By Senator Book

32-00080-20

A bill to be entitled

An act relating to exemptions from school-entry health
requirements; amending s. 1003.22, F.S.; deleting
exemptions from school-entry health examinations and
immunization requirements for religious reasons;
requiring the Board of Medicine and the Board of
Osteopathic Medicine to jointly create a medical
exemption review panel; requiring the medical
exemption review panel to review certain medical
exemptions filed with the Department of Health;
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (1) and (5) of section 1003.22,
Florida Statutes, are amended, and subsection (3) of that
section is republished, to read:

1003.22 School-entry health examinations; immunization
against communicable diseases; exemptions; duties of Department
of Health.—

(1) Each district school board and the governing authority
of each private school shall require that each child who is
entitled to admittance to kindergarten, or is entitled to any
other initial entrance into a public or private school in this
state, present a certification of a school-entry health
examination performed within 1 year before enrollment in school.
Each district school board, and the governing authority of each
private school, may establish a policy that permits a student up
to 30 school days to present a certification of a school-entry
health examination.
health examination. Children and youths who are experiencing
homelessness and children who are known to the department, as
defined in s. 39.0016, shall be given a temporary exemption for
30 school days. Any district school board that establishes such
a policy shall include provisions in its local school health
services plan to assist students in obtaining the health
examinations. However, a child shall be exempted from the
requirement of a health examination upon written request of the
parent of the child stating objections to the examination on
religious grounds.

(3) The Department of Health may adopt rules necessary to
administer and enforce this section. The Department of Health,
after consultation with the Department of Education, shall adopt
rules governing the immunization of children against, the
testing for, and the control of preventable communicable
diseases. The rules must include procedures for exempting a
child from immunization requirements. Immunizations shall be
required for poliomyelitis, diphtheria, rubeola, rubella,
pertussis, mumps, tetanus, and other communicable diseases as
determined by rules of the Department of Health. The manner and
frequency of administration of the immunization or testing shall
conform to recognized standards of medical practice. The
Department of Health shall supervise and secure the enforcement
of the required immunization. Immunizations required by this
section shall be available at no cost from the county health
departments.

(5) The provisions of this section do not apply if:
(a) The parent of the child objects in writing that the
administration of immunizing agents conflicts with his or her
(b) A physician licensed under the provisions of chapter 458 or chapter 459 certifies in writing, on a form approved and provided by the Department of Health, that the child should be permanently exempt from the required immunization for medical reasons stated in writing, based upon valid clinical reasoning or evidence, demonstrating the need for the permanent exemption;

(c) A physician licensed under the provisions of chapter 458, chapter 459, or chapter 460 certifies in writing, on a form approved and provided by the Department of Health, that the child has received as many immunizations as are medically indicated at the time and is in the process of completing necessary immunizations;

(d) The Department of Health determines that, according to recognized standards of medical practice, any required immunization is unnecessary or hazardous; or

e) An authorized school official issues a temporary exemption, for up to 30 school days, to permit a student who transfers into a new county to attend class until his or her records can be obtained. Children and youths who are experiencing homelessness and children who are known to the department, as defined in s. 39.0016, shall be given a temporary exemption for 30 school days. The public school health nurse or authorized private school official is responsible for followup of each such student until proper documentation or immunizations are obtained. An exemption for 30 days may be issued for a student who enters a juvenile justice program to permit the student to attend class until his or her records can be obtained or until the immunizations can be obtained. An authorized
juvenile justice official is responsible for followup of each student who enters a juvenile justice program until proper documentation or immunizations are obtained.

The Board of Medicine and the Board of Osteopathic Medicine shall jointly create a medical exemption review panel that shall review all medical exemptions filed with the Department of Health pursuant to paragraphs (a) and (b).

Section 2. This act shall take effect July 1, 2020.