

STATEMENT OF PURPOSE

RS29101 / #billnum

This proposed legislation would not allow immunizations to be required that have not been granted full approval by the United States Food and Drug Administration.

FISCAL NOTE

There will be no fiscal impact to the general fund.

Contact:

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DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).



LEGISLATURE OF THE STATE OF IDAHO



Sixty-sixth Legislature

First Regular Session - 2021

IN THE _____

BILL NO. _____

BY _____

AN ACT

RELATING TO IMMUNIZATION; AMENDING SECTION 39-4801, IDAHO CODE, TO PROVIDE THAT NO IMMUNIZATION SHALL BE REQUIRED THAT HAS NOT BEEN GRANTED FULL APPROVAL BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 39-4801, Idaho Code, be, and the same is hereby amended to read as follows:

39-4801. IMMUNIZATION REQUIRED. (1) Except as provided in section 39-4802, Idaho Code, any child in Idaho of school age may attend preschool and kindergarten through grade twelve (12) of any public, private, or parochial school operating in this state if otherwise eligible, provided that, upon admission, the parent or guardian shall provide an immunization record to the school authorities regarding the child's immunity to certain childhood diseases. This record, signed by a physician, the physician's representative, or another licensed health care professional, shall verify that such child has received or is in the process of receiving immunizations as specified by the state board of health and welfare or can effectively demonstrate, through verification in a form approved by the department of health and welfare, immunity gained through prior contraction of the disease.

(2) Immunizations required and the manner and frequency of their administration shall be as prescribed by the state board of health and welfare and shall conform to recognized standard medical practices in the state. The state board of health and welfare, in cooperation with the state board of education and the Idaho school boards association, shall promulgate appropriate rules for the enforcement of the required immunization program and specify reporting requirements of schools, pursuant to the provisions of chapter 52, title 67, Idaho Code.

(3) No immunization shall be required under this section that has not been granted full approval by the United States food and drug administration.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.