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H.B. No. 2249

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requirements for and the transparency of
3 epidemiological reports and immunization exemption information and
4 reports.

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

6 SECTION 1. Section 81.047, Health and Safety Code, is
7 amended to read as follows:

8 Sec. 81.047. EPIDEMIOLOGICAL REPORTS. (a) Subject to the
9 confidentiality requirements of this chapter, the department shall
10 require epidemiological reports of disease outbreaks and of
11 individual cases of disease suspected or known to be of importance
12 to the public health, including vaccine preventable diseases. The
13 department shall evaluate the reports to determine the trends
14 involved and the nature and magnitude of the hazards.

15 (b) The department shall prepare and submit to the
16 legislature and the governor not later than December 1 of each
17 even-numbered year a biennial report that contains:

18 (1) a report of outbreaks of vaccine preventable
19 diseases in this state; and

20 (2) de-identified immunization exemption information,
21 including the number of persons claiming an exemption from the
22 immunization requirements of Section 161.004 of this code, Sections
23 38.001, 51.9192, and 51.933, Education Code, and Section 42.043,
24 Human Resources Code.

1 SECTION 2. Section 38.002, Education Code, is amended by
2 amending Subsections (a) and (c) and adding Subsections (d), (e),
3 and (f) to read as follows:

4 (a) Each public school shall keep an individual
5 immunization record during the period of attendance for each
6 student admitted. The records shall be open for inspection at all
7 reasonable times by the Texas Education Agency or by
8 representatives of local health departments or the ~~[Texas]~~
9 Department of State Health Services.

10 (c) The Texas Education Agency and the ~~[Texas]~~ Department of
11 State Health Services shall develop the form for a required annual
12 report of the immunization status of students that includes
13 de-identified immunization exemption information. The report
14 shall be submitted by all schools at the time and in the manner
15 indicated in the instructions printed on the form.

16 (d) Each school district shall provide to the Department of
17 State Health Services the information required by Subsection (c)
18 for the district as a whole and for each school campus in the
19 district.

20 (e) The Department of State Health Services shall make
21 available to the public in electronic form, on the department's
22 Internet website, the required annual report of the immunization
23 status of students for each school district and for each school
24 campus, submitted under Subsection (c).

25 (f) On request of a student's parent or legal guardian, a
26 school district or school campus shall provide to the parent or
27 guardian a copy of the following information for the campus at which

1 the student is enrolled:

2 (1) the immunization rate disaggregated by type of
3 vaccine; and

4 (2) the information submitted under Subsection (c),
5 including:

6 (A) de-identified immunization exemption
7 information;

8 (B) the number of students provisionally
9 enrolled pending documentation of immunization;

10 (C) the number of students claiming an exemption
11 for reasons of conscience, including a religious belief;

12 (D) the number of students claiming an exemption
13 for a medical reason; and

14 (E) the number of students whose vaccinations are
15 not current.

16 SECTION 3. As soon as practicable after the effective date
17 of this Act, the Texas Education Agency shall update the form
18 required by Section 38.002(c), Education Code, as amended by this
19 Act, to comply with that subsection and Section 38.002(d),
20 Education Code, as added by this Act.

21 SECTION 4. This Act applies beginning with the 2017-2018
22 school year.

23 SECTION 5. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2017.