

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 177

By: Dahm

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6 AS INTRODUCED

7 An Act relating to vaccinations; amending 70 O.S.
8 2011, Section 1210.191, which relates to
9 administration of certain information; requiring
10 inclusion of certain information in certain notices;
11 providing an effective date; and declaring an
12 emergency.

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.

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

10 C. In notifying parents or guardians of the requirements of
11 this section, school boards of education shall include information
12 about the exemptions from vaccination requirements provided by
13 Section 1210.192 of this title. The provisions of this subsection
14 shall apply to all forms of communication including, but not limited
15 to, e-mails, internet websites, social media or paper mail delivered
16 to the physical address of the parent or guardian.

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

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5 amended or repealed in the same manner as provided for its adoption.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

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

1 exempt from immunization pursuant to Section 1210.192 of this title
2 shall not be included in the information transmitted pursuant to
3 this subsection.

4 SECTION 2. This act shall become effective July 1, 2017.

5 SECTION 3. It being immediately necessary for the preservation
6 of the public peace, health or safety, an emergency is hereby
7 declared to exist, by reason whereof this act shall take effect and
8 be in full force from and after its passage and approval.

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