

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

400D0298

SENATE BILL NO. 42

Introduced by: The Committee on Health and Human Services at the request of the Department of Health

1 FOR AN ACT ENTITLED, An Act to require varicella immunization for school entry.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 13-28-7.1 be amended to read as follows:

4 13-28-7.1. Any pupil entering school or an early childhood program in this state, shall, prior
5 to admission, be required to present to the appropriate school authorities certification from a
6 licensed physician that the child has received a test for tuberculosis and is free from a contagious
7 form of tuberculosis and the child has received or is in the process of receiving adequate
8 immunization against poliomyelitis, diphtheria, pertussis, rubeola, rubella, mumps ~~and~~, tetanus,
9 and varicella, according to recommendations provided by the Department of Health. The
10 Department of Health may modify or delete any of the required immunizations. As an alternative
11 to the requirement for a physician's certification, the pupil may present:

12 (1) Certification from a licensed physician stating the physical condition of the child
13 would be such that a test or immunization would endanger the child's life or health;

14 or

15 (2) A written statement signed by one parent or guardian that the child is an adherent to
16 a religious doctrine whose teachings are opposed to such test and immunization; or

1 (3) A written statement signed by one parent or guardian requesting that the local health
2 department give the test and immunization because the parents or guardians lack the
3 means to pay for such tests and immunization.

4 The Department of Health may adopt reasonable rules, in accordance with chapter 1-26, to
5 require compliance and documentation of adequate immunization, to define appropriate
6 certification, and to specify standard procedure.