

Senate File 239 - Introduced

SENATE FILE 239
BY GUTH and ZAUN

A BILL FOR

1 An Act providing for exemptions from immunization for a
2 person's enrollment in any elementary or secondary school or
3 licensed child care center.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 139A.8, subsection 4, paragraph a, Code
2 2019, is amended to read as follows:

3 a. Immunization is not required for a person's enrollment
4 in any elementary or secondary school or licensed child care
5 center if ~~either~~ any of the following applies:

6 (1) The applicant, or if the applicant is a minor, the
7 applicant's parent or legal guardian, submits to the admitting
8 official a statement signed by a physician, advanced registered
9 nurse practitioner, or physician assistant who is licensed by
10 the board of medicine, board of nursing, or board of physician
11 assistants that the immunizations required ~~would~~ could be
12 injurious to the health and well-being of the applicant or any
13 member of the applicant's family.

14 (2) The applicant, or if the applicant is a minor, the
15 applicant's parent or legal guardian, submits an affidavit
16 signed by the applicant, or if the applicant is a minor,
17 the applicant's parent or legal guardian, stating that the
18 immunization conflicts with the ~~tenets and practices of~~
19 ~~a recognized religious denomination~~ beliefs of which the
20 applicant ~~is an adherent or member~~.

21 (3) The applicant, or if the applicant is a minor, the
22 applicant's parent or legal guardian, submits an affidavit
23 signed by the applicant, or if the applicant is a minor, signed
24 by the applicant's parent or legal guardian, stating that the
25 immunization conflicts with the conscientiously held beliefs
26 of the applicant, or if the applicant is a minor, of the
27 applicant's parent or legal guardian.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with
30 the explanation's substance by the members of the general assembly.

31 This bill relates to exemptions from immunization required
32 for a person's enrollment in any elementary or secondary school
33 or licensed child care center.

34 The bill amends the existing medical exemption provision
35 to require that the statement signed by the health care

1 professional and submitted to the admitting official must state
2 that the immunizations required could, rather than would, be
3 injurious to the health and well-being of the applicant or any
4 member of the applicant's family.

5 The bill amends the existing religious exemption provision
6 to provide that the affidavit signed and submitted must state
7 that the immunization conflicts with the religious beliefs of
8 the applicant, not the tenets and practices of a recognized
9 religious denomination of which the applicant is an adherent
10 or member.

11 The bill also includes a new exemption that includes as
12 a basis for exemption, the submission of a signed affidavit
13 by the applicant, or if the applicant is a minor, by the
14 applicant's parent or legal guardian, stating that the
15 immunization conflicts with the conscientiously held beliefs
16 of the applicant, or if the applicant is a minor, of the
17 applicant's parent or legal guardian.

18 Existing provisions direct the department of public
19 health, in consultation with the director of the department of
20 education, to adopt rules to implement the bill.