

Regular Session, 2008

HOUSE BILL NO. 359

BY REPRESENTATIVE LAFONTA

EDUCATION: Requires certain school boards to provide information to certain students relative to human papillomavirus (HPV) and immunization against it

1 AN ACT

2 To enact R.S. 17:170.3, relative to immunizations; to require certain school boards to
3 provide information relative to human papillomavirus to certain students; to provide
4 for rules and regulations; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 17:170.3 is hereby enacted to read as follows:

7 §170.3. Immunization information; human papillomavirus

8 A. Each city, parish, and other local public school board that provides
9 information relative to immunizations shall provide to the parent or legal guardian
10 of each student in grades six through twelve information relative to the risks
11 associated with human papillomavirus and the availability, effectiveness, and known
12 contraindications of immunization against human papillomavirus. The information
13 shall describe the link between human papillomavirus and cervical cancer, the means
14 by which human papillomavirus is spread, and where a person may be immunized
15 against human papillomavirus. The information shall be updated annually if new
16 information on human papillomavirus becomes available.

17 B.(1) The Department of Health and Hospitals shall develop and provide
18 such information to the state Department of Education. The state Department of
19 Education shall provide the information to each city, parish, and other local public
20 school board that provides information relative to immunizations and educates

1 students in grades six through twelve, which shall provide such information to each
2 such student's parent or legal guardian pursuant to Subsection A of this Section.
3 Such information shall include a form on which such student's parent or legal
4 guardian may grant written permission for the student to receive such information
5 directly.

6 (2) The Department of Health and Hospitals, the state Department of
7 Education, and each such city, parish, and other local public school board shall
8 determine respectively the most cost-effective and efficient means of distributing
9 such information.

10 C. The Department of Health and Hospitals, in consultation with the state
11 Department of Education, shall establish by rules and regulations adopted in
12 accordance with the Administrative Procedure Act all guidelines and procedures for
13 carrying out the provisions of this Section.

14 D.(1) Nothing in this Section shall be construed to require any city, parish,
15 or other local public school board, the state Department of Education, or the
16 Department of Health and Hospitals to provide or pay for immunizations against
17 human papillomavirus.

18 (2) Nothing in this Section shall be construed to require any person to be
19 immunized against human papillomavirus.

20 Section 2. This Act shall become effective upon signature by the governor or, if not
21 signed by the governor, upon expiration of the time for bills to become law without signature
22 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
23 vetoed by the governor and subsequently approved by the legislature, this Act shall become
24 effective on the day following such approval.

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)]

LaFonta

HB No. 359

Abstract: Requires certain school boards to provide information about human papillomavirus (HPV) and immunization against it to the parent or legal guardian of a student in grades six-12.

Proposed law requires city, parish, and other local public school boards that provide information about immunizations to provide to the parent or legal guardian of a student in grades six-12 information about the risks associated with human papillomavirus (HPV) and the availability, effectiveness, and known contraindications of immunization against it. Requires such information to describe the link between HPV and cervical cancer, how HPV is spread, and where a person may be immunized against it and information to be updated annually if new HPV information is available. Requires that such information include a form on which a student's parent or legal guardian may grant written permission for the student to receive such information directly. Requires the Dept. of Health and Hospitals (DHH), in consultation with the state Dept. of Education, to establish rules and regulations for carrying out proposed law in accordance with the APA. Provides that nothing in proposed law shall be construed to require any city, parish, or other local public school board, the state Dept. of Education, or DHH to provide or pay for HPV immunizations or to require any person to be immunized against HPV.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 17:170.3)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Requires public school boards to provide HPV information to parents or legal guardians of all students in grades six through 12 instead of female students in grade six.
2. Requires such HPV information to include a form on which a student's parent or legal guardian may grant written permission for the student to receive such information directly.