

By: Van de Putte

S.B. No. 110

A BILL TO BE ENTITLED

AN ACT

relating to immunization against human papilloma virus.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 38.001(a), Education Code, is amended to read as follows:

(a) Each student shall be fully immunized against diphtheria, rubeola, rubella, mumps, tetanus, and poliomyelitis, except as provided by Subsection (c). Each female student enrolling in grade six shall be fully immunized against the human papilloma virus, except as provided by Subsection (c).

SECTION 2. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.0026 to read as follows:

Sec. 38.0026. DISSEMINATION OF HUMAN PAPILLOMA VIRUS INFORMATION. (a) The agency shall prescribe procedures by which each school district shall provide information to parents and guardians of female students relating to the connection between human papilloma virus and cervical cancer. The procedures must ensure that the information is reasonably likely to come to the attention of the parents or guardians of each female student.

(b) The information provided to parents and guardians in Subsection (a) must be similar in form and content to the information required under Section 161.0102, Health and Safety Code.

(c) A school district, with the written consent of the

1 agency, may provide the information required by this section to its
2 students and their parents by a method different from the method
3 prescribed by the agency under Subsection (a) if the agency
4 determines that the method would be effective in bringing the
5 information to the attention of the parents and guardians of each
6 female student.

7 SECTION 3. Section 161.0041, Health and Safety Code, is
8 amended by adding Subsection (d-1) to read as follows:

9 (d-1) With respect to immunization against human papilloma
10 virus, the affidavit form shall meet the requirements of Subsection
11 (d) and shall contain a statement indicating that the parent,
12 managing conservator, or guardian received the information under
13 Section 161.0102 on the connection between human papilloma virus
14 and cervical cancer.

15 SECTION 4. Subchapter A, Chapter 161, Health and Safety
16 Code, is amended by adding Section 161.0102 to read as follows:

17 Sec. 161.0102. INCREASE AWARENESS OF IMMUNIZATION AGAINST
18 HUMAN PAPILLOMA VIRUS. (a) The department shall collect and
19 disseminate information to parents, managing conservators, and
20 guardians of female children relating to the connection between
21 human papilloma virus and cervical cancer. The department shall
22 prescribe the form and content of the information.

23 (b) The information on the connection between human
24 papilloma virus and cervical cancer must cover:

25 (1) the risk factors for developing cervical cancer,
26 the symptoms of the disease, how it may be diagnosed, and its
27 possible consequences if untreated;

1 (2) the connection between human papilloma virus and
2 cervical cancer, how human papilloma virus is transmitted, how
3 transmission may be prevented, and the relative risk of contracting
4 human papilloma virus for primary and secondary school students;

5 (3) the availability and effectiveness of vaccination
6 against human papilloma virus and a brief description of the
7 possible side effects of vaccination; and

8 (4) sources of additional information regarding the
9 disease, including any appropriate office of a school district and
10 the appropriate office of the Department of State Health Services.

11 (c) The department shall increase coordination among public
12 and private local, regional, and statewide entities that have an
13 interest in providing information on the human papilloma virus
14 vaccine.

15 SECTION 5. Section 42.043(b), Human Resources Code, is
16 amended to read as follows:

17 (b) The department shall require that each child at an
18 appropriate age have a test for tuberculosis and be immunized
19 against diphtheria, tetanus, poliomyelitis, mumps, rubella,
20 rubeola, invasive pneumococcal disease, and hepatitis A and against
21 any other communicable disease as recommended by the Department of
22 State Health Services. The department shall also require that each
23 female child at an appropriate age be immunized against human
24 papilloma virus. The immunization must be effective on the date of
25 first entry into the facility. However, a child may be
26 provisionally admitted if the required immunizations have begun and
27 are completed as rapidly as medically feasible.

1 SECTION 6. Section 38.001, Education Code, as amended by
2 this Act, and Section 38.0026, Education Code, as added by this Act,
3 apply beginning with the 2007-2008 school year.

4 SECTION 7. The change in law made by this Act to Section
5 42.043, Human Resources Code, applies beginning September 1, 2007.

6 SECTION 8. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2007.