

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

☐ FLOOR AMENDMENT

No. _____

☐ COMMITTEE AMENDMENT

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 83, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

Senator Yen

Yen-AM-FS-Req#1647
3/21/2017 3:37 PM

(Floor Amendments Only) Date and Time Filed: _____

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 83

By: Yen of the Senate

and

Kannaday of the House

FLOOR SUBSTITUTE

An Act relating to vaccination policy; amending 70 O.S. 2011, Section 1210.192, which relates to certain exemptions; requiring certain attestation; limiting duration of certain exemption; directing review of certain information by parents or guardians; specifying conditions for exemptions; directing State Department of Health to develop website for certain purposes; providing contents; amending 70 O.S. 2011, Section 1210.193, which relates to administration of vaccinations; requiring presentation of certain information; permitting presentation of certain information under certain circumstances; requiring certain compliance; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.192, is amended to read as follows:

Section 1210.192. A. Any minor child, through the parent, guardian, or legal custodian of the child, may submit to the health

1 authority charged with the enforcement of the immunization laws of
2 this state:

3 1. A certificate of a licensed allopathic or osteopathic
4 physician as defined in Section 725.2 of Title 59 of the Oklahoma
5 Statutes, stating that the physical condition of the child is such
6 that immunization would endanger the life or health of the child; or

7 2. A written statement by the parent, guardian or legal
8 custodian of the child attesting that they have viewed the
9 information required by subsection B of this section and objecting
10 to immunization of the child;

11 whereupon the child shall be exempt from the immunization laws of
12 this state.

13 B. A nonmedical exemption granted pursuant to paragraph 2 of
14 subsection A of this section shall only be valid for two (2) school
15 years and only after the parent or guardian:

16 1. Views multimedia information regarding the risks of not
17 vaccinating their child and the possible medical complications
18 resulting from vaccinations on a website maintained by the State
19 Department of Health that provides a link to the Centers for Disease
20 Control and Prevention's "Vaccine Excipient and Media Summary";
21 provided, a parent or guardian with more than one child shall only
22 be required to view the information once to satisfy the provisions
23 of this subsection. The viewing of multimedia information required
24 by this paragraph shall not exceed ten (10) minutes; and

1 2. Submits a notarized document attesting that they have viewed
2 the information required by this subsection, certifying that he or
3 she has viewed the information specified in paragraph 1 of this
4 subsection.

5 C. The Department shall develop and maintain a stable Internet
6 website to provide the information described in subsection B of this
7 section. No information regarding who uses the website shall be
8 collected or maintained by the Department. The website created
9 pursuant to this section shall:

10 1. Ensure that the materials and form described in subsection B
11 of this section are printable only after viewing information about
12 the risks of not vaccinating a child and the possible medical
13 complications resulting from vaccinations;

14 2. Provide clear and prominent instructions on how to receive
15 the information in printed form;

16 3. Be accessible to the public without requiring registration
17 or use of a user name, a password, other user identification or the
18 payment of a fee; and

19 4. Only contain information that conforms to the highest
20 standards of academic research, including but not limited to peer
21 review.

22 SECTION 2. AMENDATORY 70 O.S. 2011, Section 1210.193, is
23 amended to read as follows:

1 Section 1210.193. A. The immunizations ~~will~~ shall be
2 administered by a licensed physician, someone under his or her
3 direction, or the public health department. Such persons shall
4 present the Vaccine Information Statement produced by the Centers
5 for Disease Control and Prevention to parents or guardians prior to
6 the delivery of immunizations. The package insert for the
7 immunization being administered may be presented at the request of
8 the parent or guardian.

9 B. If the parents or guardians are unable to pay, the State
10 Department of Public Health shall provide, without charge, the
11 immunization materials required by this act to such pupils. The
12 parents, guardian or person having legal custody of any child may,
13 following compliance with the provisions of Section 1210.192 of this
14 title, claim an exemption from the immunizations on medical,
15 religious or personal grounds.

16 SECTION 3. This act shall become effective July 1, 2017.

17 SECTION 4. It being immediately necessary for the preservation
18 of the public peace, health or safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

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22 56-1-1647 AM 3/21/2017 3:37:19 PM
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