

By Senator Book

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1 A bill to be entitled
2 An act relating to exemptions from school-entry health
3 requirements; amending s. 1003.22, F.S.; deleting
4 exemptions from school-entry health examinations and
5 immunization requirements for religious reasons;
6 requiring the Board of Medicine and the Board of
7 Osteopathic Medicine to jointly create a medical
8 exemption review panel; requiring the medical
9 exemption review panel to review certain medical
10 exemptions filed with the Department of Health;
11 providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Subsections (1) and (5) of section 1003.22,
16 Florida Statutes, are amended, and subsection (3) of that
17 section is republished, to read:

18 1003.22 School-entry health examinations; immunization
19 against communicable diseases; exemptions; duties of Department
20 of Health.—

21 (1) Each district school board and the governing authority
22 of each private school shall require that each child who is
23 entitled to admittance to kindergarten, or is entitled to any
24 other initial entrance into a public or private school in this
25 state, present a certification of a school-entry health
26 examination performed within 1 year before enrollment in school.
27 Each district school board, and the governing authority of each
28 private school, may establish a policy that permits a student up
29 to 30 school days to present a certification of a school-entry

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30 health examination. Children and youths who are experiencing
31 homelessness and children who are known to the department, as
32 defined in s. 39.0016, shall be given a temporary exemption for
33 30 school days. Any district school board that establishes such
34 a policy shall include provisions in its local school health
35 services plan to assist students in obtaining the health
36 examinations. ~~However, a child shall be exempted from the~~
37 ~~requirement of a health examination upon written request of the~~
38 ~~parent of the child stating objections to the examination on~~
39 ~~religious grounds.~~

40 (3) The Department of Health may adopt rules necessary to
41 administer and enforce this section. The Department of Health,
42 after consultation with the Department of Education, shall adopt
43 rules governing the immunization of children against, the
44 testing for, and the control of preventable communicable
45 diseases. The rules must include procedures for exempting a
46 child from immunization requirements. Immunizations shall be
47 required for poliomyelitis, diphtheria, rubeola, rubella,
48 pertussis, mumps, tetanus, and other communicable diseases as
49 determined by rules of the Department of Health. The manner and
50 frequency of administration of the immunization or testing shall
51 conform to recognized standards of medical practice. The
52 Department of Health shall supervise and secure the enforcement
53 of the required immunization. Immunizations required by this
54 section shall be available at no cost from the county health
55 departments.

56 (5) ~~The provisions of~~ This section does shall not apply if:

57 (a) ~~The parent of the child objects in writing that the~~
58 ~~administration of immunizing agents conflicts with his or her~~

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59 ~~religious tenets or practices;~~

60 ~~(b)~~ A physician licensed under ~~the provisions of~~ chapter
61 458 or chapter 459 certifies in writing, on a form approved and
62 provided by the Department of Health, that the child should be
63 permanently exempt from the required immunization for medical
64 reasons stated in writing, based upon valid clinical reasoning
65 or evidence, demonstrating the need for the permanent exemption;

66 (b)~~(e)~~ A physician licensed under ~~the provisions of~~ chapter
67 458, chapter 459, or chapter 460 certifies in writing, on a form
68 approved and provided by the Department of Health, that the
69 child has received as many immunizations as are medically
70 indicated at the time and is in the process of completing
71 necessary immunizations;

72 (c)~~(d)~~ The Department of Health determines that, according
73 to recognized standards of medical practice, any required
74 immunization is unnecessary or hazardous; or

75 (d)~~(e)~~ An authorized school official issues a temporary
76 exemption, for up to 30 school days, to permit a student who
77 transfers into a new county to attend class until his or her
78 records can be obtained. Children and youths who are
79 experiencing homelessness and children who are known to the
80 department, as defined in s. 39.0016, shall be given a temporary
81 exemption for 30 school days. The public school health nurse or
82 authorized private school official is responsible for followup
83 of each such student until proper documentation or immunizations
84 are obtained. An exemption for 30 days may be issued for a
85 student who enters a juvenile justice program to permit the
86 student to attend class until his or her records can be obtained
87 or until the immunizations can be obtained. An authorized

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88 juvenile justice official is responsible for followup of each
89 student who enters a juvenile justice program until proper
90 documentation or immunizations are obtained.

91
92 The Board of Medicine and the Board of Osteopathic Medicine
93 shall jointly create a medical exemption review panel that shall
94 review all medical exemptions filed with the Department of
95 Health pursuant to paragraphs (a) and (b).

96 Section 2. This act shall take effect July 1, 2020.