

MAINE STATE LEGISLATURE

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EDUCATION AND CULTURAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1624, L.D. 2124, "Resolve, Regarding Legislative Review of Portions of Chapter 126: Immunization Requirements for School Children, a Rule of the Department of Human Services, and Portions of Chapter 261: Immunization Requirements for School Children, a Rule of the Department of Education, Major Substantive Rules Jointly Adopted by the Department of Human Services and the Department of Education"

Amend the resolve in section 1 in the last line (page 1, line 31 in L.D.) by striking out the following: "authorized." and inserting in its place the following: 'authorized only if the rules are amended as follows.

1. The rules must be amended to add the word "public" before the phrase "health official" when describing who can present a school with a Certificate of Immunization.

2. The rules must be amended to include the school physician along with the superintendent as an individual who can exclude from public school any child or employee who has contracted or has been exposed to a communicable disease.

3. The rules must be amended to change "may not" to "shall not" in the sentence that prohibits a child from returning to school when the child has not received all the required vaccines.

4. The rules must be amended to change "administrators" to "superintendents" when describing with whom the results of a sample survey to identify problem areas that may be occurring in the completion of school health records will be shared.

COMMITTEE AMENDMENT

5. The rules must be amended to change "regulation of school board" to "regulation of school board policy" when describing the mechanisms by which additional requirements regarding immunization requirements for children can be adopted.'

Further amend the resolve by inserting at the end before the summary the following:

FISCAL NOTE

The requirement that each school unit add varicella vaccine to the required vaccines for school enrollment and adopt a uniform permanent student health record that provides documentation of health information and school nursing services provided to individual students including, but not limited to, immunizations, health screening, health assessment and nursing care plans as needed, represents a state mandate pursuant to the Constitution of Maine. The additional local costs can not be determined but are anticipated by the Department of Education to be minor. Unless General Fund appropriations are provided to fund at least 90% of the additional costs or a Mandate Preamble is amended to the bill and 2/3 of the members of each House vote to exempt this mandate from the funding requirement, the local school units may not be required to implement these changes.

The implementation of certain rules pertaining to immunization requirements for children will result in minor additional costs to the Department of Education. These costs can be absorbed within the department's existing budgeted resources.

The Bureau of Health in the Department of Human Services will incur some minor additional costs to implement the rules pertaining to immunization requirements for children. These costs can be absorbed within the department's existing budgeted resources.'

SUMMARY

This amendment requires specific changes to the rules that were provisionally adopted by the Department of Human Services and the Department of Education, and adds a fiscal note to the resolve.