

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB4133 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Amendment submitted by: Kevin West

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

PROPOSED COMMITTEE  
SUBSTITUTE  
FOR  
HOUSE BILL NO. 4133

By: Roberts (Sean)

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to immunizations; amending 70 O.S. 2011, Section 1210.191, which relates to required immunization tests; requiring the State Department of Education and school districts to provide certain information and links or forms; updating statutory term; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1210.191, is amended to read as follows:

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

1 (rubeola), rubella, poliomyelitis, varicella<sup>7</sup> and hepatitis A or is  
2 likely to be immune as a result of the disease.

3 B. Immunizations required, and the manner and frequency of  
4 their administration, as prescribed by the State ~~Board~~ Commissioner  
5 of Health, shall conform to recognized standard medical practices in  
6 the state. The State Department of Health shall supervise and  
7 secure the enforcement of the required immunization program. The  
8 State Department of Education and the governing boards of the school  
9 districts of this state shall render reasonable assistance to the  
10 State Department of Health in the enforcement of the provisions  
11 hereof.

12 C. The ~~State Board of Health~~ Commissioner, by rule, may alter  
13 the list of immunizations required after notice and hearing. Any  
14 change in the list of immunizations required shall be submitted to  
15 the next regular session of the Legislature and such change shall  
16 remain in force and effect unless and until a concurrent resolution  
17 of disapproval is passed. Hearings shall be conducted by the ~~State~~  
18 ~~Board of Health~~ Commissioner, or such officer, agents or employees  
19 as the ~~Board of Health~~ Commissioner may designate for that purpose.  
20 The ~~State Board of Health~~ Commissioner shall give appropriate notice  
21 of the proposed change in the list of immunizations required and of  
22 the time and place for hearing. The change shall become effective  
23 on a date fixed by the ~~State Board of Health~~ Commissioner. Any  
24 change in the list of immunizations required may be amended or

1 repealed in the same manner as provided for its adoption.

2 Proceedings pursuant to this subsection shall be governed by the  
3 Administrative Procedures Act.

4 D. The State Department of Education and the governing boards  
5 of the school districts of this state shall provide for release to  
6 the Oklahoma Health Care Authority of the immunization records of  
7 school children covered under Title XIX or Title XXI of the federal  
8 Social Security Act who have not received the required immunizations  
9 at the appropriate time. The information received pursuant to such  
10 release shall be transmitted by the Oklahoma Health Care Authority  
11 to medical providers who provide services to such children pursuant  
12 to Title XIX or Title XXI to assist in their efforts to increase the  
13 rate of childhood immunizations pursuant to the requirements of the  
14 Early and Periodic Screening, Diagnosis and Treatment (EPSDT)  
15 services provisions. The provisions of this subsection shall not be  
16 construed to prohibit or affect the eligibility of any child to  
17 receive benefits pursuant to Title XIX or Title XXI of the Social  
18 Security Act or to require the immunization of any child if such  
19 child is exempt from the immunization requirements pursuant to law.  
20 The name of any child exempt from immunization pursuant to Section  
21 1210.192 of this title shall not be included in the information  
22 transmitted pursuant to this subsection.

1     E. The State Department of Education shall provide, and ensure  
2     that each school district in this state provides, in any notice or  
3     publication provided to parents regarding immunization requests:

4         1. The entirety of the immunization laws and rules of this  
5         state; and

6         2. Links to all relevant immunization exemption forms in the  
7         case of an electronic notice or publication, or a copy of all  
8         relevant immunization exemption forms in the case of a printed  
9         notice or publication.

10        SECTION 2. This act shall become effective November 1, 2020.

12        57-2-11314       SH       02/24/20