

ACT No. 262

2018 Regular Session

HOUSE BILL NO. 74

BY REPRESENTATIVE DAVIS

1 AN ACT

2 To enact R.S. 17:170.5 and 3996(B)(45), relative to immunization information for
3 elementary and secondary school students; to require schools to provide information
4 relative to influenza and immunization against the influenza virus to students'
5 parents; to require the state Department of Education to provide such information to
6 the parents of students enrolled in approved home study programs; to provide for
7 rules and regulations; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:170.5 and 3996(B)(45) are hereby enacted to read as follows:

10 §170.5. Immunization information; influenza

11 A.(1) Each public and nonpublic school governing authority shall provide
12 each student's parent or legal guardian with information relative to the risks
13 associated with influenza and the availability, effectiveness, and known
14 contraindications of immunization against the influenza virus. Such information
15 shall include the causes and symptoms of influenza, the means by which influenza
16 is spread, and the places where a parent or legal guardian may obtain additional
17 information and where a student may be immunized against the influenza virus.

18 (2) The state Department of Education shall provide such information to the
19 parents of students enrolled in a home study program approved by the State Board
20 of Elementary and Secondary Education.

1 B.(1) The Louisiana Department of Health shall develop and provide such
 2 information, which shall be updated annually if new information on influenza
 3 becomes available, to the state Department of Education. The state Department of
 4 Education shall provide such information to the governing authority of each school,
 5 which shall provide such information to each student's parent or legal guardian as
 6 required by Subsection A of this Section.

7 (2) The Louisiana Department of Health, the state Department of Education,
 8 and each school governing authority shall determine respectively the most cost-
 9 effective and efficient means of distributing such information, including but not
 10 limited to posting on school websites and electronic distribution.

11 C. The Louisiana Department of Health, in consultation with the state
 12 Department of Education, shall establish all guidelines and procedures for carrying
 13 out the provisions of this Section by rule promulgated in accordance with the
 14 Administrative Procedure Act.

15 D. Nothing in this Section shall be construed to require any school governing
 16 authority, the state Department of Education, or the Louisiana Department of Health
 17 to provide or pay for vaccines against the influenza virus.

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§3996. Charter schools; exemptions; requirements

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21 B. Notwithstanding any state law, rule, or regulation to the contrary and
 22 except as may be otherwise specifically provided for in an approved charter, a
 23 charter school established and operated in accordance with the provisions of this
 24 Chapter and its approved charter and the school's officers and employees shall be
 25 exempt from all statutory mandates or other statutory requirements that are
 26 applicable to public schools and to public school officers and employees except for
 27 the following laws otherwise applicable to public schools with the same grades:

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(45) Immunization information, influenza, R.S. 17:170.5.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____