

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 96

H.P. 62

House of Representatives, January 13, 2021

**An Act To Create Fairness in the Treatment of Students by
Retaining Students with Certain Vaccine Exemptions**

Received by the Clerk of the House on January 11, 2021. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative FAULKINGHAM of Winter Harbor.
Cosponsored by Senator GUERIN of Penobscot and
Representatives: GREENWOOD of Wales, GRIGNON of Athens, POIRIER of Skowhegan,
RUDNICKI of Fairfield, SAMPSON of Alfred.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA §6355, sub-§4**, as enacted by PL 2019, c. 154, §3, is amended
3 to read:

4 **4. Student covered by individualized education plan who elected exemption on or**
5 **before September 1, 2021.** A student ~~covered by an individualized education plan on~~
6 ~~September 1, 2021~~ who elected a philosophical or religious exemption from immunization
7 requirements on or before September 1, 2021 pursuant to the law in effect prior to that date
8 may continue to attend school under that student's existing exemption as long as:

9 A. The parent or guardian of the student provides a statement from a licensed
10 physician, nurse practitioner or physician assistant that the physician, nurse practitioner
11 or physician assistant has consulted with that parent or guardian and has made that
12 parent or guardian aware of the risks and benefits associated with the choice to
13 immunize; or

14 B. If the student is 18 years of age or older, the student provides a statement from a
15 licensed physician, nurse practitioner or physician assistant that the physician, nurse
16 practitioner or physician assistant has consulted with that student and has made that
17 student aware of the risks and benefits associated with the choice to immunize.

18 **SUMMARY**

19 Current law allows a student covered by an individualized education plan who elected
20 a philosophical or religious exemption from immunization on or before September 1, 2021
21 to continue to attend school after September 1, 2021 without being immunized as long as
22 certain statements regarding acknowledgement of the risks and benefits associated with the
23 choice to immunize are provided.

24 This bill extends that exemption to any student who elected a philosophical or religious
25 exemption from immunization on or before September 1, 2021.