

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 417

Introduced by Nantkes, 46

Read first time January 16, 2007

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to childhood immunizations; to amend section
2 71-1913.01, Revised Statutes Cumulative Supplement,
3 2006; to include invasive pneumococcal disease as an
4 immunization requirement as prescribed; and to repeal the
5 original section.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-1913.01, Revised Statutes
2 Cumulative Supplement, 2006, is amended to read:

3 71-1913.01 (1) Each program shall require the parent
4 or guardian of each child enrolled in such program to present
5 within thirty days after enrollment and periodically thereafter (a)
6 proof that the child is protected by age-appropriate immunization
7 against measles, mumps, rubella, poliomyelitis, diphtheria,
8 pertussis, tetanus, ~~and~~ haemophilus influenzae type B, and invasive
9 pneumococcal disease and such other diseases as the Department
10 of Health and Human Services Regulation and Licensure may from
11 time to time specify based on then current medical and scientific
12 knowledge, (b) certification by a physician, an advanced practice
13 registered nurse practicing under and in accordance with his or
14 her respective certification act, or a physician assistant that
15 immunization is not appropriate for a stated medical reason, or
16 (c) a written statement that the parent or guardian does not wish
17 to have such child so immunized and the reasons therefor. The
18 program shall exclude a child from attendance until such proof,
19 certification, or written statement is provided. At the time the
20 parent or guardian is notified that such information is required,
21 he or she shall be notified in writing of his or her right to
22 submit a certification or written statement pursuant to subdivision
23 (b) or (c) of this subsection.

24 (2) Each program shall keep the written record of
25 immunization, the certification, or the written statement of the

1 parent or guardian. Such record, certification, or statement shall
2 be kept by the program as part of the child's file, shall be
3 available onsite to the Department of Health and Human Services
4 and the Department of Health and Human Services Regulation and
5 Licensure, and shall be filed with the Department of Health and
6 Human Services for review and inspection. Each program shall report
7 to the Department of Health and Human Services by November 1
8 of each year the status of immunization for children enrolled
9 as of September 30 of that year, and children who have reached
10 kindergarten age and who are enrolled in public or private school
11 need not be included in the report.

12 Sec. 2. Original sections 44-784 and 71-527, Reissue
13 Revised Statutes of Nebraska, and sections 71-529 and 71-1913.01,
14 Revised Statutes Cumulative Supplement, 2006, are repealed.