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February 26, 2020

**AS AMENDED**

SENATE BILL NO. 1854

By: Dahm and **Newhouse** of the  
Senate

and

West (Kevin) of the House

[ immunization tests - information and links or forms  
- 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 (rubeola), rubella, poliomyelitis, varicella, and hepatitis A or is likely to be immune as a result of the disease.

B. Immunizations required, and the manner and frequency of their administration, as prescribed by the State Board Commissioner

1 of Health, shall conform to recognized standard medical practices in  
2 the state. The State Department of Health shall supervise and  
3 secure the enforcement of the required immunization program. The  
4 State Department of Education and the governing boards of the school  
5 districts of this state shall render reasonable assistance to the  
6 State Department of Health in the enforcement of the provisions  
7 hereof.

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21 repealed in the same manner as provided for its adoption.  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

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

20 **E. The State Department of Education shall provide and ensure**  
21 **that each school district in this state provides, in any notice or**  
22 **publication provided to parents regarding immunization requests,**  
23 **information regarding immunization requirements for attendance of**  
24

1 school, exemptions to such requirements and information on where to  
2 obtain an exemption form.

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

4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
5 February 26, 2020 - DO PASS AS AMENDED  
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