

SENATE BILL NO. 117—COMMITTEE ON
HEALTH AND HUMAN SERVICES

PREFILED FEBRUARY 1, 2015

Referred to Committee on Education

SUMMARY—Revises provisions relating to immunizations.
(BDR 34-691)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; expanding the list of diseases for which a child must obtain an immunization before enrolling in a school or being admitted to a child care facility in this State unless an exception applies; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law provides a list of diseases for which a child must obtain an
2 immunization as a condition to enrollment in a school or admittance to a child care
3 facility in this State, unless the child is excused because of religious belief or a
4 medical condition. (NRS 392.435, 394.192, 432A.230) This bill adds human
5 papillomavirus and meningococcal disease to that list of diseases.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 392.435 is hereby amended to read as follows:
2 392.435 1. Unless excused because of religious belief or
3 medical condition and except as otherwise provided in subsection 5,
4 a child may not be enrolled in a public school within this State
5 unless the child's parents or guardian submit to the board of trustees
6 of the school district in which the child resides or the governing
7 body of the charter school in which the child has been accepted for
8 enrollment a certificate stating that the child has been immunized
9 and has received proper boosters for that immunization or is



* S B 1 1 7 *

1 complying with the schedules established by regulation pursuant to
2 NRS 439.550 for the following diseases:

3 (a) Diphtheria;

4 (b) *Human papillomavirus*;

5 (c) *Meningococcal disease*;

6 (d) Tetanus;

7 ~~(e)~~ (e) Pertussis if the child is under 6 years of age;

8 ~~(f)~~ (f) Poliomyelitis;

9 ~~(g)~~ (g) Rubella;

10 ~~(h)~~ (h) Rubeola; and

11 ~~(i)~~ (i) Such other diseases as the local board of health or the
12 State Board of Health may determine.

13 2. The certificate must show that the required vaccines and
14 boosters were given and must bear the signature of a licensed
15 physician or the physician's designee or a registered nurse or the
16 nurse's designee, attesting that the certificate accurately reflects the
17 child's record of immunization.

18 3. If the requirements of subsection 1 can be met with one visit
19 to a physician or clinic, procedures for conditional enrollment do not
20 apply.

21 4. A child may enter school conditionally if the parent or
22 guardian submits a certificate from a physician or local health
23 officer that the child is receiving the required immunizations. If a
24 certificate from the physician or local health officer showing that the
25 child has been fully immunized is not submitted to the appropriate
26 school officers within 90 school days, or its equivalent in a school
27 district operating under an alternative schedule authorized pursuant
28 to NRS 388.090, after the child was conditionally admitted, the
29 child must be excluded from school and may not be readmitted until
30 the requirements for immunization have been met. A child who is
31 excluded from school pursuant to this section is a neglected child for
32 the purposes of NRS 432.0999 to 432.130, inclusive, and chapter
33 432B of NRS.

34 5. A child who transfers to a school in this State from a school
35 outside this State because of the military transfer of the parent or
36 legal guardian of the child must be enrolled in school in this State
37 regardless of whether the child has been immunized. Unless a
38 different time frame is prescribed pursuant to NRS 392C.010, the
39 parent or legal guardian shall submit a certificate from a physician
40 or local health officer showing that the child:

41 (a) If the requirements of subsection 1 can be met with one visit
42 to a physician or clinic, has been fully immunized within 30 school
43 days, or its equivalent in a school district operating under an
44 alternative schedule authorized pursuant to NRS 388.090, after the
45 child was enrolled; or



(b) If the requirements of subsection 1 cannot be met with one visit to a physician or clinic, is receiving the required immunizations within 30 school days, or its equivalent in a school district operating under an alternative schedule authorized pursuant to NRS 388.090, after the child was enrolled. A certificate from the physician or local health officer showing that the child has been fully immunized must be submitted to the appropriate school officers within 120 school days, or its equivalent in a school district operating under an alternative schedule authorized pursuant to NRS 388.090, after the child was enrolled.

➤ If the parent or legal guardian fails to submit the documentation required pursuant to this subsection, the child must be excluded from school and may not be readmitted until the requirements for immunization have been met. A child who is excluded from school pursuant to this section is a neglected child for the purposes of NRS 432.0999 to 432.130, inclusive, and chapter 432B of NRS.

6. Before December 31 of each year, each school district and the governing body of each charter school shall report to the Division of Public and Behavioral Health of the Department of Health and Human Services, on a form furnished by the Division, the exact number of pupils who have completed the immunizations required by this section.

7. The certificate of immunization must be included in the pupil's academic or cumulative record and transferred as part of that record upon request.

Sec. 2. NRS 394.192 is hereby amended to read as follows:

394.192 1. Unless excused because of religious belief or medical condition, a child may not be enrolled in a private school within this State unless the child's parents or guardian submit to the governing body of the private school a certificate stating that the child has been immunized and has received proper boosters for that immunization or is complying with the schedules established by regulation pursuant to NRS 439.550 for the following diseases:

(a) Diphtheria;

(b) *Human papillomavirus;*

(c) *Meningococcal disease;*

(d) Tetanus;

~~(e)~~ (e) Pertussis if the child is under 6 years of age;

~~(d)~~ (f) Poliomyelitis;

~~(e)~~ (g) Rubella;

~~(f)~~ (h) Rubeola; and

~~(g)~~ (i) Such other diseases as the local board of health or the State Board of Health may determine.

2. The certificate must show that the required vaccines and boosters were given and must bear a signature of a licensed



1 physician or the physician's designee or a registered nurse or the
2 nurse's designee, attesting that the certificate accurately reflects the
3 child's record of immunization.

4 3. If the requirements of subsection 1 can be met with one visit
5 to a physician or clinic, procedures for conditional enrollment do not
6 apply.

7 4. A child may enter school conditionally if the parent or
8 guardian submits a certificate from a physician or local health
9 officer that the child is receiving the required immunizations. If a
10 certificate from the physician or local health officer showing that the
11 child has been fully immunized is not submitted to the appropriate
12 school officials within 90 school days after the child was
13 conditionally admitted, the child must be excluded from school and
14 may not be readmitted until the requirements for immunization have
15 been met. A child who is excluded from school pursuant to this
16 section is a neglected child for the purposes of NRS 432.0999 to
17 432.130, inclusive, and chapter 432B of NRS.

18 5. Before December 31 of each year, each private school shall
19 report to the Division of Public and Behavioral Health of the
20 Department of Health and Human Services, on a form furnished by
21 the Division, the exact number of pupils who have completed the
22 immunizations required by this section.

23 6. The certificate of immunization must be included in the
24 pupil's academic or cumulative record and transferred as part of that
25 record upon request.

26 **Sec. 3.** NRS 432A.230 is hereby amended to read as follows:

27 432A.230 Except as otherwise provided in NRS 432A.235 for
28 accommodation facilities:

29 1. Except as otherwise provided in subsection 3 and unless
30 excused because of religious belief or medical condition, a child
31 may not be admitted to any child care facility within this State,
32 including a facility licensed by a county or city, unless the parents or
33 guardian of the child submit to the operator of the facility a
34 certificate stating that the child has been immunized and has
35 received proper boosters for that immunization or is complying with
36 the schedules established by regulation pursuant to NRS 439.550 for
37 the following diseases:

38 (a) Diphtheria;

39 (b) *Human papillomavirus;*

40 (c) *Meningococcal disease;*

41 (d) Tetanus;

42 ~~(e)~~ (e) Pertussis if the child is under 6 years of age;

43 ~~(f)~~ (f) Poliomyelitis;

44 ~~(g)~~ (g) Rubella;

45 ~~(h)~~ (h) Rubella; and



~~(g)~~ (i) Such other diseases as the local board of health or the State Board of Health may determine.

2. The certificate must show that the required vaccines and boosters were given and must bear the signature of a licensed physician or his or her designee or a registered nurse or his or her designee, attesting that the certificate accurately reflects the child's record of immunization.

3. A child whose parent or guardian has not established a permanent residence in the county in which a child care facility is located and whose history of immunization cannot be immediately confirmed by a physician in this State or a local health officer, may enter the child care facility conditionally if the parent or guardian:

(a) Agrees to submit within 15 days a certificate from a physician or local health officer that the child has received or is receiving the required immunizations; and

(b) Submits proof that the parent or guardian has not established a permanent residence in the county in which the facility is located.

4. If a certificate from the physician or local health officer showing that the child has received or is receiving the required immunizations is not submitted to the operator of the child care facility within 15 days after the child was conditionally admitted, the child must be excluded from the facility.

5. Before December 31 of each year, each child care facility shall report to the Division of the Department, on a form furnished by the Division, the exact number of children who have:

(a) Been admitted conditionally to the child care facility; and

(b) Completed the immunizations required by this section.

Sec. 4. This act becomes effective on July 1, 2016.

