

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 432

BY WAYS AND MEANS COMMITTEE

AN ACT

1
2 RELATING TO IMMUNIZATION; AMENDING SECTION 39-4801, IDAHO CODE, TO PROVIDE
3 THAT NO IMMUNIZATION SHALL BE REQUIRED THAT HAS NOT BEEN GRANTED FULL
4 APPROVAL BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION; AND DECLAR-
5 ING AN EMERGENCY.

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

7 SECTION 1. That Section 39-4801, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 39-4801. IMMUNIZATION REQUIRED. (1) Except as provided in section
10 39-4802, Idaho Code, any child in Idaho of school age may attend preschool
11 and kindergarten through grade twelve (12) of any public, private, or
12 parochial school operating in this state if otherwise eligible, provided
13 that, upon admission, the parent or guardian shall provide an immunization
14 record to the school authorities regarding the child's immunity to certain
15 childhood diseases. This record, signed by a physician, the physician's
16 representative, or another licensed health care professional, shall verify
17 that such child has received or is in the process of receiving immunizations
18 as specified by the state board of health and welfare or can effectively
19 demonstrate, through verification in a form approved by the department of
20 health and welfare, immunity gained through prior contraction of the dis-
21 ease.

22 (2) Immunizations required and the manner and frequency of their ad-
23 ministration shall be as prescribed by the state board of health and welfare
24 and shall conform to recognized standard medical practices in the state. The
25 state board of health and welfare, in cooperation with the state board of ed-
26 ucation and the Idaho school boards association, shall promulgate appropri-
27 ate rules for the enforcement of the required immunization program and spec-
28 ify reporting requirements of schools, pursuant to the provisions of chapter
29 52, title 67, Idaho Code.

30 (3) No immunization shall be required under this section that has not
31 been granted full approval by the United States food and drug administra-
32 tion.

33 SECTION 2. An emergency existing therefor, which emergency is hereby
34 declared to exist, this act shall be in full force and effect on and after its
35 passage and approval.