A BILL TO BE ENTITLED
AN ACT ADDRESSING PUBLIC HEALTH POLICY FOR THE HEALTH, SAFETY, AND
WELL-BEING OF OUR CHILDREN BY REVISING IMMUNIZATION
REQUIREMENTS FOR SCHOOL ATTENDANCE TO MAKE THESE
REQUIREMENTS MORE CONSISTENT WITH THE RECOMMENDATIONS OF THE
UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS
FOR DISEASE CONTROL AND PREVENTION, ADVISORY COMMITTEE ON
IMMUNIZATION PRACTICES; TO REQUIRE ALL STUDENTS TO BE SCREENED
FOR SEVERE COMBINED IMMUNODEFICIENCY PRIOR TO IMMUNIZATION; TO
AMEND THE MEDICAL EXEMPTION FOR REQUIRED IMMUNIZATIONS; AND TO
REPEAL THE RELIGIOUS EXEMPTION FOR REQUIRED IMMUNIZATIONS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 130A-152 reads as rewritten:

"§ 130A-152. Immunization required.
(a) Every child is not the intent of the General Assembly to require any child in this State to 
be immunized, as it is the parent, guardian, or custodian of a child who makes the final 
determination as to whether or not to immunize the child. However, in order to attend school in 
this State (K-12), each student shall be immunized in accordance with this section.

(a1) In order to attend school in this State (K-12), a child present in this State shall be 
immunized against hepatitis A, hepatitis B, rotavirus, diphtheria, tetanus, whooping cough, 
poliomyelitis, red measles (rubeola) and rubella (rubeola), rubella, mumps, pneumococcal 
disease, influenza, varicella, meningitis, and any other virus, disease, or condition against 
which the United States Department of Health and Human Services, Centers for Disease 
Control and Prevention, Advisory Committee on Immunization Practices (ACIP), currently 
recommends for persons aged from birth through 18 years, except that no child shall be 
required to be immunized against human papillomavirus (HPV) or any other sexually 
transmitted disease. In addition, every child present in this State shall be immunized against 
any other disease upon a determination by the Commission that the immunization is in the 
interest of the public health. Prior to receiving any of the immunizations required by this 
section, each child shall be screened for Severe Combined Immunodeficiency to determine if 
the child qualifies for a medical exemption under G.S. 130A-156. Every parent, guardian, 
person in loco parentis and person or agency, whether governmental or private, with legal 
custody of a child shall have the responsibility to ensure that, unless qualified for a medical 
exemption under G.S. 130A-156, the child has received the required immunization at the age 
required by the Commission. The Commission based on recommendations by ACIP. If a child has 
not received the required immunizations by the specified age, it and does not qualify for a
medical exemption under G.S. 130A-156, the responsible person shall obtain the required
immunization for the child as soon as possible after the lack of the required immunization is
determined.

(b) Repealed by Session Laws 2002-179, s. 10, effective October 1, 2002.

(c) The Commission shall adopt and the Department shall enforce rules concerning the
implementation of the immunization program. The rules shall provide for all of the
following:

(1) The child's age at administration of each vaccine.

(2) The number of doses of each vaccine.

(3) Exemptions from the immunization requirements where medical practice
suggests that immunization would not be in the best health interests of a
specific category of children.

(4) The procedures and practices for administering the vaccine.

(5) Redistributio of vaccines provided to local health departments.

(c1) The Commission for Public Health shall, pursuant to G.S. 130A-152 and
G.S. 130A-433, adopt rules establishing reasonable fees for the administration of vaccines and
rules limiting the requirements that can be placed on children, their parents, guardians, or
custodians as a condition for receiving vaccines provided by the State. These rules shall
become effective January 1, 1994.

(d) Only vaccine preparations which meet the standards of the United States Food and
Drug Administration or its successor in licensing vaccines and are approved for use by the
Commission may be used.

(e) When the Commission requires an additional immunization against a disease not
listed in paragraph (a) of this section, or requires an additional dose of a vaccine based
on a new recommendation by the United States Department of Health and Human Services,
Centers for Disease Control and Prevention, Advisory Committee on Immunization Practices,
the requirement for the additional immunizations shall be effective beginning with the next
academic year. The Commission is authorized to exempt from the new requirement children
who are or who have been enrolled in school (K-12) on or before the effective date of the new
requirement if they are beyond the age at which vaccination is recommended."

SECTION 2. G.S. 130A-156 reads as rewritten:

"§ 130A-156. Medical exemption.

The Commission for Public Health shall adopt by rule medical contraindications to
immunizations required by G.S. 130A-152 that are consistent with the General
Recommendations of the Advisory Committee on Immunization Practices, Public Health
Services, United States Department of Health and Human Services. If a physician licensed to
practice medicine in this State certifies that a person has tested positive for Severe Combined
Immunodeficiency, or that a required immunization is or may be detrimental to a person's
health due to the presence of one of the contraindications adopted by the Commission, the
person is not required to receive the specified immunization as long as the contraindication
persists. The State Health Director may, upon request by a physician licensed to practice
medicine in this State, grant a medical exemption to a required immunization for a
contraindication not on the list adopted by the Commission."

SECTION 3. G.S. 130A-157 is repealed.

SECTION 4. This act becomes effective August 1, 2015, and applies beginning
with the 2015-2016 academic year.