

By: Zaffirini

S.B. No. 28

A BILL TO BE ENTITLED

AN ACT

relating to the collection and maintenance of bacterial meningitis immunization records by public institutions of higher education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.9192 to read as follows:

Sec. 51.9192. BACTERIAL MENINGITIS IMMUNIZATION RECORDS. (a) In this section:

(1) "Institution of higher education" has the meaning assigned by Section 61.003.

(2) "New student" means a first-time student of an institution of higher education and includes a student who transfers to the institution from another institution.

(b) The Texas Higher Education Coordinating Board, in consultation with the Texas Department of Health, shall prescribe procedures by which each institution of higher education shall request and make reasonable efforts to obtain from each new student of the institution:

(1) the following information:

(A) whether the student has been immunized against bacterial meningitis;

(B) when the student received the immunization, if any; and

(C) the name and address of the health care

1 provider that administered the immunization, if any; and

2 (2) the student's written consent to the release of the
3 student's confidential immunization information as described by
4 Subsection (e).

5 (c) An institution of higher education that administers a
6 bacterial meningitis immunization to a student shall maintain a
7 record of the student's immunization and shall request the
8 student's written consent to the release of the student's
9 confidential immunization information as described by Subsection
10 (e).

11 (d) Each institution of higher education shall retain a
12 record of information collected and a copy of the consent form
13 obtained under Subsection (b) or (c) for not less than 10 years
14 after the student first enrolls at the institution.

15 (e) A student's bacterial meningitis immunization
16 information collected and maintained by an institution of higher
17 education under this section is confidential. An institution, on
18 written consent of the student, may release the information only
19 to:

20 (1) a public health district;

21 (2) a local health department; or

22 (3) a physician designated by the student.

23 SECTION 2. This Act applies only to new students enrolling
24 in public institutions of higher education in this state on or after
25 January 1, 2004, and to students at those institutions who are
26 immunized against bacterial meningitis by those institutions on or
27 after that date.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2003.