

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 133

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1  
2 RELATING TO IMMUNIZATIONS; AMENDING SECTION 39-1118, IDAHO CODE, TO PROVIDE  
3 THAT A LICENSED DAYCARE FACILITY SHALL INCLUDE CERTAIN INFORMATION IN  
4 A NOTIFICATION REGARDING IMMUNIZATION REQUIREMENTS; AND AMENDING SEC-  
5 TION 39-4801, IDAHO CODE, TO PROVIDE THAT A SCHOOL SHALL INCLUDE CERTAIN  
6 INFORMATION IN A NOTIFICATION REGARDING IMMUNIZATION REQUIREMENTS AND  
7 TO MAKE TECHNICAL CORRECTIONS.

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

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

11 39-1118. IMMUNIZATION REQUIRED. (1) Within fourteen (14) days of a  
12 child's initial attendance at any licensed daycare facility, the parent or  
13 guardian shall provide an immunization record to the operator of the daycare  
14 facility regarding the child's immunity to certain childhood diseases. This  
15 record, signed by a physician or his representative or another licensed  
16 health care professional, shall verify that the child has received or is in  
17 the process of receiving immunizations as specified by the board; or can  
18 effectively demonstrate, through verification in a form approved by the de-  
19 partment, immunity gained through prior contraction of the disease.

20 Immunizations required and the manner and frequency of their adminis-  
21 tration shall be as prescribed by the board and shall conform to recognized  
22 standard medical practices in the state. The board shall promulgate appro-  
23 priate rules for the enforcement of the required immunization program and  
24 specify reporting requirements of daycare facilities, pursuant to the pro-  
25 visions of chapter 52, title 67, Idaho Code.

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

35 (3) Any time a licensed daycare facility operating in this state noti-  
36 fies a parent or guardian of the immunization requirements set forth in sub-  
37 section (1) of this section, the facility shall, in the same manner, include  
38 all of the information provided in subsection (2) of this section.

39 SECTION 2. That Section 39-4801, Idaho Code, be, and the same is hereby  
40 amended to read as follows:

1           39-4801. IMMUNIZATION REQUIRED. (1) Except as provided in section  
2 39-4802, Idaho Code, any child in Idaho of school age may attend grades  
3 preschool and kindergarten through ~~twelve (12)~~ of any public, private, or  
4 parochial school operating in this state if otherwise eligible, provided  
5 that upon admission, the parent or guardian shall provide an immunization  
6 record to the school authorities regarding the child's immunity to certain  
7 childhood diseases. This record, signed by a physician or his representa-  
8 tive or another licensed health care professional, shall verify that such  
9 child has received, or is in the process of receiving, immunizations as  
10 specified by the state board of health and welfare, or can effectively demon-  
11 strate, through verification in a form approved by the department of health  
12 and welfare, immunity gained through prior contraction of the disease. Any  
13 time a private, public, or parochial school notifies a parent or guardian of  
14 the state's immunization requirements, the school shall, in the same manner,  
15 include all of the information provided in section 39-4802, Idaho Code.

16           (2) Immunizations required and the manner and frequency of their ad-  
17 ministration shall be as prescribed by the state board of health and welfare  
18 and shall conform to recognized standard medical practices in the state. The  
19 state board of health and welfare, in cooperation with the state board of ed-  
20 ucation and the Idaho school boards association, shall promulgate appropri-  
21 ate rules for the enforcement of the required immunization program and spec-  
22 ify reporting requirements of schools, pursuant to the provisions of chapter  
23 52, title 67, Idaho Code.