A bill to be entitled
An act relating to childhood immunizations; amending
s. 1003.22, F.S.; requiring certain immunization
records to be on file with the State Health Online
Tracking System by a specified date; providing for
rulemaking; revising exemptions to the school-entry
health examination and immunization requirements;
requiring the Department of Health, in collaboration
with the Florida Chapter of the American Academy of
Pediatrics, to prepare an informational video on
immunizations for a parent or guardian to view before
requesting an exemption; requiring the department to
establish other medically appropriate exemptions by
rule; providing that certain exemptions are valid only
for a specified timeframe; requiring the department to
publish immunization and exemption rates for each
public and private school on its website by a
specified date; requiring a public or private school
with a website to post the school’s immunization and
exemption rates on its website by a specified date;
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (4), (5), and (8) of section
1003.22, Florida Statutes, are amended to read:

1003.22 School-entry health examinations; immunization
against communicable diseases; exemptions; duties of Department
of Health.—
(4) Each district school board and the governing authority
of each private school shall establish and enforce as policy
that, before prior to admittance to or attendance in a public or
private school, grades kindergarten through grade 12, or any
other initial entrance into a Florida public or private school:

(a) Each child present or have on file with the school a
certification of immunization for the prevention of those
communicable diseases for which immunization is required by the
Department of Health and further shall provide for appropriate
screening of its students for scoliosis at the proper age. Such
certification shall be made on forms approved and provided by
the Department of Health and shall become a part of each
student’s permanent record, to be transferred when the student
transfers, is promoted, or changes schools. The transfer of such
immunization certification by Florida public schools shall be
accomplished using the Florida Automated System for Transferring
Education Records and shall be deemed to meet the requirements
of this section.

(b) Before the 2017-2018 school year, each child have on
file with the State Health Online Tracking System, or Florida
SHOTS, a record of immunization for the prevention of those
communicable diseases for which immunization is required by the
Department of Health. The Department of Health shall adopt rules
to implement this paragraph.

(5) (a) The provisions of This section does shall not apply
if one of the following occurs:

1. (a) The parent of the child objects in writing on the
basis that the administration of immunizing agents conflicts
with his or her religious tenets or practices. Before receiving
this exemption, the parent or guardian of the child must review an informational video provided by the Department of Health on the benefits and risks of the immunization and the health risks of the vaccine-preventable diseases to the child and to the community. This informational video shall be prepared by the Department of Health in collaboration with the Florida Chapter of the American Academy of Pediatrics. This exemption shall be entered into Florida SHOTS by Department of Health personnel."

2. (b) A physician licensed under the provisions of chapter 458 or chapter 459 certifies in writing, on a form approved and provided by the Department of Health which is accessible through Florida SHOTS, that the child has been diagnosed with T cell or combined T and B cell immunodeficiency, has been diagnosed with any other immunodeficiency for which live virus vaccines are contraindicated, or is undergoing a solid organ or bone marrow transplant and should be permanently exempt from the required immunization. The Department of Health shall adopt by rule a list of additional diseases or other medical conditions for which a permanent exemption from the required immunizations is medically appropriate, for medical reasons stated in writing, based upon valid clinical reasoning or evidence, demonstrating the need for the permanent exemption;

3. (c) A physician licensed under chapter 458 or chapter 459 certifies in writing, on a form approved and provided by the Department of Health which is accessible through Florida SHOTS, that the child should be exempt from the required immunization for medical reasons that are stated in writing, based upon valid clinical reasoning or evidence, and demonstrate the need for the exemption. Before receiving this exemption, the parent or
guardian of the child must review the informational video
provided in subparagraph 1. at his or her physician’s office on
the benefits and risks of the immunization and the health risks
of the vaccine-preventable diseases to the child and to the
community.

4. A physician licensed under the provisions of
chapter 458, chapter 459, or chapter 460 certifies in writing, on a form
approved and provided by the Department of Health which is
accessible through Florida SHOTS, that the child has received as
many immunizations as are medically indicated at the time and is
in the process of completing necessary immunizations.

5. (d) The Department of Health determines that, according
to the United States Centers for Disease Control and Prevention
recognized standards of medical practice, any required
immunization is no longer recommended or necessary, unnecessary
or hazardous; or

6. (e) An authorized school official issues a temporary
exemption, for up to 30 school days, to permit a student who
transfers into a new county to attend class until his or her
records can be obtained. Children and youths who are
experiencing homelessness and children who are known to the
department, as defined in s. 39.0016, shall be given a temporary
exemption for 30 school days. The public school health nurse or
authorized private school official is responsible for followup
of each such student until proper documentation or immunizations
are obtained. An exemption for 30 days may be issued for a
student who enters a juvenile justice program to permit the
student to attend class until his or her records can be obtained
or until the immunizations can be obtained. An authorized
juvenile justice official is responsible for followup of each student who enters a juvenile justice program until proper documentation or immunizations are obtained.

(b) A certificate of exemption issued pursuant to subparagraph 1. or subparagraph 3. is valid only for 2 years. The Department of Health may adopt a form to be used for the renewal of a certificate of exemption.

(8) The Department of Health shall determine compliance with this section through the use of Florida SHOTS. The Department of Health shall publish the immunization and exemption rates for each public and private school by November 1 of each year. Additionally, each school that maintains a website shall post the school’s immunization and exemption rates on its website by November 1 of each year. Each public school, including public kindergarten, and each private school, including private kindergarten, shall be required to provide to the county health department director or administrator annual reports of compliance with the provisions of this section. Reports shall be completed on forms provided by the Department of Health for each kindergarten, and other grade as specified; and the reports shall include the status of children who were admitted at the beginning of the school year. After consultation with the Department of Education, the Department of Health shall establish by administrative rule the dates for submission of these reports, the grades for which the reports shall be required, and the forms to be used.

Section 2. This act shall take effect July 1, 2016.