

1 AN ACT relating to immunizations.

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

3 ➔Section 1. KRS 214.034 is amended to read as follows:

4 Except as otherwise provided in KRS 214.036:

- 5 (1) All parents, guardians, and other persons having care, custody, or control of any
6 child shall have the child immunized against diphtheria, tetanus, poliomyelitis,
7 pertussis, measles, rubella, mumps, ~~hepatitis B,~~ and haemophilis influenzae
8 disease in accordance with testing and immunization schedules established by
9 regulations of the Cabinet for Health and Family Services. Additional
10 immunizations **shall not**~~may~~ be required by the Cabinet for Health and Family
11 Services through the promulgation of an administrative regulation pursuant to KRS
12 Chapter 13A **without the approval of the General Assembly**~~if recommended by~~
13 ~~the United States Public Health Service or the American Academy of Pediatrics~~.
14 All parents, guardians, and other persons having care, custody, or control of any
15 child shall also have any child found to be infected with tuberculosis examined and
16 treated according to administrative regulations of the Cabinet for Health and Family
17 Services promulgated under KRS Chapter 13A. The persons shall also have booster
18 immunizations administered to the child in accordance with the regulations of the
19 Cabinet for Health and Family Services.
- 20 (2) A local health department may, with the approval of the Department of Public
21 Health, require all first-time enrollees in a public or private school within the health
22 department's jurisdiction to be tested for tuberculosis prior to entering school.
23 Following the first year of school, upon an epidemiological determination made by
24 the state or local health officer in accordance with administrative regulations
25 promulgated by the Cabinet for Health and Family Services, all parents, guardians,
26 and other persons having care, custody, or control of any child shall have the child
27 tested for tuberculosis, and shall have any child found to be infected with

1 tuberculosis examined and treated according to administrative regulations of the
2 Cabinet for Health and Family Services. Nothing in this section shall be construed
3 to require the testing for tuberculosis of any child whose parent or guardian is
4 opposed to such testing, and who objects by a written sworn statement to the testing
5 for tuberculosis of the child on religious grounds. However, in a suspected case of
6 tuberculosis, a local health department may require testing of this child.

7 (3) All public or private primary or secondary schools, and preschool programs shall
8 require a current immunization certificate for any child enrolled as a regular
9 attendee, as provided by administrative regulation of the Cabinet for Health and
10 Family Services, promulgated under KRS Chapter 13A, to be on file within two (2)
11 weeks of the child's attendance.

12 ~~(4) [All public or private primary schools shall require a current immunization~~
13 ~~certificate for hepatitis B for any child enrolled as a regular attendee in the sixth~~
14 ~~grade, as provided by administrative regulation of the Cabinet for Health and~~
15 ~~Family Services, promulgated under KRS Chapter 13A, to be on file within two (2)~~
16 ~~weeks of the child's attendance.~~

17 ~~(5)~~ For each child cared for in a day-care center, certified family child-care home, or
18 any other licensed facility which cares for children, a current immunization
19 certificate, as provided by administrative regulation of the Cabinet for Health and
20 Family Services, promulgated under KRS Chapter 13A, shall be on file in the
21 center, home, or facility within thirty (30) days of entrance into the program or
22 admission to the facility.

23 ~~(5)~~~~(6)~~ Any forms relating to exemption from immunization requirements shall be
24 available at public or private primary or secondary schools, preschool programs,
25 day-care centers, certified family child-care homes, or other licensed facilities
26 which care for children.