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SENATE BILL NO. 117—COMMITTEE ON  
HEALTH AND HUMAN SERVICES

PREFILED FEBRUARY 1, 2015

Referred to Committee on Education

SUMMARY—Revises provisions relating to immunizations.  
(BDR 34-691)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

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AN ACT relating to education; expanding the list of diseases for which a child must obtain an immunization before enrolling in a school or being admitted to a child care facility in this State unless an exception applies; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law provides a list of diseases for which a child must obtain an  
2 immunization as a condition to enrollment in a school or admittance to a child care  
3 facility in this State, unless the child is excused because of religious belief or a  
4 medical condition. (NRS 392.435, 394.192, 432A.230) This bill adds human  
5 papillomavirus and meningococcal disease to that list of diseases.

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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 392.435 is hereby amended to read as follows:  
2 392.435 1. Unless excused because of religious belief or  
3 medical condition and except as otherwise provided in subsection 5,  
4 a child may not be enrolled in a public school within this State  
5 unless the child’s parents or guardian submit to the board of trustees  
6 of the school district in which the child resides or the governing  
7 body of the charter school in which the child has been accepted for  
8 enrollment a certificate stating that the child has been immunized  
9 and has received proper boosters for that immunization or is



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1 complying with the schedules established by regulation pursuant to  
2 NRS 439.550 for the following diseases:

3 (a) Diphtheria;

4 (b) *Human papillomavirus;*

5 (c) *Meningococcal disease;*

6 (d) Tetanus;

7 ~~(e)~~ (e) Pertussis if the child is under 6 years of age;

8 ~~(f)~~ (f) Poliomyelitis;

9 ~~(g)~~ (g) Rubella;

10 ~~(h)~~ (h) Rubeola; and

11 ~~(i)~~ (i) Such other diseases as the local board of health or the  
12 State Board of Health may determine.

13 2. The certificate must show that the required vaccines and  
14 boosters were given and must bear the signature of a licensed  
15 physician or the physician's designee or a registered nurse or the  
16 nurse's designee, attesting that the certificate accurately reflects the  
17 child's record of immunization.

18 3. If the requirements of subsection 1 can be met with one visit  
19 to a physician or clinic, procedures for conditional enrollment do not  
20 apply.

21 4. A child may enter school conditionally if the parent or  
22 guardian submits a certificate from a physician or local health  
23 officer that the child is receiving the required immunizations. If a  
24 certificate from the physician or local health officer showing that the  
25 child has been fully immunized is not submitted to the appropriate  
26 school officers within 90 school days, or its equivalent in a school  
27 district operating under an alternative schedule authorized pursuant  
28 to NRS 388.090, after the child was conditionally admitted, the  
29 child must be excluded from school and may not be readmitted until  
30 the requirements for immunization have been met. A child who is  
31 excluded from school pursuant to this section is a neglected child for  
32 the purposes of NRS 432.0999 to 432.130, inclusive, and chapter  
33 432B of NRS.

34 5. A child who transfers to a school in this State from a school  
35 outside this State because of the military transfer of the parent or  
36 legal guardian of the child must be enrolled in school in this State  
37 regardless of whether the child has been immunized. Unless a  
38 different time frame is prescribed pursuant to NRS 392C.010, the  
39 parent or legal guardian shall submit a certificate from a physician  
40 or local health officer showing that the child:

41 (a) If the requirements of subsection 1 can be met with one visit  
42 to a physician or clinic, has been fully immunized within 30 school  
43 days, or its equivalent in a school district operating under an  
44 alternative schedule authorized pursuant to NRS 388.090, after the  
45 child was enrolled; or



1 (b) If the requirements of subsection 1 cannot be met with one  
2 visit to a physician or clinic, is receiving the required immunizations  
3 within 30 school days, or its equivalent in a school district operating  
4 under an alternative schedule authorized pursuant to NRS 388.090,  
5 after the child was enrolled. A certificate from the physician or local  
6 health officer showing that the child has been fully immunized must  
7 be submitted to the appropriate school officers within 120 school  
8 days, or its equivalent in a school district operating under an  
9 alternative schedule authorized pursuant to NRS 388.090, after the  
10 child was enrolled.

11 ➔ If the parent or legal guardian fails to submit the documentation  
12 required pursuant to this subsection, the child must be excluded  
13 from school and may not be readmitted until the requirements for  
14 immunization have been met. A child who is excluded from school  
15 pursuant to this section is a neglected child for the purposes of NRS  
16 432.0999 to 432.130, inclusive, and chapter 432B of NRS.

17 6. Before December 31 of each year, each school district and  
18 the governing body of each charter school shall report to the  
19 Division of Public and Behavioral Health of the Department of  
20 Health and Human Services, on a form furnished by the Division,  
21 the exact number of pupils who have completed the immunizations  
22 required by this section.

23 7. The certificate of immunization must be included in the  
24 pupil's academic or cumulative record and transferred as part of that  
25 record upon request.

26 **Sec. 2.** NRS 394.192 is hereby amended to read as follows:

27 394.192 1. Unless excused because of religious belief or  
28 medical condition, a child may not be enrolled in a private school  
29 within this State unless the child's parents or guardian submit to the  
30 governing body of the private school a certificate stating that the  
31 child has been immunized and has received proper boosters for that  
32 immunization or is complying with the schedules established by  
33 regulation pursuant to NRS 439.550 for the following diseases:

34 (a) Diphtheria;

35 (b) *Human papillomavirus;*

36 (c) *Meningococcal disease;*

37 (d) Tetanus;

38 ~~(e)~~ (e) Pertussis if the child is under 6 years of age;

39 ~~(d)~~ (f) Poliomyelitis;

40 ~~(e)~~ (g) Rubella;

41 ~~(f)~~ (h) Rubeola; and

42 ~~(g)~~ (i) Such other diseases as the local board of health or the  
43 State Board of Health may determine.

44 2. The certificate must show that the required vaccines and  
45 boosters were given and must bear a signature of a licensed



1 physician or the physician's designee or a registered nurse or the  
2 nurse's designee, attesting that the certificate accurately reflects the  
3 child's record of immunization.

4 3. If the requirements of subsection 1 can be met with one visit  
5 to a physician or clinic, procedures for conditional enrollment do not  
6 apply.

7 4. A child may enter school conditionally if the parent or  
8 guardian submits a certificate from a physician or local health  
9 officer that the child is receiving the required immunizations. If a  
10 certificate from the physician or local health officer showing that the  
11 child has been fully immunized is not submitted to the appropriate  
12 school officials within 90 school days after the child was  
13 conditionally admitted, the child must be excluded from school and  
14 may not be readmitted until the requirements for immunization have  
15 been met. A child who is excluded from school pursuant to this  
16 section is a neglected child for the purposes of NRS 432.0999 to  
17 432.130, inclusive, and chapter 432B of NRS.

18 5. Before December 31 of each year, each private school shall  
19 report to the Division of Public and Behavioral Health of the  
20 Department of Health and Human Services, on a form furnished by  
21 the Division, the exact number of pupils who have completed the  
22 immunizations required by this section.

23 6. The certificate of immunization must be included in the  
24 pupil's academic or cumulative record and transferred as part of that  
25 record upon request.

26 **Sec. 3.** NRS 432A.230 is hereby amended to read as follows:

27 432A.230 Except as otherwise provided in NRS 432A.235 for  
28 accommodation facilities:

29 1. Except as otherwise provided in subsection 3 and unless  
30 excused because of religious belief or medical condition, a child  
31 may not be admitted to any child care facility within this State,  
32 including a facility licensed by a county or city, unless the parents or  
33 guardian of the child submit to the operator of the facility a  
34 certificate stating that the child has been immunized and has  
35 received proper boosters for that immunization or is complying with  
36 the schedules established by regulation pursuant to NRS 439.550 for  
37 the following diseases:

38 (a) Diphtheria;

39 (b) *Human papillomavirus;*

40 (c) *Meningococcal disease;*

41 (d) Tetanus;

42 ~~(e)~~ (e) Pertussis if the child is under 6 years of age;

43 ~~(f)~~ (f) Poliomyelitis;

44 ~~(g)~~ (g) Rubella;

45 ~~(h)~~ (h) Rubeola; and



1 ~~(e)~~ (i) Such other diseases as the local board of health or the  
2 State Board of Health may determine.

3 2. The certificate must show that the required vaccines and  
4 boosters were given and must bear the signature of a licensed  
5 physician or his or her designee or a registered nurse or his or her  
6 designee, attesting that the certificate accurately reflects the child's  
7 record of immunization.

8 3. A child whose parent or guardian has not established a  
9 permanent residence in the county in which a child care facility is  
10 located and whose history of immunization cannot be immediately  
11 confirmed by a physician in this State or a local health officer, may  
12 enter the child care facility conditionally if the parent or guardian:

13 (a) Agrees to submit within 15 days a certificate from a  
14 physician or local health officer that the child has received or is  
15 receiving the required immunizations; and

16 (b) Submits proof that the parent or guardian has not established  
17 a permanent residence in the county in which the facility is located.

18 4. If a certificate from the physician or local health officer  
19 showing that the child has received or is receiving the required  
20 immunizations is not submitted to the operator of the child care  
21 facility within 15 days after the child was conditionally admitted,  
22 the child must be excluded from the facility.

23 5. Before December 31 of each year, each child care facility  
24 shall report to the Division of the Department, on a form furnished  
25 by the Division, the exact number of children who have:

26 (a) Been admitted conditionally to the child care facility; and

27 (b) Completed the immunizations required by this section.

28 **Sec. 4.** This act becomes effective on July 1, 2016.







