

1 information on immunizations mandated by this state or required for
2 admission to a public school in this state.

3 All children entering school for the first time in this state
4 shall have been immunized against diphtheria, polio, rubeola,
5 rubella, tetanus and whooping cough. Any person who cannot give
6 satisfactory proof of ~~having been immunized previously~~
7 immunizations ~~or~~ a certificate from a reputable physician showing
8 that an immunization for any or all diphtheria, polio, rubeola,
9 rubella, tetanus and whooping cough is impossible or improper or
10 provide sufficient reason why any or all immunizations should not
11 be done, shall be immunized for diphtheria, polio, rubeola,
12 rubella, tetanus and whooping cough prior to being admitted in any
13 of the schools in the state. No child or person ~~shall~~ may be
14 admitted or received in ~~any of the schools~~ a school of the state
15 until he or she has been immunized as hereinafter provided or
16 produces a certificate from a reputable physician showing that an
17 immunization for diphtheria, polio, rubeola, rubella, tetanus and
18 whooping cough has been done or is impossible or improper or
19 provide other sufficient reason why such immunizations have not
20 been done. ~~Any~~ A teacher having information concerning any person
21 who attempts to enter school for the first time without ~~having been~~
22 ~~immunized~~ immunizations against diphtheria, polio, rubeola,
23 rubella, tetanus and whooping cough shall report the names ~~of all~~
24 ~~such persons~~ to the county health officer. It ~~shall be~~ is the duty

1 of the health officer in counties having a full-time health officer
2 to see that such persons are immunized before entering school.
3 ~~Provided, That~~ Persons enrolling from schools outside of the state
4 may be provisionally enrolled under minimum criteria established by
5 the Director of the Department of Health so that the person's
6 immunization may be completed while missing a minimum amount of
7 school ~~Provided, however, That~~ except that no person ~~shall~~ may be
8 allowed to enter school without at least one dose of each required
9 vaccine.

10 A parent or legal guardian who objects to immunizations
11 because of religious, conscientious or philosophical beliefs, shall
12 sign a form, duly notarized, stating that the child has not been
13 immunized because of these beliefs. The form shall be prescribed
14 by the West Virginia State Department of Education, presented upon
15 entering school in lieu of proof of immunization and filed in the
16 child's permanent file.

17 In counties where there is no full-time health officer or
18 district health officer, the county commission or municipal council
19 shall appoint competent physicians to do the immunizations and fix
20 their compensation. County health departments shall furnish the
21 biologicals for ~~this immunization~~ immunizations free of charge.

22 Health officers and physicians who ~~shall do this immunization~~
23 perform this work shall give to all persons and children a
24 certificate, free of charge, showing that they have been immunized

1 against diphtheria, polio, rubeola, rubella, tetanus and whooping
2 cough. ~~or he or she may~~ The health officers and physicians may also
3 give the certificate to any person or child whom he or she knows to
4 have been immunized against diphtheria, polio, rubeola, rubella,
5 tetanus and whooping cough. If ~~any physician shall give any person~~
6 a physician provides a false certificate of immunization, ~~against~~
7 ~~diphtheria, polio, rubeola, rubella, tetanus and whooping cough, he~~
8 ~~or she shall be~~ he or she is guilty of a misdemeanor and, upon
9 conviction, shall be fined not less than \$25 nor more than \$100.

10 ~~Any~~ A parent or guardian who refuses to permit his or her
11 child to be immunized against diphtheria, polio, rubeola, rubella,
12 tetanus and whooping cough; who cannot give satisfactory proof that
13 the child or person has been immunized against diphtheria, polio,
14 rubeola, rubella, tetanus and whooping cough previously; ~~or~~ a
15 certificate from a reputable physician showing that immunization
16 for any or all is impossible or improper; or, sufficient reason why
17 any or all immunizations should not be done, ~~shall be~~ is guilty of
18 a misdemeanor and, except as herein otherwise provided, shall, upon
19 conviction, be punished by a fine of not less than \$10 nor more
20 than \$50 for each offense.

NOTE: The purpose of this bill is to require parents or guardians who object to immunizations on the basis of religious, philosophical or conscientious beliefs to sign a statement to this effect in lieu of certificates showing proof of immunizations.

Strike-throughs indicate language that would be stricken from

the present law and underscoring indicates new language that would be added.