

By: Ellis

S.B. No. 547

A BILL TO BE ENTITLED

AN ACT

relating to epidemiological reports and immunization exemption data and reports.

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

SECTION 1. Section 81.047, Health and Safety Code, is amended to read as follows:

Sec. 81.047. EPIDEMIOLOGICAL REPORTS. (a) Subject to the confidentiality requirements of this chapter, the department shall require epidemiological reports of disease outbreaks and of individual cases of disease suspected or known to be of importance to the public health, including vaccine preventable diseases. The department shall evaluate the reports to determine the trends involved and the nature and magnitude of the hazards.

(b) The department shall prepare and submit to the legislature and the governor not later than December 1 of each even-numbered year a biennial report that contains:

(1) a report of outbreaks of vaccine preventable diseases in this state; and

(2) de-identified immunization exemption data, including the number of persons claiming an exemption from the immunization requirements of Section 161.004 of this code, Sections 38.001, 51.9192, and 51.933, Education Code, and Section 42.043, Human Resources Code.

SECTION 2. Section 38.002, Education Code, is amended by

1 amending Subsections (a) and (c) and adding Subsections (d) and (e)
2 to read as follows:

3 (a) Each public school shall keep an individual
4 immunization record during the period of attendance for each
5 student admitted. The records shall be open for inspection at all
6 reasonable times by the Texas Education Agency or by
7 representatives of local health departments or the [~~Texas~~]
8 Department of State Health Services.

9 (c) The Texas Education Agency and the [~~Texas~~] Department of
10 State Health Services shall develop the form for a required annual
11 report of the immunization status of students. The report shall be
12 submitted by all schools at the time and in the manner indicated in
13 the instructions printed on the form.

14 (d) Each school district shall provide the information
15 required by Subsection (c) for the district as a whole and for each
16 school campus in the district.

17 (e) The Department of State Health Services shall make
18 available to the public in electronic form, on the department's
19 Internet website, the required annual report of the immunization
20 status of students for each school district and for each school
21 campus, submitted under Subsection (c).

22 SECTION 3. Section 38.019(a), Education Code, is amended to
23 read as follows:

24 (a) A school district that maintains an Internet website
25 shall post prominently on the website:

26 (1) a list, in English and Spanish, of:

27 (A) the immunizations required for admission to

1 public school by rules of the Department of State Health Services
2 adopted under Section 38.001;

3 (B) any immunizations or vaccines recommended
4 for public school students by the Department of State Health
5 Services; ~~and~~

6 (C) health clinics in the district that offer the
7 influenza vaccine, to the extent those clinics are known to the
8 district; and

9 (D) de-identified immunization exemption data,
10 including the number of persons claiming an exemption from the
11 immunization requirements of Section 38.001, for the district as a
12 whole and for each school campus in the district; and

13 (2) a link to the Department of State Health Services
14 Internet website where a person may obtain information relating to
15 the procedures for claiming an exemption from the immunization
16 requirements of Section 38.001.

17 SECTION 4. As soon as practicable after the effective date
18 of this Act, the Texas Education Agency shall update the form
19 required by Section 38.002(c), Education Code, as amended by this
20 Act, to comply with Section 38.002(d), Education Code, as added by
21 this Act.

22 SECTION 5. This Act applies beginning with the 2015-2016
23 school year.

24 SECTION 6. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2015.