

ACT 60

S.B. NO. 2388

A Bill for an Act Relating to Education.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 302A-1154, Hawaii Revised Statutes, is amended to read as follows:

“[[§302A-1154]] Immunization upon entering school; tuberculosis clearance. (a) No child shall attend any school in the State unless the child presents to the appropriate school official certification from a licensed physician or advanced practice registered nurse stating that the child has received immunizations against communicable diseases as required by the department of health.

(b) No child shall be admitted to attend any school for the first time in the State unless the child presents to the appropriate school official certification from a licensed physician, advanced practice registered nurse, or other authorized personnel stating the child has received a tuberculin test or x-ray and is free from tuberculosis in a communicable form.”

SECTION 2. Section 302A-1155, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) A child may enter school provisionally upon submitting written proof from a licensed physician, advanced practice registered nurse, or an authorized representative of the department of health stating that the child is in the process of receiving the required immunizations. Further certification showing that the required immunizations have been completed must be submitted to the appropriate school official no later than three months after the child first entered the school. If all of the required immunizations cannot be completed within three months due to the length of the minimum intervals between doses of a particular vaccine required by the department of health, provisional admission may be extended so long as the child’s parent or guardian provides proof that appointments for required immunizations have been made and that progress toward completing the immunizations continues in accordance with the requirements of the department of health.”

SECTION 3. Section 302A-1158, Hawaii Revised Statutes, is amended to read as follows:

“[[§302A-1158]] Immunization of indigent children. The department of health shall provide all immunizations and tuberculin tests to comply with sections 302A-1154 to 302A-1163, as far as public funds will permit, to each child whose parents, guardians, or custodians cannot afford to have the child immunized or tested for tuberculosis, and who have not been exempted under section 302A-1156. Nothing in this section shall preclude the department of health from distributing immunizations and vaccines to physicians, advanced practice registered nurses, or other authorized persons as required by law or by the rules of the department of health.”

SECTION 4. Section 302A-1159, Hawaii Revised Statutes, is amended to read as follows:

“[[§302A-1159]] Physical examination required. No child shall be admitted to any school for the first time in the State unless the child presents to the appropriate school official a certification from a licensed physician or advanced practice registered nurse stating that the child has undergone a physical examination. The physical examination shall be performed within a year of the date of entry into school. A child may enter school provisionally upon submitting written proof from a licensed physician, advanced practice registered nurse, or other authorized representative of the department of health stating that the child is in the process of undergoing a physical examination. Further certification showing that the required physical examination has been completed must be submitted to the appropriate school official no later than three months after the child first entered the school.”

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SECTION 5. Section 302A-1160, Hawaii Revised Statutes, is amended to read as follows:

“~~[[§302A-1160]]~~ **Health certificates.** The department of education shall provide health certificate forms for immunization and physical examination to the schools, private physicians, advanced practice registered nurses, and authorized personnel of the department of health. Any immunization record signed by a licensed physician or advanced practice registered nurse may be accepted by the appropriate school official as certification of immunization if the information is transferred to the health certificate form and verified by the appropriate school official.”

SECTION 6. Section 325-33, Hawaii Revised Statutes, is amended to read as follows:

“**§325-33 Performance of vaccination and immunization.** Vaccinations or immunizations required of any person under this chapter shall be performed by duly licensed physicians or paramedical personnel under their direction, advanced practice registered nurses, or by authorized representatives of the department of health. A record of the immunization shall be maintained by the physician or advanced practice registered nurse and shall be available to the department of education for school entry requirements and the department of health.”

SECTION 7. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 8. This Act shall take effect upon its approval.

(Approved April 29, 1998.)