

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 494

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO IMMUNIZATION; AMENDING SECTION 39-4804, IDAHO CODE, TO REVISE  
PROVISIONS REGARDING CERTAIN NOTIFICATION.

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

SECTION 1. That Section 39-4804, Idaho Code, be, and the same is hereby  
amended to read as follows:

39-4804. NOTIFICATION TO PARENT OR GUARDIAN. (1) Before an immuniza-  
tion is administered to any child in this state, the parent or guardian of the  
child shall be notified that:

(a) Immunizations are not mandatory and may be refused on religious or  
other grounds;

(b) Participation in the immunization registry is voluntary; and

(c) The parent or guardian is entitled to an accurate explanation of the  
complications known to follow such immunization.

(2) At the time information is initially collected regarding any child  
for entry into the registry created pursuant to this chapter, the parent or  
guardian shall be notified that:

(a) They have the right under Idaho law to submit a statement pursuant  
to the provisions of sections 39-1118 and 39-4802, Idaho Code, which ex-  
empts them from any requirement to have information regarding the child  
entered into the registry;

(b) At any time they have the right to remove any information from the  
registry regarding the child; and

(c) Immunizations are not mandatory and may be refused on religious or  
other grounds.

(3) The decision of a parent or guardian to:

(a) Submit a statement pursuant to the provisions of either section  
39-1118(2) or 39-4802(2), Idaho Code;

(b) Remove any information regarding the child from the registry pur-  
suant to the provisions of section 39-4803(4), Idaho Code; or

(c) Refuse the immunization on religious or other grounds;

shall not be used in any manner against the interests of the parent or  
guardian in any administrative, civil or criminal action.

(4) At the time notification required by this section is provided, the  
person giving such notification and the parent or guardian shall sign veri-  
fication that notification has in fact been provided.