

House File 2171 - Introduced

HOUSE FILE 2171
BY DIEKEN

A BILL FOR

- 1 An Act striking elementary and secondary student immunization
- 2 requirements.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 139A.8, subsection 2, paragraph a, Code
2 2026, is amended to read as follows:

3 a. A person shall not be enrolled in any licensed child care
4 center ~~or elementary or secondary school~~ in Iowa without evidence
5 of adequate immunizations against diphtheria, pertussis, tetanus,
6 poliomyelitis, rubeola, rubella, and varicella.

7 Sec. 2. Section 139A.8, subsection 2, paragraphs c and e,
8 Code 2026, are amended by striking the paragraphs.

9 Sec. 3. Section 139A.8, subsection 4, paragraph a, unnumbered
10 paragraph 1, Code 2026, is amended to read as follows:

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

14 Sec. 4. Section 139A.8, subsection 4, paragraph c, Code 2026,
15 is amended to read as follows:

16 c. Information regarding exemptions and the requirements
17 for an exemption under this subsection shall be included in
18 any public communication following the recommendation of an
19 immunization by the department pursuant to subsection 2, ~~shall~~
20 ~~be included in any communication regarding immunizations to a~~
21 ~~parent or legal guardian from a school,~~ and shall be published on
22 the internet sites of and included in registration documentation
23 for all ~~elementary schools, secondary schools, and licensed child~~
24 ~~care centers.~~

25 Sec. 5. Section 139A.8, subsections 5 and 8, Code 2026, are
26 amended to read as follows:

27 5. A person may be provisionally enrolled in ~~an elementary or~~
28 ~~secondary school or a~~ licensed child care center if the person
29 has begun the required immunizations and if the person continues
30 to receive the necessary immunizations as rapidly as is medically
31 feasible. The department shall adopt rules relating to the
32 provisional admission of persons to ~~an elementary or secondary~~
33 ~~school or a~~ licensed child care center.

34 8. The department, ~~in consultation with the director of the~~
35 ~~department of education,~~ shall adopt rules for the implementation

1 of this section and shall provide those rules to ~~local school~~
2 ~~boards and~~ local boards.

3 Sec. 6. Section 139A.8, subsection 6, Code 2026, is amended
4 by striking the subsection.

5 Sec. 7. Section 256.7, subsection 15, Code 2026, is amended
6 by striking the subsection.

7 Sec. 8. Section 299.4, subsection 1, Code 2026, is amended to
8 read as follows:

9 1. The parent, guardian, or legal custodian of a child who
10 is of compulsory attendance age, who places the child under
11 competent private instruction under section 299A.2, not in an
12 accredited school or a home school assistance program operated by
13 a school district or accredited nonpublic school, shall furnish
14 a report in duplicate on forms provided by the public school
15 district, to the district by September 1 of the school year in
16 which the child will be under competent private instruction. The
17 secretary shall retain and file one copy and forward the other
18 copy to the district's area education agency. The report shall
19 state the name and age of the child, the period of time during
20 which the child has been or will be under competent private
21 instruction for the year, an outline of the course of study,
22 texts used, and the name and address of the instructor. The
23 parent, guardian, or legal custodian of a child, who is placing
24 the child under competent private instruction for the first time,
25 ~~shall also provide the district with evidence that the child has~~
26 ~~had the immunizations required under section 139A.8, and, if the~~
27 child is elementary school age, provide the district with a blood
28 lead test in accordance with section 135.105D. The term "outline
29 of course of study" shall include subjects covered, lesson plans,
30 and time spent on the areas of study.

31 EXPLANATION

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

34 This bill strikes elementary and secondary student
35 immunization requirements.

1 Current law provides that a person shall not be enrolled in
2 an elementary or secondary school in Iowa without evidence of
3 adequate immunizations against diphtheria, pertussis, tetanus,
4 poliomyelitis, rubeola, rubella, and varicella. The bill strikes
5 this provision.

6 Current law provides that evidence of hepatitis type B
7 immunization shall be required of a child born on or after July
8 1, 1994, prior to enrollment in school in kindergarten or in a
9 grade. The bill strikes this provision.

10 Current law provides that a person shall not be enrolled in
11 school in grades 7 or 12 in Iowa without evidence of adequate
12 immunization against meningococcal disease in accordance with
13 standards approved by the United States public health service
14 of the United States department of health and human services
15 for such biological products and in accordance with immunization
16 practices recommended by the advisory committee on immunization
17 practices of the centers for disease control and prevention. The
18 bill strikes this provision.

19 Current law requires that information regarding immunization
20 exemptions and the requirements for an exemption shall be
21 included in any communication regarding immunizations to a parent
22 or legal guardian from a school and shall be included in
23 registration documents for all elementary and secondary schools.
24 The bill strikes these provisions.

25 Current law requires the state board of education to
26 adopt rules that require school districts, accredited nonpublic
27 schools, charter schools, and innovation zone schools to include
28 information regarding the exemptions and requirements for an
29 exemption described in Code section 139A.8(4) (immunization of
30 children) in any communication to the parent or guardian of a
31 student that is related to the immunizations required under Code
32 section 139A.8. The bill strikes this provision.

33 Current law requires the parent, guardian, or legal custodian
34 of a child, who is placing the child under competent private
35 instruction for the first time to provide the school district

1 with evidence that the child has had the immunizations required
2 under Code section 139A.8. The bill strikes this provision.
3 The bill makes conforming changes.

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