

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 4133

By: Roberts (Sean)

4
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 immunizations as
10 recommended by the Advisory Committee on Immunization
11 Practices; eliminating notice and hearing
12 requirement; 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~~ pursuant to the list

1 of recommended vaccinations by the Advisory Committee on
2 Immunization Practices (ACIP).

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

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24 ~~amended or repealed in the same manner as provided for its adoption.~~

1 ~~Proceedings pursuant to this subsection shall be governed by the~~
2 ~~Administrative Procedures Act pursuant to any change to the list of~~
3 ~~recommended vaccinations by the ACIP.~~

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

23
24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

SECTION 2. This act shall become effective November 1, 2020.

57-2-10519 SH 01/14/20