A BILL FOR

An Act providing for exemptions from immunization for a person’s enrollment in any elementary or secondary school or licensed child care center.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
Section 1. Section 139A.8, subsection 4, paragraph a, Code 2019, is amended to read as follows:

a. Immunization is not required for a person's enrollment in any elementary or secondary school or licensed child care center if either any of the following applies:

(1) The applicant, or if the applicant is a minor, the applicant's parent or legal guardian, submits to the admitting official a statement signed by a physician, advanced registered nurse practitioner, or physician assistant who is licensed by the board of medicine, board of nursing, or board of physician assistants that the immunizations required would could be injurious to the health and well-being of the applicant or any member of the applicant's family.

(2) The applicant, or if the applicant is a minor, the applicant's parent or legal guardian, submits an affidavit signed by the applicant, or if the applicant is a minor, the applicant's parent or legal guardian, stating that the immunization conflicts with the tenets and practices of a recognized religious denomination beliefs of which the applicant is an adherent or member.

(3) The applicant, or if the applicant is a minor, the applicant's parent or legal guardian, submits an affidavit signed by the applicant, or if the applicant is a minor, signed by the applicant's parent or legal guardian, stating that the immunization conflicts with the conscientiously held beliefs of the applicant, or if the applicant is a minor, of the applicant's parent or legal guardian.

EXPLANATION

The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.

This bill relates to exemptions from immunization required for a person's enrollment in any elementary or secondary school or licensed child care center.

The bill amends the existing medical exemption provision to require that the statement signed by the health care
professional and submitted to the admitting official must state that the immunizations required could, rather than would, be injurious to the health and well-being of the applicant or any member of the applicant's family.

The bill amends the existing religious exemption provision to provide that the affidavit signed and submitted must state that the immunization conflicts with the religious beliefs of the applicant, not the tenets and practices of a recognized religious denomination of which the applicant is an adherent or member.

The bill also includes a new exemption that includes as a basis for exemption, the submission of a signed affidavit by the applicant, or if the applicant is a minor, by the applicant's parent or legal guardian, stating that the immunization conflicts with the conscientiously held beliefs of the applicant, or if the applicant is a minor, of the applicant's parent or legal guardian.

Existing provisions direct the department of public health, in consultation with the director of the department of education, to adopt rules to implement the bill.