

2018 Regular Session

HOUSE BILL NO. 74

BY REPRESENTATIVE DAVIS

STUDENTS: Requires public schools to provide information relative to influenza and immunization against the influenza virus

1 AN ACT

2 To enact R.S. 17:170.5 and 3996(B)(45), relative to immunization information for public
3 school students; to require public schools to provide information relative to influenza
4 and immunization against the influenza virus to students' parents and legal guardians;
5 to provide for rules and regulations; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:170.5 and 3996(B)(45) are hereby enacted to read as follows:

8 §170.5. Immunization information; influenza

9 A. Each public school governing authority shall provide each student's parent
10 or legal guardian with information relative to the risks associated with influenza and
11 the availability, effectiveness, and known contraindications of immunization against
12 the influenza virus. Such information shall include the causes and symptoms of
13 influenza, the means by which influenza is spread, and the places where a parent or
14 legal guardian may obtain additional information and where a student may be
15 immunized against the influenza virus.

16 B.(1) The Louisiana Department of Health shall develop and provide such
17 information, which shall be updated annually if new information on influenza
18 becomes available, to the state Department of Education. The state Department of
19 Education shall provide such information to the governing authority of each public

1 school, which shall provide such information to each student's parent or legal
2 guardian as required by Subsection A of this Section.

3 (2) The Louisiana Department of Health, the state Department of Education,
4 and each public school governing authority shall determine respectively the most
5 cost-effective and efficient means of distributing such information, including but not
6 limited to electronic distribution.

7 C. The Louisiana Department of Health, in consultation with the state
8 Department of Education, shall establish all guidelines and procedures for carrying
9 out the provisions of this Section by rule promulgated in accordance with the
10 Administrative Procedure Act.

11 D. Nothing in this Section shall be construed to require any public school
12 governing authority, the state Department of Education, or the Louisiana Department
13 of Health to provide or pay for vaccines against the influenza virus.

14 * * *

15 §3996. Charter schools; exemptions; requirements

16 * * *

17 B. Notwithstanding any state law, rule, or regulation to the contrary and
18 except as may be otherwise specifically provided for in an approved charter, a
19 charter school established and operated in accordance with the provisions of this
20 Chapter and its approved charter and the school's officers and employees shall be
21 exempt from all statutory mandates or other statutory requirements that are
22 applicable to public schools and to public school officers and employees except for
23 the following laws otherwise applicable to public schools with the same grades:

24 * * *

25 (45) Immunization information, influenza, R.S. 17:170.5.

26 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 74 Original

2018 Regular Session

Davis

Abstract: Requires public schools to provide up-to-date information about influenza and immunization against the influenza virus to parents and legal guardians of students.

Proposed law:

- (1) Requires the governing authority of each public school, including charter schools, to provide information about influenza and vaccination against the influenza virus.
- (2) Requires that this information include the causes, symptoms, and means by which influenza is spread and the places where parents and guardians may obtain additional information and vaccinations for their children.
- (3) Requires the La. Dept. of Health (LDH) to develop and provide information about influenza and the vaccination to the state Dept. of Education (DOE). LDH shall provide updates annually if new information on influenza is available. The most cost-effective and efficient means of information distribution, including but not limited to electronic distribution, will be determined by LDH, DOE, and each public school governing authority.
- (4) Requires LDH, in consultation with DOE, to establish rules for carrying out the provision of proposed law.
- (5) States that nothing in proposed law requires LDH, DOE, or any public school to provide or purchase vaccines.

(Adds R.S. 17:170.5 and 3996(B)(45))