

JAN 23 2014

A BILL FOR AN ACT

RELATING TO UNITED STATES ARMED FORCES PERSONNEL.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the State's higher
2 education institutions frequently deny admission to veterans of
3 the United States armed forces due to a lack of immunization
4 records. The immunization process is lengthy and costly for
5 veterans, as the process requires a ticker test for measles,
6 mumps and rubella, and it can take several weeks to obtain the
7 test results and to receive the immunization record. However,
8 all service members who are discharged from the military receive
9 a DD Form 214, certificate of release or discharge from active
10 duty, and this certificate is used by the State's higher
11 education institutions to determine veterans' benefits. This
12 certificate may also provide the State's higher education
13 institutions with evidence that a veteran applicant has obtained
14 mandatory measles, mumps, and rubella shots, as it is a
15 requirement for active duty United States armed forces
16 personnel. Therefore, the legislature finds that authorizing
17 United States armed forces active duty personnel and veterans to
18 present a proof of service card or DD Form 214 in lieu of the



1 vaccination and immunization requirements for admission to any
2 higher education institution in the State.

3 The purpose of this Act is provide a vaccination and
4 immunization exception to veterans and active duty members of
5 the United States armed forces who are applying to the State's
6 higher education institutions, under certain conditions.

7 SECTION 2. Section 325-34, Hawaii Revised Statutes, is
8 amended to read as follows:

9 **"§325-34 Exemptions.** (a) Section 325-32 shall be
10 construed not to require the vaccination or immunization of any
11 person for three months after a duly licensed physician,
12 physician assistant, or an authorized representative of the
13 department of health has signed two copies of a certificate
14 stating the name and address of the person and that because of a
15 stated cause the health of the person would be endangered by the
16 vaccination or immunization, and has forwarded the original copy
17 of the certificate to the person or, if the person is a minor or
18 under guardianship, to the person's parent or guardian, and has
19 forwarded the duplicate copy of the certificate to the
20 department for its files.

21 (b) No person shall be subjected to vaccination,
22 revaccination or immunization, who shall in writing object



1 thereto on the grounds that the requirements are not in
2 accordance with the religious tenets of an established church of
3 which the person is a member or adherent, or, if the person is a
4 minor or under guardianship, whose parent or guardian shall in
5 writing object thereto on such grounds, but no objection shall
6 be recognized when, in the opinion of the director of health,
7 there is danger of an epidemic from any communicable disease.

8 (c) United States armed forces active duty personnel and
9 veterans shall be granted a medical exemption from any
10 vaccination and immunization requirements for admission to a
11 higher education institution in the State upon the showing of a
12 proof of service identity card or a DD Form 214, certificate of
13 release or discharge from active duty. If at any time, there is
14 a danger or presence of an outbreak from any communicable
15 disease for which vaccination or immunization is required
16 pursuant to this chapter, the exemption shall not be recognized,
17 and inadequately vaccinated or immunized students shall be
18 excluded from the State's higher education institutions until
19 the presence or danger of the outbreak no longer exists."

20 SECTION 3. New statutory material is underscored.
21



1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

John D. ...

Will Egan

[Signature]



S.B. NO. 3117

Report Title:

Higher Education; Vaccination and Immunization; Exemption;
Military Personnel; Veterans

Description:

Provides United States armed forces active duty personnel and veterans with a medical exemption, under certain conditions, from the vaccination and immunization requirements of the State's higher education institutions upon the showing of a proof of service identity card or a certificate of release or discharge from active duty.

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