

(b) The department may provide for free immunization of high risk individuals to interrupt transmission or limit morbidity from communicable diseases, or to protect employees of the department from communicable diseases which they may encounter in the performance of their duties. [Eff and comp 10/23/97; comp 8/27/01; am and comp **AUG 23 2019** ] (Auth: HRS §§302A-1162, 321-9, 321-11(22), 325-13, 325-32, 325-38) (Imp: HRS §§302A-1158, 325-38)

**§11-157-5 Exemptions.** (a) Medical exemptions from the requirements for specific immunizing agents shall be granted upon certification by a practitioner in a form or format specified by the department, that a student or child has a stated contraindication or precaution to a vaccine, for a specific period of time, in conformance with recognized standard medical practices. The form shall be provided to the exempt person or parent or guardian. Copies of the form shall be maintained in the student's school health record, in the post-secondary school student's record, or in the child care facility child's record. Issuing practitioners shall forward a copy of the form to the department. Reports of such forms in a format specified by the department shall also be submitted to the department by each school, post-secondary school, and child care facility.

(b) A religious exemption shall be granted to a student or child whose parent, custodian, guardian, or other person in loco parentis certifies that the person's religious beliefs prohibit the practice of immunization. Requests for religious exemptions based on objections to specific immunizing agents will not be granted. Students who have reached the age of majority shall apply on their own behalf. The certification shall be retained in the student's health record, in the post-secondary school student's record, or in the child care facility child's record. Reports of such exemptions in a format specified by

the department shall be submitted to the department by each school, post-secondary school, and child care facility.

(c) If at any time, the director determines that there is the danger or presence of an outbreak or epidemic from any of the communicable diseases for which immunization is required under this chapter, the exemption from immunization against such disease shall not be recognized, and inadequately immunized students or children shall be excluded from school, post-secondary school, or child care facilities until the director has determined that the presence or danger of the outbreak or epidemic no longer exists.

(d) After-school programs, family child care homes, parent cooperatives, play groups, respite programs, group child care homes, and drop-in child care centers are excluded from the requirements of this chapter. All schools and post-secondary schools that conduct classes and activities exclusively online or electronically via remote learning are excluded from the requirements of this chapter. All students and post-secondary students who attend classes exclusively online or electronically via remote learning are excluded from the requirements of this chapter. [Eff 11/5/81; am and comp 6/17/93; am and comp 10/23/97; am and comp 8/27/01; am and comp AUG 23 2019 ] (Auth: HRS §§302A-1162, 321-9, 321-11(22), 325-13, 325-32) (Imp: HRS §§302A-1156, 302A-1157, 321-1, 321-9, 321-11, 325-13, 325-32, 325-34, 325-35)

§11-157-6 REPEALED. [R 10/23/97]

**§11-157-6.1 Health examination requirements.**

(a) Each student or child shall present a record of his or her physical examination by a practitioner as specified in subsection (c) before the student or child first attends school or a child care facility. The examination shall occur within 12 months before the date of first attendance at school or a child care