

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 HOUSE BILL 2623

By: West (Kevin)

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 1210.191, which relates to immunization
9 requirements for students; requiring legislative
10 approval of any proposed change to the list of
11 required immunizations; specifying effective date for
12 change; and providing an effective date.

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. The State Board of Health, by rule, may propose after notice
11 and hearing to alter the list of immunizations required ~~after notice~~
12 ~~and hearing~~. Any proposed change in the list of immunizations
13 required shall be submitted to the next regular session of the
14 Legislature and such change shall ~~remain in force and effect unless~~
15 ~~and until~~ only be approved ~~a concurrent resolution of disapproval is~~
16 ~~passed by the Legislature~~. Hearings about the proposed change shall
17 be conducted by the State Board of Health, or such officer, agents
18 or employees as the Board of Health may designate for that purpose.
19 The State Board of Health shall give appropriate notice of the
20 proposed change in the list of immunizations required and of the
21 time and place for hearing. The change shall become effective on a
22 date ~~fixed by the State Board of Health~~ specified by the
23 Legislature. Any proposed change in the list of immunizations
24 required may be amended or repealed in the same manner as provided

1 for ~~its adoption~~ in this subsection. Proceedings pursuant to this
2 subsection shall be governed by the Administrative Procedures Act.

3 D. The State Department of Education and the governing boards
4 of the school districts of this state shall provide for release to
5 the Oklahoma Health Care Authority of the immunization records of
6 school children covered under Title XIX or Title XXI of the federal
7 Social Security Act who have not received the required immunizations
8 at the appropriate time. The information received pursuant to such
9 release shall be transmitted by the Oklahoma Health Care Authority
10 to medical providers who provide services to such children pursuant
11 to Title XIX or Title XXI to assist in their efforts to increase the
12 rate of childhood immunizations pursuant to the requirements of the
13 Early and Periodic Screening, Diagnosis and Treatment (EPSDT)
14 services provisions. The provisions of this subsection shall not be
15 construed to prohibit or affect the eligibility of any child to
16 receive benefits pursuant to Title XIX or Title XXI of the Social
17 Security Act or to require the immunization of any child if such
18 child is exempt from the immunization requirements pursuant to law.
19 The name of any child exempt from immunization pursuant to Section
20 1210.192 of this title shall not be included in the information
21 transmitted pursuant to this subsection.

22 SECTION 2. This act shall become effective November 1, 2018.
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