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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 1897

01/24/2012 Authored by Franson

The bill was read for the first time and referred to the Committee on Education Reform

1.1 A bill for an act
1.2 relating to health; changing requirements for immunizations for school children;
1.3 amending Minnesota Statutes 2010, section 121A.15, subdivision 3; Minnesota
1.4 Statutes 2011 Supplement, section 121A.15, subdivision 8.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2010, section 121A.15, subdivision 3, is amended to
1.7 read:

1.8 Subd. 3. **Exemptions from immunizations.** (a) If a person is at least seven years
1.9 old and has not been immunized against pertussis, the person must not be required to
1.10 be immunized against pertussis.

1.11 (b) If a person is at least 18 years old and has not completed a series of
1.12 immunizations against poliomyelitis, the person must not be required to be immunized
1.13 against poliomyelitis.

1.14 (c) If a statement, signed by a physician, is submitted to the administrator or
1.15 other person having general control and supervision of the school or child care facility
1.16 stating that an immunization is contraindicated for medical reasons or that laboratory
1.17 confirmation of the presence of adequate immunity exists, the immunization specified in
1.18 the statement need not be required.

1.19 (d) If a ~~notarized~~ statement signed and dated by the minor child's parent or guardian
1.20 or by the emancipated person is submitted to the administrator or other person having
1.21 general control and supervision of the school or child care facility stating that the person
1.22 has not been immunized as prescribed in subdivision 1 because of the conscientiously
1.23 held beliefs of the parent or guardian of the minor child or of the emancipated person, the

2.1 immunizations specified in the statement shall not be required. This statement must also
2.2 be forwarded to the commissioner of the Department of Health.

2.3 (e) If the person is under 15 months, the person is not required to be immunized
2.4 against measles, rubella, or mumps.

2.5 (f) If a person is at least five years old and has not been immunized against
2.6 haemophilus influenza type b, the person is not required to be immunized against
2.7 haemophilus influenza type b.

2.8 (g) If a person who is not a Minnesota resident enrolls in a Minnesota school online
2.9 learning course or program that delivers instruction to the person only by computer and
2.10 does not provide any teacher or instructor contact time or require classroom attendance,
2.11 the person is not subject to the immunization, statement, and other requirements of this
2.12 section.

2.13 Sec. 2. Minnesota Statutes 2011 Supplement, section 121A.15, subdivision 8, is
2.14 amended to read:

2.15 Subd. 8. **Report.** (a) The administrator or other person having general control and
2.16 supervision of the elementary or secondary school shall file a report with the commissioner
2.17 on all persons enrolled in the school. The superintendent of each district shall file a report
2.18 with the commissioner for all persons within the district receiving instruction in a home
2.19 school in compliance with sections 120A.22 and 120A.24. The parent of persons receiving
2.20 instruction in a home school shall submit the statements as required by subdivisions 1, 2,
2.21 3, 4, and 12 to the superintendent of the district in which the person resides by October 1
2.22 of the first year of their homeschooling in Minnesota and the grade 7 year. The school
2.23 report must be prepared on forms developed jointly by the commissioner of health and the
2.24 commissioner of education and be distributed to the local districts by the commissioner
2.25 of health. The school report must state the number of persons attending the school, the
2.26 number of persons who have not been immunized according to subdivision 1 or 2, and
2.27 the number of persons who received an exemption under subdivision 3, clause (c) or (d).
2.28 The school report must be filed with the commissioner of education within 60 days of the
2.29 commencement of each new school term. Upon request, a district must be given a 60-day
2.30 extension for filing the school report. The commissioner of education shall forward the
2.31 report, or a copy thereof, to the commissioner of health who shall provide summary
2.32 reports to boards of health as defined in section 145A.02, subdivision 2. The administrator
2.33 or other person having general control and supervision of the child care facility shall file a
2.34 report with the commissioner of human services on all persons enrolled in the child care
2.35 facility. The child care facility report must be prepared on forms developed jointly by

3.1 the commissioner of health and the commissioner of human services and be distributed
3.2 to child care facilities by the commissioner of health. The child care facility report
3.3 must state the number of persons enrolled in the facility, the number of persons with no
3.4 immunizations, the number of persons who received an exemption under subdivision 3,
3.5 clause (c) or (d), and the number of persons with partial or full immunization histories.
3.6 The child care facility report must be filed with the commissioner of human services by
3.7 November 1 of each year. The commissioner of human services shall forward the report,
3.8 or a copy thereof, to the commissioner of health who shall provide summary reports to
3.9 boards of health as defined in section 145A.02, subdivision 2. The report required by this
3.10 subdivision is not required of a family child care or group family child care facility, for
3.11 prekindergarten children enrolled in any elementary or secondary school provided services
3.12 according to sections 125A.03 and 125A.06, nor for child care facilities in which at least
3.13 75 percent of children in the facility participate on a onetime only or occasional basis to a
3.14 maximum of 45 hours per child, per month.

3.15 (b) Parents must be given written notice on how the commissioners of education and
3.16 health will use the data collected on their child under this section.

3.17 Sec. 3. **NORAH'S LAW.**

3.18 This act shall be known as Norah's Law.