

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 4119

By: Roberts (Sean)

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6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 1210.191, which relates to immunization
9 requirements for students; requiring immunizations
10 pursuant to Centers for Disease Control and
11 Prevention 1970's list of recommended vaccines;
12 providing exemption; and providing an effective date.

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

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

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

1 prescribed on the Centers for Disease Control and Prevention (CDC)
2 1970's list of recommended vaccines. A parent, guardian or legal
3 custodian of the child may submit a written statement objecting to
4 immunization of the child; whereupon the child shall be exempt from
5 the immunization laws of this state.

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

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

1 change shall become effective on a date fixed by the State Board of
2 Health. Any change in the list of immunizations required may be
3 amended or repealed in the same manner as provided for its adoption.
4 Proceedings pursuant to this subsection shall be governed by the
5 Administrative Procedures Act.

6 D. The State Department of Education and the governing boards
7 of the school districts of this state shall provide for release to
8 the Oklahoma Health Care Authority of the immunization records of
9 school children covered under Title XIX or Title XXI of the federal
10 Social Security Act who have not received the required immunizations
11 at the appropriate time. The information received pursuant to such
12 release shall be transmitted by the Oklahoma Health Care Authority
13 to medical providers who provide services to such children pursuant
14 to Title XIX or Title XXI to assist in their efforts to increase the
15 rate of childhood immunizations pursuant to the requirements of the
16 Early and Periodic Screening, Diagnosis and Treatment (EPSDT)
17 services provisions. The provisions of this subsection shall not be
18 construed to prohibit or affect the eligibility of any child to
19 receive benefits pursuant to Title XIX or Title XXI of the Social
20 Security Act or to require the immunization of any child if such
21 child is exempt from the immunization requirements pursuant to law.
22 The name of any child exempt from immunization pursuant to Section
23 1210.192 of this title shall not be included in the information
24 transmitted pursuant to this subsection.

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

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