

CHAPTER 4.**IMMUNIZATION**

ARRANGEMENT OF SECTIONS

Section**§401.** Short title.**§402.** Interpretation.**§403.** Immunization prior to attending school.**§404.** Exemptions from immunization.**§405.** Immunization rules and regulations.**§406.** Certificate of immunization forms.

An Act to establish rules and regulations for the administration of immunization which shall be required throughout the Republic and the manner and frequency of their administration, which immunizations shall conform to recognized standard medical practices. [Section numbering style modified to conform to format [Rev2003]

Commencement: November 18, 1981

Source: P.L. 1981-14

§401. Short title.

This Chapter may be cited as the "School Immunization Act 1981". [P.L. 1981-14, §1.]

§402. Interpretation.

As used in this Chapter, unless the context otherwise requires, "school" means a public, private, or parochial nursery school, day care center, child care facility, family care home, head start program, kindergarten, or elementary or secondary school through grade twelve. [P.L. 1981-14, §2.]

§403. Immunization prior to attending school.

Except as provided in Section 404 of this Chapter, any child or student attending any school in the Republic on or after July 1, 1982, shall be required to possess or have in his medical records, a certificate of immunization against communicable diseases as specified by the Minister of Health, or in lieu of the above, a written request by one parent or guardian directing school officials to administer to the child the required inoculation or the first of the next required of a series of inoculations within thirty (30) days of the date of submission of the written request. [P.L. 1981-14, §3.]

§404. Exemption from immunization.

(1) A child or student may be exempted from receiving the required immunizations:

(a) upon submitting certification from a licensed physician that the physical condition of the child is such that the specified immunizations would endanger his life or health; or

(b) upon submitting a statement signed by one parent or guardian that the parent, guardian or child is an adherent to a religious belief whose teaching opposes immunizations or that the parent or guardian or the child holds personal beliefs in opposition to the concept of immunizations against communicable diseases.

(2) The Minister may provide, by regulation, further exemptions to immunization based upon sound medical practice. [P.L. 1981-14, §4.]

§ 405. Immunization rules and regulations.

(1) The Minister of Health shall establish rules and regulations for administering this Chapter . Such rules and regulations shall establish which immunizations shall be required and the manner and frequency of their administration and shall conform to recognized standard medical practices. Such rules and regulations shall also require the reporting of statistical information and names of non-compliers by the schools they attend. The Minister of Health shall administer and enforce the immunization requirements.

(2) All rule-making authority granted to the Minister of Health under the provisions of this Section is granted on the condition that the Nitijela reserves the power to amend or rescind any rule of the Minister. [P.L. 1981-14, §5.]

§406. Certificate of immunization forms.

(1) The Minister of Health shall provide official certificate of immunization forms to the schools and private physicians. Any immunization record provided by a licensed physician, licensed nurse, or public health official, may be accepted by the school official as a certificate of immunization if the information is transferred to the official certificate of immunization and verified by the school official.

(2) Every school shall maintain on file an official certificate of immunization for every child enrolled as a student. The certificate shall be returned to the parent or guardian of the child or student when a child or student withdraws, transfers, is promoted, or otherwise leaves the school, or the school may transfer the certificate with his school record to the new school.

(3) The Minister of Health may examine, audit, and verify the records of immunizations maintained by each school. [P.L. 1981-14, §6.]