

SECOND REGULAR SESSION

# HOUSE BILL NO. 2139

99TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE MORRIS (140).

5870H.011

D. ADAM CRUMBLISS, Chief Clerk

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## AN ACT

To repeal section 210.003, RSMo, and to enact in lieu thereof one new section relating to immunization requirements for foster children.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 210.003, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 210.003, to read as follows:

210.003. 1. No child shall be permitted to enroll in or attend any public, private or parochial day care center, preschool or nursery school caring for ten or more children unless such child has been adequately immunized against vaccine-preventable childhood illnesses specified by the department of health and senior services in accordance with recommendations of the Centers for Disease Control and Prevention Advisory Committee on Immunization Practices (ACIP). The parent or guardian of such child shall provide satisfactory evidence of the required immunizations.

2. A child who has not completed all immunizations appropriate for his age may enroll, if:

(1) Satisfactory evidence is produced that such child has begun the process of immunization. The child may continue to attend as long as the immunization process is being accomplished according to the ACIP/Missouri department of health and senior services recommended schedule; ~~[or]~~

(2) The parent or guardian has signed and placed on file with the day care administrator a statement of exemption which may be either of the following:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 (a) A medical exemption, by which a child shall be exempted from the requirements of  
17 this section upon certification by a licensed physician that such immunization would seriously  
18 endanger the child's health or life; or

19 (b) A parent or guardian exemption, by which a child shall be exempted from the  
20 requirements of this section if one parent or guardian files a written objection to immunization  
21 with the day care administrator; **or**

22 **(3) The child is homeless or in the custody of the children's division and cannot**  
23 **provide satisfactory evidence of the required immunizations. Satisfactory evidence shall**  
24 **be presented within thirty days of enrollment and shall confirm either that the child has**  
25 **completed all immunizations appropriate for his or her age or has begun the process of**  
26 **immunization. If the child has begun the process of immunization, he or she may continue**  
27 **to attend as long as the process is being accomplished according to the schedule**  
28 **recommended by the department of health and senior services.**

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30 Exemptions shall be accepted by the day care administrator when the necessary information as  
31 determined by the department of health and senior services is filed with the day care  
32 administrator by the parent or guardian. Exemption forms shall be provided by the department  
33 of health and senior services.

34 3. In the event of an outbreak or suspected outbreak of a vaccine-preventable disease  
35 within a particular facility, the administrator of the facility shall follow the control measures  
36 instituted by the local health authority or the department of health and senior services or both the  
37 local health authority and the department of health and senior services, as established in Rule 19  
38 CSR 20-20.040, "Measures for the Control of Communicable, **Environmental and**  
39 **Occupational Diseases**".

40 4. The administrator of each public, private or parochial day care center, preschool or  
41 nursery school shall cause to be prepared a record of immunization of every child enrolled in or  
42 attending a facility under his jurisdiction. An annual summary report shall be made by January  
43 fifteenth showing the immunization status of each child enrolled, using forms provided for this  
44 purpose by the department of health and senior services. The immunization records shall be  
45 available for review by department of health and senior services personnel upon request.

46 5. For purposes of this section, satisfactory evidence of immunization means a statement,  
47 certificate or record from a physician or other recognized health facility or personnel, stating that  
48 the required immunizations have been given to the child and verifying the type of vaccine and  
49 the month, day and year of administration.

50 6. Nothing in this section shall preclude any political subdivision from adopting more  
51 stringent rules regarding the immunization of preschool children.

52           7. All public, private, and parochial day care centers, preschools, and nursery schools  
53 shall notify the parent or guardian of each child at the time of initial enrollment in or attendance  
54 at the facility that the parent or guardian may request notice of whether there are children  
55 currently enrolled in or attending the facility for whom an immunization exemption has been  
56 filed. Beginning December 1, 2015, all public, private, and parochial day care centers,  
57 preschools, and nursery schools shall notify the parent or guardian of each child currently  
58 enrolled in or attending the facility that the parent or guardian may request notice of whether  
59 there are children currently enrolled in or attending the facility for whom an immunization  
60 exemption has been filed. Any public, private, or parochial day care center, preschool, or nursery  
61 school shall notify the parent or guardian of a child enrolled in or attending the facility, upon  
62 request, of whether there are children currently enrolled in or attending the facility for whom an  
63 immunization exemption has been filed.

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