

214.036 Exceptions to testing or immunization requirement.

- (1) Nothing contained in KRS 158.035, 214.010, 214.020, 214.032 to 214.036, and 214.990 shall be construed to require:
 - (a) The testing for tuberculosis or the immunization of any child at a time when, in the written opinion of his or her attending health care provider, such testing or immunization would be injurious to the child's health;
 - (b) The immunization of any child whose parents or guardian are opposed to medical immunization against disease, and who object by a written sworn statement to the immunization of such child based on religious grounds; or
 - (c) The immunization of any emancipated minor or adult who is opposed to medical immunization against disease, and who objects by a written sworn statement to the immunization based on religious grounds.
- (2) In the event of an epidemic in a given area, the Cabinet for Health and Family Services may require the immunization of all persons within the area of epidemic, against the disease responsible for such epidemic, except that any administrative regulation promulgated pursuant to KRS Chapter 13A, administrative order issued by the cabinet or a local public health department, or executive order issued pursuant to KRS Chapter 39A requiring such immunization shall not include:
 - (a) The immunization of any child or adult for whom, in the written opinion of his or her attending health care provider, such testing or immunization would be injurious to his or her health;
 - (b) The immunization of any child whose parents or guardians are opposed to medical immunization against disease and who object by a written sworn statement to the immunization based on religious grounds or conscientiously held beliefs; or
 - (c) The immunization of any emancipated minor or adult who is opposed to medical immunization against disease, and who objects by a written sworn statement to the immunization based on religious grounds or conscientiously held beliefs.
- (3) The cabinet shall:
 - (a) Develop and make available on its Web site a standardized form relating to exemptions in this section from the immunization requirements; and
 - (b) Accept a completed standardized form when submitted.

Effective: September 9, 2021

History: Amended 2021 (1st Extra. Sess.) Ky. Acts ch. 5, sec. 9, effective September 9, 2021. -- Amended 2021 Ky. Acts ch. 147, sec. 1, effective March 28, 2021. -- Amended 2005 Ky. Acts ch. 99, sec. 449, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 396, effective July 15, 1998. -- Amended 1980 Ky. Acts ch. 55, sec. 1, effective July 15, 1980. -- Amended 1976 Ky. Acts ch. 128, sec. 4. -- Amended 1974 Ky. Acts ch. 74, Art. VI, sec. 107(3). -- Amended 1968 Ky. Acts ch. 87, sec. 4. -- Created 1962 Ky. Acts ch. 95, sec. 4.