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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO HEALTH AND SAFETY - DEPARTMENT OF HEALTH

Introduced By: Senators Metts, Archambault, Morgan, Paolino, and Felag

Date Introduced: February 13, 2019

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-1-44 of the General Laws in Chapter 23-1 entitled "Department
2 of Health" is hereby amended to read as follows:

3 **23-1-44. Routine childhood and adult immunization vaccines.**

4 (a) The department of health shall include in the department's immunization program
5 those vaccines for routine childhood immunization as recommended by the Advisory Committee
6 for Immunization Practices (ACIP) and the Academy of Pediatrics (AAP), and for adult influenza
7 immunization as recommended by the ACIP, to the extent permitted by available funds. The
8 childhood immunization program includes administrative and quality assurance services and
9 KIDSNET, a confidential, computerized child health information system that is used to manage
10 statewide immunizations, as well as other public health preventive services, for all children in
11 Rhode Island from birth through age 18.

12 (b) The director of the department of health shall appoint an advisory committee that will
13 be convened after the ACIP makes a recommendation regarding adult immunization. The
14 committee will review the ACIP recommendations for the state, assess the vaccine cost and
15 feasibility, and advise the director of health and the office of the health insurance commissioner
16 regarding insurers and providers acting on the ACIP adult immunization recommendation. All
17 recommendations will be posted on the department of health website. The advisory committee
18 membership shall include, but not be limited to, a primary care provider, pharmacist,
19 representatives of the nursing home industry, the home health care industry and major insurers.

1 (c) An adult person, parent, guardian, or other person having custody of a minor child,
2 may elect against vaccination for themselves or on behalf of the minor child, where the
3 immunization is for a non-casual contact disease transmitted by sexual contact between
4 individuals, by furnishing their decision in writing to the institution in question.

5 SECTION 2. Section 16-38-2 of the General Laws in Chapter 16-38 entitled "Offenses
6 Pertaining to Schools [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is
7 hereby amended to read as follows:

8 **16-38-2. Immunization.**

9 (a) Every person upon entering any public or private school including any college or
10 university in this state as a pupil shall furnish to the administrative head of the school evidence
11 that the person has been immunized against any diseases that may from time to time be prescribed
12 by regulation of the director of health and tested for tuberculosis, or a certificate from a licensed
13 physician stating that the person is not a fit subject for immunization for medical reasons, or a
14 certificate signed by the pupil, if over eighteen (18) years of age, or by the parent or guardian
15 stating that immunization and/or testing for communicable diseases is contrary to that person's
16 religious beliefs. Where the immunization is for a non-casual contact disease transmitted by
17 sexual contact between individuals, an adult person, parent, guardian, or other person having
18 custody of a minor child, may elect against vaccination for themselves or on behalf of the minor
19 child, by furnishing their decision in writing to the school. All consent forms or other
20 correspondence sent to parents and guardians with respect to vaccinations shall affirmatively
21 notify them of the option to opt out of participation in the vaccination program. It shall be the
22 responsibility of the administrative head of the school to secure compliance with these
23 regulations.

24 (b) Every child more than twenty-four (24) months of age, resident in the state of Rhode
25 Island, shall be eligible to receive the immunization against meningococcal disease. The
26 Department of Health shall include meningococcal vaccine in the department's immunization
27 program, established by § 23-1-44.

28 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would amend the provisions of the general laws relating to vaccines by allowing
2 adults, parents, guardians, or persons in custody of a child to opt out of vaccines for non-casual
3 contact diseases transmitted by sexual contact between individuals and would require all
4 correspondence to parents relating to vaccinations to contain notification about the option to opt
5 out.

6 This act would take effect upon passage.

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