



March 21, 2003

ENGROSSED HOUSE BILL No. 1702

DIGEST OF HB 1702 (Updated March 19, 2003 12:44 PM - DI 104)

Citations Affected: IC 20-8.1; noncode.

Synopsis: Immunization for chicken pox. Requires a child who enters kindergarten or grade 1 to be immunized against chicken pox.

Effective: July 1, 2003.

Brown C

(SENATE SPONSORS — MILLER, BREAUX, LAWSON C)

January 21, 2003, read first time and referred to Committee on Public Health.
February 3, 2003, reported — Do Pass.
February 10, 2003, read second time, amended, ordered engrossed.
February 11, 2003, engrossed.
February 13, 2003, read third time, failed. Yeas 48, nays 45.
February 26, 2003, House reconsidered. Reread third time, passed. Yeas 56, nays 42.

SENATE ACTION

March 4, 2003, read first time and referred to Committee on Health and Provider Services.
March 20, 2003, amended, reported favorably — Do Pass.

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EH 1702—LS 6771/DI 77+



March 21, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1702

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-8.1-7-9.5, AS AMENDED BY P.L.231-1999,
2 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2003]: Sec. 9.5. (a) Every child residing in Indiana shall be
4 immunized against:
5 (1) diphtheria;
6 (2) pertussis (whooping cough);
7 (3) tetanus;
8 (4) measles;
9 (5) rubella;
10 (6) poliomyelitis; and
11 (7) mumps.
12 (b) Every child residing in Indiana who enters kindergarten or grade
13 1 shall be immunized against hepatitis B **and chicken pox**.
14 (c) The state department of health may expand or otherwise modify
15 the list of communicable diseases that require documentation of
16 immunity as medical information becomes available that would warrant
17 the expansion or modification in the interest of public health.

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- 1 (d) The state department of health shall adopt rules under IC 4-22-2
- 2 specifying the:
- 3 (1) required immunizations;
- 4 (2) child's age for administering each vaccine;
- 5 (3) adequately immunizing doses; and
- 6 (4) method of documentation of proof of immunity.
- 7 (e) Each school shall notify each parent of a child who enrolls in the
- 8 school of the requirement that the child must be immunized and that
- 9 the immunization is required for the child's continued enrollment,
- 10 attendance, or residence at the school unless:
- 11 (1) the parent or child provides the appropriate documentation of
- 12 immunity; or
- 13 (2) **for chicken pox, the parent or child provides a written**
- 14 **signed statement that the child has indicated a history of**
- 15 **chicken pox; or**
- 16 (3) section 2 or 2.5 of this chapter applies.
- 17 SECTION 2. [EFFECTIVE JULY 1, 2003] (a) **Notwithstanding**
- 18 **IC 20-8.1-7-9.5, as amended by this act, a child residing in Indiana**
- 19 **is not required to be immunized for chicken pox to enter**
- 20 **kindergarten or grade 1 until after June 30, 2004.**
- 21 (b) **This SECTION expires July 1, 2004.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1702, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BROWN C, Chair

Committee Vote: yeas 10, nays 1.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1702 be amended to read as follows:

Page 2, after line 13, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE JULY 1, 2003] (a) Notwithstanding IC 20-8.1-7-9.5, as amended by this act, a child residing in Indiana is not required to be immunized for chicken pox to enter kindergarten or grade 1 until after June 30, 2004.

(b) This SECTION expires July 1, 2004."

(Reference is to HB 1702 as printed February 4, 2003.)

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1702 be reconsidered pursuant to Rule 151.

BROWN C

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COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1702, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 12, strike "or".

Page 2, line 13, after "(2)" insert "**for chicken pox, the parent or child provides a written signed statement that the child has indicated a history of chicken pox; or (3)**".

and when so amended that said bill do pass.

(Reference is to HB 1702 as reprinted February 11, 2003.)

MILLER, Chairperson

Committee Vote: Yeas 9, Nays 0.

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