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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2170

02/25/2014 Authored by Freiberg and Zerwas

The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act  
1.2 relating to health; modifying exemption procedures related to immunizations;  
1.3 amending Minnesota Statutes 2012, section 121A.15, subdivision 3.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2012, section 121A.15, subdivision 3, is amended to read:

1.6 Subd. 3. **Exemptions from immunizations.** (a) If a person is at least seven years  
1.7 old and has not been immunized against pertussis, the person must not be required to  
1.8 be immunized against pertussis.

1.9 (b) If a person is at least 18 years old and has not completed a series of  
1.10 immunizations against poliomyelitis, the person must not be required to be immunized  
1.11 against poliomyelitis.

1.12 (c) If a statement, signed by a physician, is submitted to the administrator or  
1.13 other person having general control and supervision of the school or child care facility  
1.14 stating that an immunization is contraindicated for medical reasons or that laboratory  
1.15 confirmation of the presence of adequate immunity exists, the immunization specified in  
1.16 the statement need not be required.

1.17 ~~(d) If a notarized statement signed by the minor child's parent or guardian or by the~~  
1.18 ~~emancipated person is submitted to the administrator or other person having general~~  
1.19 ~~control and supervision of the school or child care facility stating that the person has~~  
1.20 ~~not been immunized as prescribed in subdivision 1 because of the conscientiously held~~  
1.21 ~~beliefs of the parent or guardian of the minor child or of the emancipated person, the~~  
1.22 ~~immunizations specified in the statement shall not be required. This statement must also~~  
1.23 ~~be forwarded to the commissioner of the Department of Health. A child shall be exempt,~~  
1.24 ~~in whole or in part, from the immunization requirements of subdivision 1, upon the~~

2.1 submission to the administrator or other person having general control and supervision of  
2.2 the school or child care facility of a certificate of exemption, using a form developed by  
2.3 the commissioner of health. The certificate must state that the parent or guardian, or the  
2.4 child if emancipated, is declining one or more required immunizations on the basis of their  
2.5 personal beliefs. The certificate must contain the following:

2.6 (1) specification of the particular vaccine or vaccines for which an exemption is  
2.7 being requested, and an explanation of the reasons for requesting the exemption;

2.8 (2) a statement from a physician that provides immunizations verifying that  
2.9 the physician has reviewed with the parent or guardian, or the child if emancipated,  
2.10 information about the risks and benefits of the vaccines that is consistent with information  
2.11 published by the Centers for Disease Control and Prevention;

2.12 (3) an acknowledgement that the child may be prohibited from attending school or  
2.13 the child care facility during an outbreak of the disease for which the child has not been  
2.14 immunized; and

2.15 (4) the signature of the child's parent or legal guardian, or the child if emancipated.

2.16 The certificate of exemption must be forwarded by the school or child care facility to the  
2.17 commissioner of health.

2.18 (e) If the person is under 15 months, the person is not required to be immunized  
2.19 against measles, rubella, or mumps.

2.20 (f) If a person is at least five years old and has not been immunized against  
2.21 haemophilus influenzae type b, the person is not required to be immunized against  
2.22 haemophilus influenzae type b.

2.23 (g) If a person who is not a Minnesota resident enrolls in a Minnesota school online  
2.24 learning course or program that delivers instruction to the person only by computer and  
2.25 does not provide any teacher or instructor contact time or require classroom attendance, the  
2.26 person is not subject to the immunization, statement, and other requirements of this section.

2.27 (h) A person who has submitted a certificate of exemption under paragraph (d) prior  
2.28 to entering grade 7 must renew the certificate, in the form and manner specified by the  
2.29 commissioner of health, or meet the requirements of subdivision 1, in order to enroll  
2.30 in grade 7.