

1 A bill to be entitled
 2 An act relating to immunization of children; amending s.
 3 402.305, F.S., relating to licensing standards for child
 4 care facilities; providing an exemption from immunization
 5 requirements for children whose parents have objected in
 6 writing; amending s. 414.13, F.S.; providing for rules to
 7 allow exceptions to the requirement that the child of an
 8 applicant for temporary family assistance receive certain
 9 immunizations; amending s. 1003.22, F.S.; providing an
 10 exemption from immunization requirements for children
 11 entering or attending a K-12 public or private school
 12 whose parents have objected in writing; reenacting s.
 13 1002.20(3)(b), F.S., relating to K-12 student and parent
 14 rights; providing that a vaccine used for immunizing a
 15 minor in this state may not contain thimerosal or mercury;
 16 providing an effective date.

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

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20 Section 1. Paragraph (c) of subsection (9) of section
 21 402.305, Florida Statutes, is amended to read:

22 402.305 Licensing standards; child care facilities.--

23 (9) ADMISSIONS AND RECORDKEEPING.--

24 (c) Any child shall be exempt from medical or physical
 25 examination, ~~or~~ medical or surgical treatment, or immunizations
 26 upon written request of the parent or guardian of such child who
 27 objects to the examination, ~~and treatment,~~ or immunization.

28 However, the laws, rules, and regulations relating to contagious

CODING: Words **stricken** are deletions; words **underlined** are additions.

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29 | or communicable diseases and sanitary matters shall not be
30 | violated because of any exemption from or variation of the
31 | health and immunization minimum standards.

32 | Section 2. Section 414.13, Florida Statutes, is amended to
33 | read:

34 | 414.13 Immunizations.--Each applicant who has a preschool
35 | child must begin and complete appropriate childhood
36 | immunizations for the child as a condition of eligibility. At
37 | the time of application and redetermination of eligibility, the
38 | department shall advise applicants and participants of the
39 | availability of childhood immunizations through the county
40 | health department. Each participant who has a preschool child
41 | must verify compliance with the section. If a participant fails
42 | to provide such verification, the child for whom such
43 | verification is not provided shall be removed from consideration
44 | for purposes of calculating the assistance available to the
45 | family. If the child subject to this requirement is the only
46 | child in the family, participation in the program shall be
47 | terminated until verification of compliance is provided. The
48 | department shall waive this requirement if the failure to
49 | immunize the child is because of religious reasons or other good
50 | cause or because the applicant or participant has received
51 | information about immunizations and objects in writing to the
52 | administration of immunizing agents, as defined in rules adopted
53 | by the department.

54 | Section 3. Paragraphs (a) and (d) of subsection (5) of
55 | section 1003.22, Florida Statutes, are amended to read:

56 1003.22 School-entry health examinations; immunization
 57 against communicable diseases; exemptions; duties of Department
 58 of Health.--

59 (5) The provisions of this section shall not apply if:

60 (a) The parent of the child has received information about
 61 immunizations and objects in writing to ~~that~~ the administration
 62 of immunizing agents ~~conflicts with his or her religious tenets~~
 63 ~~or practices;~~

64 (d) The Department of Health determines that, according to
 65 recognized standards of medical practice, any required
 66 immunization is unnecessary, ~~or~~ hazardous, or contains
 67 thimerosal or mercury; or

68 Section 4. For the purpose of incorporating the amendment
 69 to section 1003.22, Florida Statutes, in a reference thereto,
 70 paragraph (b) of subsection (3) of section 1002.20, Florida
 71 Statutes, is reenacted to read:

72 1002.20 K-12 student and parent rights.--Parents of public
 73 school students must receive accurate and timely information
 74 regarding their child's academic progress and must be informed
 75 of ways they can help their child to succeed in school. K-12
 76 students and their parents are afforded numerous statutory
 77 rights including, but not limited to, the following:

78 (3) HEALTH ISSUES.--

79 (b) Immunizations.--The parent of any child attending a
 80 public or private school shall be exempt from the school
 81 immunization requirements upon meeting any of the exemptions in
 82 accordance with the provisions of s. 1003.22(5).

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83 Section 5. A vaccine used for immunizing a minor in this
84 state may not contain thimerosal or mercury.

85 Section 6. This act shall take effect upon becoming a law.