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This was created by adding the bold text in the -3 amendment and removing the italic text in the -3 amendment so it becomes more readable.

“SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS 433.235 to 433.284.

“SECTION 2. The Legislative Assembly finds and declares that:

“(1) School immunization requirements mandated by state legislatures have played a major role in achieving and maintaining low rates of vaccine-preventable diseases in the United States;

“(2) All states and the District of Columbia require children entering the public school system to provide documentation of having met a state immunization requirement;

“(3) State laws requiring immunizations and providing for the documentation of the immunization status of children should be viewed as part of the efforts to control or eliminate vaccine-preventable diseases;

“(4) When the rate at which children are opted out of state immunization requirements increases, individual and community risks associated with vaccine-preventable diseases also increase;

“(5) State laws that provide exemptions to a state immunization requirement, either by exempting persons from the requirement on the basis of personal belief or by creating a process whereby a child may easily be opted out of the requirement, lead to high numbers of children not having met the state immunization requirement and lead to an increase in the risks associated with vaccine-preventable diseases;

“(6) Certain children are unable to be immunized for a medical reason, including children who are under the age of one, children with immune disorders caused by chemotherapy or other factors and children who have a naturally suppressed immune system;

“(7) As the rate of immunizations among all children increases, the risks associated with vaccine-preventable diseases for children who are unable to be immunized decreases;

“(8) The immunization rate of children in this state is not sufficient to protect children who are unable to be immunized, with all counties falling below the rate at which ‘herd immunity’ prevents the spread of vaccine-preventable diseases, such as mumps, measles and rubella;

“(9) Children who are not immunized are also in danger of contracting noncontagious vaccine-preventable diseases, such as tetanus;

“(10) The Centers for Disease Control and Prevention currently recommends routine vaccinations for 17 vaccine-preventable diseases for all children who are able to be immunized;

“(11) The National Institutes of Health similarly recommends routine vaccinations for vaccine-preventable diseases for all children who are able to be immunized;

“(12) States that do not have laws providing an exemption to a state immunization requirement for nonmedical reasons, such as Mississippi, maintain a high rate of immunization among all children and benefit from a decrease in the risks associated with vaccine preventable diseases;

“(13) All democratic societies should try to balance the rights and views of a variety of constituencies; and

“(14) Children who are unable to be immunized for medical reasons should be granted an exemption to any relevant state immunization requirement.

“SECTION 3. ORS 433.267 is amended to read:

“433.267. (1) As a condition of attending a school or children’s facility in this state, every child through grade 12 shall submit to the administrator of the school or facility, unless the school or facility the child attends already has on file a record that indicates that the child has received immunizations against the restrictable diseases prescribed by rules of the Oregon Health Authority pursuant to ORS 433.273, one of the following:

“(a) A document, signed by the parent of the child, a practitioner of the healing arts who is authorized under the laws of this state to administer immunizations or a representative of the local health department, certifying the immunizations the child has received; or

“(b) A document, signed by a physician or a representative of the local health department, stating that the child should be exempted from receiving a specified immunization because of a medical condition.

“(2)(a) A newly entering child or a transferring child must submit the document described in subsection (1) of this section prior to attending the school or children’s facility.

“(b) Notwithstanding paragraph (a) of this subsection, a child transferring from a school in the United States must submit the document described in subsection (1) of this section not later than the exclusion date established by the authority by rule.

“(3) A person who has been emancipated pursuant to ORS 419B.558 or who has reached the age of consent for medical care pursuant to ORS 109.640 may sign on the person’s own behalf, the document otherwise requiring the signature of a parent under subsection (1) of this section.

“(4) The administrator of a school or children’s facility shall conduct a primary evaluation of each document submitted under subsection (1) of this section to determine whether the child is entitled to begin attendance by reason of having submitted a document that complies with the requirements of subsection (1) of this section.

“(5) If the document submitted by a child under subsection (1) of this section does not meet the initial minimum requirements established by the authority by rule, the administrator of the school or children’s facility may not allow the child to attend the school or facility until the requirements are met. If the document meets the initial minimum requirements, the administrator shall allow the child to attend the school or facility.

“(6) At the time specified by the authority by rule, a document that meets the initial minimum requirements as described in subsection (5) of this section and records previously on file at the school or children’s facility as described in subsection (1) of this section shall be reviewed for completion of requirements by the administrator of the school or facility to determine whether the child may continue to attend the school or facility. If the document or records do not comply, the administrator shall notify the local health department and submit the document or records to the local health department.

“(7) A local health department shall evaluate a document or records submitted to the local health department under subsection (6) of this section to determine whether the child should be excluded for noncompliance with the requirements of subsection (1) of this section. If the child is determined to be in noncompliance, the local health department shall issue an exclusion order and send copies of the order to the parent of the child, or the person who is emancipated or has reached the age of consent for medical care, and the administrator of the school or children’s facility. On the effective date of the order, the administrator shall exclude the child from the school or facility and may not allow the child to attend the school or facility until the requirements of this section have been met.

“(8) The administrator of the school or children’s facility shall readmit the child to the school or facility when in the judgment of the local health department the child is in compliance with the requirements of this section.

“(9) The administrator of the school or children’s facility shall be responsible for updating any document submitted under subsection (1)(a) of this section as necessary to reflect the current status of the immunization of the child who

submitted the document and the time at which the child comes into compliance with immunizations against the restrictable diseases prescribed by rules of the authority pursuant to ORS 433.273.

“(10) Nothing in this section shall be construed as relieving agencies, in addition to school districts, that are involved in the maintenance and evaluation of immunization records on April 27, 1981, from continuing to be responsible for such activities.

“(11) All documents required by this section shall be on forms approved or provided by the authority.

“(12) In lieu of signed documents from practitioners of the healing arts, the authority may accept immunization record updates using immunization records generated by electronic means or on unsigned letterhead if the authority determines such records are accurate.

“(13) As used in this section:

“(a) ‘Newly entering child’ means a child who is initially attending:

“(A) A children’s facility in this state;

“(B) A school at the entry grade level;

“(C) After receiving homeschooling, either a school at any grade level or a children’s facility; or

“(D) After entering the United States from another country, a school at any grade level or a children’s facility.

“(b) ‘Transferring child’ means a child moving from:

“(A) One children’s facility to another children’s facility;

“(B) One school in this state to another school in this state, when the move is not the result of a normal progression of grade level; or

“(C) A school in another state to a school in this state.

“SECTION 4. ORS 433.273 is amended to read:

“433.273. The Oregon Health Authority shall adopt rules pertaining to the implementation of ORS 433.235 to 433.284, which shall include, but need not be limited to:

“(1) The definition of ‘restrictable’ disease;

“(2) The required immunization against diseases, provided that the authority requires immunization against rubella;

“(3) The time schedule for immunization;

“(4) The approved means of immunization;

“(5) The procedures and time schedule whereby children may be excluded from attendance in schools or children’s facilities, provided that the authority includes as part of those procedures service of notice to parents;

“(6) The manner in which immunization records for children are established, evaluated and maintained;

“(7) The exempted schools and children’s facilities; and

“(8) The implementation of ORS 433.282 and 433.283.

“SECTION 5. ORS 433.102 is amended to read:

“433.102. (1) Nothing in ORS 433.090 to 433.102 is intended to affect the responsibility of a parent or guardian to have a child of that parent or guardian properly immunized.

“(2) Nothing in ORS 433.090 to 433.102 is intended to require immunization or tracking of any child otherwise exempt from immunization requirements under ORS 433.267 (1)(b).

“SECTION 6. (1) The amendments to ORS 433.267, 433.273 and 433.102 by sections 3 to 5 of this 2015 Act apply to children who attend a school or children’s facility in this state during and after the 2015-2016 school year.

“(2)(a) For purposes of requiring each child who is not a newly entering child or a transferring child, as those terms are defined in ORS 433.267, to meet the requirements described in ORS 433.267 (1)(a) or (b), the Oregon Health Authority shall adopt by rule a time schedule by which children who have not provided documentation under ORS 433.267 (1)(a) or (b) must submit to the administrator, as that term is defined in ORS 433.235, a document that meets the requirements of ORS 433.267 (1)(a) or (b).

“(b) The schedule adopted under paragraph (a) of this subsection may impose different dates by which children of different ages, or children attending different types of schools or facilities, must submit the documents described in paragraph (a) of this subsection.

“SECTION 7. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect on its passage.”.