

1 **SENATE FLOOR VERSION**

February 9, 2021

2 **AS AMENDED**

3 SENATE BILL NO. 658

By: Dahm

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6 An Act relating to schools; amending 70 O.S. 2011,  
7 Section 1210.191, which relates to required  
8 immunizations; requiring the State Department of  
9 Education and school districts to provide certain  
10 information to parents; updating statutory term;  
11 providing an effective date; and declaring an  
12 emergency.

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23 repealed in the same manner as provided for its adoption.

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1 Proceedings pursuant to this subsection shall be governed by the  
2 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 **E. The State Department of Education shall provide and ensure**  
23 **that each school district in this state provides, on the school**  
24 **district website and in any notice or publication provided to**

1 parents regarding immunization requests, the following information  
2 regarding immunization requirements for school attendance: "For  
3 school enrollment, a parent or guardian must provide one of the  
4 following:

5 1. Current, up-to-date immunization records; or

6 2. A completed and signed exemption form.

7 The State Department of Health advises following the recommended  
8 immunization schedule. State law allows for exemptions to the  
9 immunization schedule. For more information about the immunization  
10 schedule exemptions or to obtain an exemption form, please visit  
11 [www.ok.gov/health](http://www.ok.gov/health) or call (405) 271-4073."

12 SECTION 2. This act shall become effective July 1, 2021.

13 SECTION 3. It being immediately necessary for the preservation  
14 of the public peace, health or safety, an emergency is hereby  
15 declared to exist, by reason whereof this act shall take effect and  
16 be in full force from and after its passage and approval.

17 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
18 February 9, 2021 - DO PASS AS AMENDED  
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