

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 955 Session of
2001

INTRODUCED BY D. WHITE, ROBBINS, RHOADES, COSTA, ORIE, LAVALLE,
TOMLINSON, ERICKSON, LEMMOND, KUKOVICH, WAUGH, MUSTO,
KASUNIC, CORMAN AND STACK, JUNE 15, 2001

AS AMENDED ON THIRD CONSIDERATION, DECEMBER 12, 2001

AN ACT

1 Providing for vaccination against meningococcal disease for
2 students at institutions of higher education and for duties
3 of the Department of Health.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the College and
8 University Student Vaccination Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Branch campus." A branch campus is a unit of an institution
14 of higher education which is distinguished by all of the
15 following characteristics:

16 (1) An academic degree-granting program or organized
17 parts thereof offered on a continuing basis.

18 (2) Location separately identifiable from the main

1 campus of the parent institution and providing the services
2 normally associated with the campus.

3 (3) Legal authority for governance, administration and
4 general operation derived from the charter or enabling
5 legislation of the parent institution or of the State System
6 of Higher Education.

7 "Community colleges." Institutions now or hereafter created
8 pursuant to Article XIX-A of the act of March 10, 1949 (P.L.30,
9 No.14), known as the Public School Code of 1949, or the act of
10 August 24, 1963 (P.L.1132, No.484), known as the Community
11 College Act of 1963.

12 "Department." The Department of Health of the Commonwealth.

13 "Dormitory or housing unit." A building owned by an
14 institution of higher education which is used as a residence by
15 students of the institution.

16 "Independent institution of higher education." An
17 institution of higher education which is operated not for
18 profit, located in and incorporated or chartered by the
19 Commonwealth, entitled to confer degrees and apply to itself the
20 designation "college" or "university" as provided for by
21 standards and qualifications prescribed by the State Board of
22 Education under 24 Pa.C.S. Ch. 65 (relating to private colleges,
23 universities and seminaries).

24 "Institution of higher education." An independent
25 institution of higher education, a community college, a State-
26 owned institution or a State-related institution, any of which
27 is approved by the Department of Education.

28 "State-owned institutions." Those institutions which are
29 part of the State System of Higher Education pursuant to Article
30 XX-A of the act of March 10, 1949 (P.L.30, No.14), known as the

1 Public School Code of 1949.

2 "State-related institutions." The Pennsylvania State
3 University, the University of Pittsburgh, Temple University and
4 Lincoln University and their branch campuses.

5 Section 3. Vaccination requirement.

6 (a) General rule.--

7 (1) Except as provided in paragraph (2), a student at an
8 institution of higher education who resides in a dormitory or
9 housing unit must receive a one-time vaccination against
10 meningococcal disease. If a student is a minor, the
11 vaccination may only be administered with the consent of the
12 student's parent or guardian.

13 (2) A student is exempt from the vaccination requirement
14 under paragraph (1) if the institution provides detailed
15 information on the risks associated with meningococcal
16 disease and the availability and the effectiveness of any
17 vaccine to:

18 (i) The student, if the student is 18 years of age
19 or older, and the student signs a written waiver in a
20 form approved by the department stating that the student
21 has received and reviewed the information provided and
22 has chosen not to be vaccinated against meningococcal
23 disease.

24 (ii) The student's parent or guardian, if the
25 student is a minor, and the student's parent or guardian <—
26 signs a written waiver in a form approved by the
27 department stating that the parent or guardian has
28 received and reviewed the information provided and has
29 chosen not to have the student vaccinated against
30 meningococcal disease.

1 (b) Construction.--Nothing in this section shall be
2 construed to require an institution of higher education to
3 provide or pay for vaccinations against meningococcal disease.
4 An institution is only responsible for the dissemination of
5 information and documentation of vaccination or collection of
6 waiver forms.

7 Section 4. Regulations.

8 The department may adopt rules and regulations to administer
9 and enforce this act.

10 Section 5. Effective date.

11 This act shall take effect in 60 days.