

1 AN ACT relating to the vaccination of postsecondary students.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) This section applies only to an entering student enrolling in or after 2017-2018*
6 *academic school year at a public or private educational institution that offers a*
7 *postsecondary degree and has a residential campus.*

8 *(2) For purposes of this section, "entering student" means:*

9 *(a) A new or first-time undergraduate or graduate student at a postsecondary*
10 *education institution, including a student who transfers from another*
11 *institution; and*

12 *(b) A student who previously attended a postsecondary education institution,*
13 *enrolling in the same institution following a break in enrollment of one (1)*
14 *or more semesters or terms, and has not yet provided the institution with the*
15 *documentation required under subsection (3) of this section.*

16 *(3) Beginning with the 2017-2018 academic year, all public and independent*
17 *postsecondary education institutions shall require an entering student to provide*
18 *at least one (1) of the following within two (2) weeks before the student's first day*
19 *of class:*

20 *(a) An official immunization certificate;*

21 *(b) Laboratory evidence of the diseases of measles, mumps, or rubella; or*

22 *(c) Diagnosis or verification of disease by a health care provider as required by*
23 *the Cabinet for Health and Family Services.*

24 *(4) The documentation required under subsection (3) of this section shall include*
25 *evidence that the student has received immunizations in accordance with current*
26 *recommendations from the United States Centers for Disease Control and*
27 *Prevention and the American College Health Association for the following:*

- 1 (a) Measles;
2 (b) Mumps;
3 (c) Rubella;
4 (d) Meningococcal disease; and
5 (e) Any other diseases required by the Cabinet for Health and Family Services.
- 6 (5) The Cabinet for Health and Family Services, in consultation with postsecondary
7 education institutions, shall promulgate administrative regulations establishing
8 requirements for this section, including the required date for receiving
9 documentation of immunization and conditions for granting an extension by the
10 institution of no more than ten (10) days after the start of the academic term.
- 11 (6) Nothing contained in this section shall be construed to require the immunization
12 of any student who objects by a written sworn statement to the immunization
13 based on religious grounds. In the event of an epidemic in a given area, the
14 Cabinet for Health and Family Services may, by emergency administrative
15 regulation, require the immunization of all persons within the area of epidemic,
16 against the disease responsible for the outbreak.
- 17 (7) This section does not apply to a student of a postsecondary education institution
18 who is enrolled only in online or other distance education courses.
- 19 (8) This section shall not be construed to require the postsecondary education
20 institution or the Cabinet for Health and Family Services to provide or pay for
21 immunizations for measles, mumps, rubella, meningococcal disease or any other
22 diseases required by the Cabinet for Health and Family Services.