

HOUSE BILL No. 2227

By Representatives Garcia, Hill, Ballard, Burroughs, Carlin, Colloton, Crow, Faust-Goudeau, Feuerborn, Flaharty, Flora, Goyle, Hawk, Henderson, Horst, Huntington, Kuether, Loganbill, McCray-Miller, McLachlan, Menghini, Judy Morrison, Neighbor, Owens, Palmer, Pauls, Pottorff, Rardin, Ruiz, Sawyer, Storm, Svaty, Swanson, Trimmer, Williams, Winn and K. Wolf

1-25

14 AN ACT concerning certification of receipt of certain tests or inocula-
15 tions prior to admission and attendance at school; amending K.S.A.
16 72-5209 and repealing the existing section.
17

18 *Be it enacted by the Legislature of the State of Kansas:*

19 Section 1. K.S.A. 72-5209 is hereby amended to read as follows: 72-
20 5209. (a) In each school year, every pupil enrolling or enrolled in any
21 school for the first time in this state, and each child enrolling or enrolled
22 for the first time in a preschool or day care program operated by a school,
23 and such other pupils as may be designated by the secretary, prior to
24 admission to and attendance at school, shall present to the appropriate
25 school board certification from a physician or local health department
26 that the pupil has received such tests and inoculations as are deemed
27 necessary by the secretary by such means as are approved by the secretary
28 *and, in addition, for each female student enrolling in grade six, shall pres-*
29 *ent to the appropriate school board certification from a physician or local*
30 *health department that the female student has received inoculation to fully*
31 *immunize such female against the human papilloma virus.* Pupils who
32 have not completed the required inoculations may enroll or remain en-
33 rolled while completing the required inoculations if a physician or local
34 health department certifies that the pupil has received the most recent
35 appropriate inoculations in all required series. Failure to timely complete
36 all required series shall be deemed non-compliance.

37 (b) As an alternative to the certification required under subsection
38 (a), a pupil shall present:

39 (1) An annual written statement signed by a licensed physician stating
40 the physical condition of the child to be such that the tests or inoculations
41 would seriously endanger the life or health of the child, or

42 (2) a written statement signed by one parent or guardian that the
43 child is an adherent of a religious denomination whose religious teachings

1 are opposed to such tests or inoculations. *With respect to immunization*
2 *against human papilloma virus, the written statement shall contain a*
3 *statement indicating that the parent or guardian received the information*
4 *under subsection (e) on the connection between human papilloma virus*
5 *and cervical cancer.*

6 (c) On or before May 15 of each school year, the school board of
7 every school affected by this act shall notify the parents or guardians of
8 all known pupils who are enrolled or who will be enrolling in the school
9 of the provisions this act and any policy regarding the implementation of
10 the provisions of this act adopted by the school board.

11 (d) If a pupil transfers from one school to another, the school from
12 which the pupil transfers shall forward with the pupil's transcript the
13 certification or statement showing evidence of compliance with the
14 requirements of this act to the school to which the pupil transfers.

15 (e) (1) *The secretary shall prescribe procedures by which each school*
16 *district shall provide information to parents and guardians of female stu-*
17 *dents relating to the connection between human papilloma virus and cer-*
18 *vical cancer. The procedures must ensure that the information is reason-*
19 *ably likely to come to the attention of the parents or guardians of each*
20 *female student.*

21 (2) *A school district, with the written consent of the secretary, may*
22 *provide the information required by this subsection to its students and*
23 *their parents by a method different from the method prescribed by the*
24 *secretary under subsection (a) if the agency determines that the method*
25 *would be effective in bringing the information to the attention of the*
26 *parents and guardians of each female student.*

27 (f) (1) *The secretary shall collect and disseminate information to par-*
28 *ents, conservators and guardians of female children relating to the con-*
29 *nection between human papilloma virus and cervical cancer. The secre-*
30 *tary shall prescribe the form and content of the information.*

31 (2) *The information on the connection between human papilloma vi-*
32 *rus and cervical cancer must cover:*

33 (A) *The risk factors for developing cervical cancer, the symptoms of*
34 *the disease, how it may be diagnosed and its possible consequences if*
35 *untreated;*

36 (B) *the connection between human papilloma virus and cervical can-*
37 *cer, how human papilloma virus is transmitted, how transmission may be*
38 *prevented and the relative risk of contracting human papilloma virus for*
39 *primary and secondary school students;*

40 (C) *the availability and effectiveness of vaccination against human*
41 *papilloma virus and a brief description of the possible side effects of vac-*
42 *cination; and*

43 (D) *sources of additional information regarding the disease, including*

1 *any appropriate office of a school district and the appropriate office of*
2 *the department of health and environment.*
3 *(3) The department shall increase coordination among public and pri-*
4 *vate local, regional and statewide entities that have an interest in provid-*
5 *ing information on the human papilloma virus vaccine.*
6 Sec. 2. K.S.A. 72-5209 is hereby repealed.
7 Sec. 3. This act shall take effect and be in force from and after its
8 publication in the statute book.