

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1771 Session of 2019

INTRODUCED BY FRANKEL, BROOKS, SCHLOSSBERG, KULIK, DONATUCCI, ZABEL, McCARTER, ROZZI, BRIGGS, DAWKINS, MADDEN, McCLINTON, DeLUCA, OTTEN, KOSIEROWSKI, RABB, STURLA, RAVENSTAHL, LEE AND INNAMORATO, AUGUST 30, 2019

REFERRED TO COMMITTEE ON EDUCATION, AUGUST 30, 2019

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
 2 act relating to the public school system, including certain
 3 provisions applicable as well to private and parochial
 4 schools; amending, revising, consolidating and changing the
 5 laws relating thereto," in pupils and attendance, further
 6 providing for immunization required and penalty.

7 The General Assembly of the Commonwealth of Pennsylvania
 8 hereby enacts as follows:

9 Section 1. Section 1303(c) and (d) of the act of March 10,
 10 1949 (P.L.30, No.14), known as the Public School Code of 1949,
 11 are amended and the section is amended by adding subsections to
 12 read:

13 Section 1303. Immunization Required; Penalty.--* * *

14 (c) The provisions of this section shall not apply in the
 15 case of any child deemed to have a medical contraindication
 16 which may contraindicate immunization and is so certified by a
 17 [physician] health care practitioner. Such certificates may be
 18 accepted in lieu of a certificate of immunization.

19 (d) (1) The provisions of this section shall not apply in

1 the case of any child whose parent or guardian objects in
2 writing to such immunization on religious grounds[.] if the
3 parent or guardian provides to the school a signed document, on
4 a form prescribed by the department, stating that the parent or
5 guardian is declining one or more immunizations on behalf of the
6 child. The document must include:

7 (i) the reason for declining immunization;

8 (ii) the specific immunizations for which an exemption is
9 being required; and

10 (iii) a signature from a health care practitioner verifying:

11 (A) the health care practitioner has reviewed with the
12 parent or guardian information regarding the benefits and risks
13 associated with immunization, including the risks associated
14 with not immunizing a child, consistent with information
15 published by the Centers for Disease Control and Prevention;

16 (B) the health care practitioner has reviewed with the
17 parent or guardian information regarding the possibility that
18 the child may be excluded from school in the event of an
19 outbreak until the child is treated or until the exclusionary
20 period ends; and

21 (C) the date on which the health care practitioner provided
22 the information under clauses (A) and (B).

23 (2) The form prescribed by the department under paragraph
24 (1) shall be accepted in lieu of a certificate of immunization
25 and shall be provided by the parent or guardian to the school at
26 the beginning of each school year.

27 (e) If, upon review, the requirements of this section are
28 not met, the school administrator or the school administrator's
29 designee may exclude the child from school.

30 (f) As used in this section, the term "health care

1 practitioner" shall mean a person who is licensed, certified or
2 otherwise authorized by law or regulation to administer required
3 immunizations in this Commonwealth.

4 Section 2. This act shall take effect in 60 days.