MMR) upon enrollment. Such information shall also include the risks and benefits of the vaccination. Institutions shall not be required to provide or pay for vaccinations against hepatitis B, measles, mumps, and rubella (MMR).

C. A written statement from a licensed physician indicating that a vaccine is medically contraindicated shall exempt a student from the vaccination. A student shall be exempt from the vaccination if the student submits a written, signed statement declaring that the administration of the vaccine conflicts with the student's moral or religious tenets or, if the student is a minor, the student's parent or guardian provides a written statement that the administration of the vaccine conflicts with the parent's or guardian's moral or religious tenets.

D. It shall be the responsibility of the governing body or board of regents for each public or private postsecondary institution or group of institutions to adopt policies for the implementation of this section. In adopting these policies the relevant governing body or board of regents may include exceptions for certain categories of students at its discretion.

SECTION 3. This act shall become effective July 1, 2005.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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