

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND TENTH LEGISLATURE

Legislative Document

No. 54

H. P. 41 House of Representatives, January 5, 1981
Submitted by the Department of Human Services pursuant to Joint Rule 24.
Reference to the Committee on Health and Institutional Services suggested.
Printed.

EDWIN H. PERT, Clerk

Presented by Mr. Connolly of Portland.

Cosponsors: Mrs. Nelson of Portland, Mr. Boyce of Auburn and Senator Wood of York.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-ONE

AN ACT Relating to Immunization of Children Prior to Entering School.

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

Sec. 1. 20 MRSA § 1191, sub-§ 4, as enacted by PL 1977, c. 471, is amended to read:

4. School. "School" means and includes grades kindergarten through-6 12 in any public, private or parochial school in the State.

Sec. 2. 20 MRSA § 1192, sub-§ 6 is enacted to read:

6. Rubella exemption. A female child who has reached puberty is not required to be immunized against rubella, even though immunization of such children who are susceptible is strongly recommended.

Sec. 3. 20 MRSA § 1192, sub-§ 7 is enacted to read:

7. Mumps immunization. Immunization against mumps is only required for children entering kindergarten.

Sec. 4. 20 MRSA § 1193, sub-§ 4, as enacted by PL 1977, c. 471, is amended by adding at the end a new sentence to read:

State, local and school health personnel shall have access to student immunization records when that access is required in the performance of official duties.

Sec. 5. 20 MRSA § 1195, sub-§ 1, as amended by PL 1977, c. 694, § 318, is further amended to read:

1. Rules authorized. The Commissioner ~~of the Department~~ of Educational and Cultural Services, or his designee, **and the Director of the Bureau of Health,** shall adopt and amend rules required for the effective implementation of the provisions and purposes of this subchapter, **including but not limited to, rules relating to immunization requirements, record keeping and procedures for reporting.** The rules adopted by the commissioner or his designee shall be in accordance with the provisions set forth in section 21.

Sec. 6. 20 MRSA § 1195, sub-§ 3 is enacted to read:

3. Annual report of immunization status. By December 15th of the school year, each school shall submit a summary report of the entering children to the Director of the Bureau of Health on forms prescribed by the director.

Sec. 7. 20 MRSA § 1196, as enacted by PL 1977, c. 471, is amended to read:

§ 1196. Effective date

Except as otherwise provided under this subchapter, by ~~August 1, 1978~~ **December 15, 1981** each child in or entering each school in the State shall have been immunized against each disease.

STATEMENT OF FACT

The existence of a state school immunization law requiring immunization has been shown to correlate with high levels of immunity and a definite decrease of the incidence of disease. An increasing number of states are actively enforcing school immunization laws encompassing kindergarten through grade 12. Unfortunately, upper grade students, grades 7 to 12, in Maine are not protected against the vaccine-preventable diseases. Attempted voluntary immunization recommendations for the upper grades in Maine have proved futile. Therefore, an amendment to the current School immunization law, including grades 7 to 12, is warranted.