

BILL ANALYSIS

S.B. 62
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Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, all Texas college students who are under 30 years of age must show proof of vaccination against bacterial meningitis during the five-year period preceding a certain compliance date. Interested parties assert that national best practices and the Centers for Disease Control and Prevention only recommend that students ages 21 and younger show proof of such vaccination. S.B. 62 seeks to ensure that college students are protected from bacterial meningitis while allowing local and state immunization resources to be focused on the most vulnerable individuals and seeks to streamline the immunization exemption process by amending current law relating to the vaccination against bacterial meningitis of entering students at public and private or independent institutions of higher education.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 62 amends the Education Code to lower from 30 to 22 years of age the minimum age at which an entering student at an institution of higher education or private or independent institution of higher education is exempt from providing to the institution a certificate signed by a health practitioner or an official immunization record evidencing that the student has received a bacterial meningitis vaccine dose or booster during the five-year period preceding the compliance date established by the Texas Higher Education Coordinating Board.

S.B. 62 requires the Department of State Health Services (DSHS) to develop and implement a secure, Internet-based process to be used exclusively at public junior colleges that elect to use the process to allow an entering student to apply online for an exemption from the bacterial meningitis vaccination requirement for reasons of conscience. The bill requires the online process portal to be designed to ensure that duplicate exemption requests are avoided to the greatest extent possible and requires the exemption form used by a student claiming an exemption under the process to contain a statement indicating that the student understands the benefits and risks of the immunization and the benefits and risks of not receiving the immunization. The bill authorizes a public junior college to require an entering student to use the Internet-based process as the exclusive method to apply for an exemption from the required bacterial meningitis vaccination for reasons of conscience.

S.B. 62 adds as an alternative condition for a student to be exempt from the bacterial meningitis vaccination requirement that the student or a parent or guardian of the student submits to the institution confirmation that the student has completed the Internet-based process for declining the vaccination for reasons of conscience, if applicable to the student. The bill requires DSHS to report to the legislature annually the number of exemptions applied for in the preceding academic year using the Internet-based process.

S.B. 62 requires an affidavit signed by a student stating that the student declines the vaccination for bacterial meningitis for reasons of conscience to be on DSHS's immunization exemption affidavit form and be submitted to the appropriate admitting official not later than the 90th day after the date the affidavit is notarized.

S.B. 62 amends the Health and Safety Code to exempt a person claiming an exemption from a required immunization using the Internet-based process from the requirement that a person claiming the exemption complete DSHS's immunization exemption affidavit form.

S.B. 62 applies its provisions to entering students enrolling in public or private or independent institutions of higher education in Texas on or after January 1, 2014.

EFFECTIVE DATE

October 1, 2013.