

Amendments to House Bill No. 158  
1st Reading Copy

Requested by Representative Kathy Kelker

For the House Education Committee

Prepared by Laura Sankey  
January 26, 2015 (11:03am)

1. Title, page 1, line 5 through line 7.

**Strike:** "PROVIDING" on line 5 through "20-5-404, MCA" on line 7

**Insert:** "ADDING VARICELLA TO THE LIST OF REQUIRED IMMUNIZATIONS;  
REVISING REQUIREMENTS RELATED TO THE PERTUSSIS VACCINATION;  
REQUIRING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES  
TO PUBLISH A RECOMMENDED VACCINATION SCHEDULE; REQUIRING THE  
DEPARTMENT TO REPORT BIENNIALLY TO THE LEGISLATURE; AND  
AMENDING SECTION 20-5-403, MCA"

2. Page 1, line 12 through page 3, line 28.

**Strike:** everything after the enacting clause

**Insert:** "Section 1. Section 20-5-403, MCA, is amended to read:

"20-5-403. **Immunization required -- release and acceptance of immunization records.** (1) The governing authority of any school other than a postsecondary school may not allow a person to attend as a pupil unless the person:

(a) has been immunized against varicella, diphtheria, pertussis, tetanus, poliomyelitis, rubella, mumps, and measles (rubeola) in the manner and with immunizing agents approved by the department, ~~except that pertussis vaccination is not required for a person 7 years of age or older;~~

(b) has been immunized against Haemophilus influenza type "b" before enrolling in a preschool if under 5 years of age;

(c) qualifies for conditional attendance; or

(d) files for an exemption.

(2) (a) The governing authority of a postsecondary school may not allow a person to attend as a pupil unless the person:

(i) has been immunized against rubella and measles (rubeola) in the manner and with immunizing agents approved by the department; or

(ii) files for an exemption.

(b) The governing authority of a postsecondary school may impose immunization requirements as a condition of attendance that are more stringent than those required by this part.

(3)(a) The department shall publish a vaccine schedule that provides a recommended schedule for the vaccines required under this section. In publishing the recommended schedule, the department shall consult with the American academy of family physicians, the American academy of pediatrics, and their

respective Montana chapters.

(b) The department shall provide a biennial report to the legislature pursuant to 5-11-210. The report must contain at a minimum:

(i) the current recommended vaccine schedule;

(ii) the percentage of children who are vaccinated;

(iii) the number and type of vaccine exemptions granted;

(iv) the number of serious reactions to vaccine administrations; and

(v) the histories and locations of any outbreaks of the diseases listed in subsection (1).

(c) The department shall consider bringing proposed legislation to the appropriate legislative interim committee whenever additions or revisions to the immunizations in subsection (1) are medically recommended.

~~(3)~~(4) A pupil who transfers from one school district to another may photocopy immunization records in the possession of the school of origin. The school district to which a pupil transfers shall accept the photocopy as evidence of immunization. Within 30 days after a transferring pupil ceases attendance at the school of origin, the school shall retain a certified copy for the permanent record and send the original immunization records for the pupil to the school district to which the pupil transfers."

{Internal References to 20-5-403:

20-5-404 x      20-5-405 x      20-5-406 x      20-5-408 x  
20-5-409 x      20-5-409 x}"

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- END -