

IN THE SENATE

SENATE BILL NO. 1005

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO IMMUNIZATIONS; AMENDING SECTION 39-1118, IDAHO CODE, TO PROVIDE FOR CERTAIN DISCLOSURES BY LICENSED DAYCARE FACILITIES TO PARENTS OR GUARDIANS AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 39-1118, Idaho Code, be, and the same is hereby amended to read as follows:

39-1118. IMMUNIZATION REQUIRED.

(1) (a) Within fourteen (14) days of a child's initial attendance at any licensed daycare facility, the parent or guardian shall provide an immunization record to the operator of the daycare facility regarding the child's immunity to certain childhood diseases. This record, signed by a physician or his representative or another licensed health care professional, shall verify that the child has received or is in the process of receiving immunizations as specified by the board; or can effectively demonstrate, through verification in a form approved by the department, immunity gained through prior contraction of the disease.

(b) Immunizations required and the manner and frequency of their administration shall be as prescribed by the board and shall conform to recognized standard medical practices in the state. The board shall promulgate appropriate rules for the enforcement of the required immunization program and specify reporting requirements of daycare facilities, pursuant to the provisions of chapter 52, title 67, Idaho Code.

(2) Any minor child whose parent or guardian has submitted to officials of a licensed daycare facility a certificate signed by a physician licensed by the state board of medicine stating that the physical condition of the child is such that all or any of the required immunizations would endanger the life or health of the child shall be exempt from the provisions of this section. Any minor child whose parent or guardian has submitted a signed statement to officials of the daycare facility stating their objections on religious or other grounds shall be exempt from the provisions of this section.

(3) Licensed daycare facilities shall describe the exemptions provided in subsection (2) of this section and shall provide a citation to this code section in any communication to parents or guardians regarding immunization.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2023.