

## **IC 20-34-4**

### **Chapter 4. Immunizations**

#### **IC 20-34-4-1**

##### **Keeping immunization records; student transfer**

Sec. 1. (a) Each school shall keep an immunization record of the school's students according to procedures prescribed by the state department of health.

(b) Whenever a student transfers to another school, the school from which the student is transferring may furnish, not later than twenty (20) days after the transfer, a copy of the student's immunization record to the school to which the student is transferring.

(c) Whenever a student enrolls in a state educational institution, the school from which the student graduated may furnish a copy of the student's immunization record to the state educational institution. If the student is enrolled in a state educational institution while still attending a secondary level school, the secondary level school that the student is attending may furnish a copy of the student's immunization record to the state educational institution.

*As added by P.L.1-2005, SEC.18. Amended by P.L.2-2007, SEC.231; P.L.208-2015, SEC.11.*

#### **IC 20-34-4-2**

##### **Required immunizations; immunization calendar; rules**

Sec. 2. (a) Every child residing in Indiana who is enrolled in an accredited elementary school or high school shall be immunized as determined by the state department of health against:

- (1) diphtheria;
- (2) pertussis (whooping cough);
- (3) tetanus;
- (4) measles;
- (5) rubella;
- (6) poliomyelitis;
- (7) mumps;
- (8) varicella;
- (9) hepatitis A;
- (10) hepatitis B; and
- (11) meningitis.

(b) The state department of health may expand or otherwise modify the list of communicable diseases that require documentation of immunity as medical information becomes available that would warrant the expansion or modification in the interest of public health.

(c) Before November 30 of each year, the state department of health shall publish a two (2) year calendar of immunization requirements and recommendations. The calendar must include:

- (1) the immunization requirements for the following school year; and

(2) recommendations for immunization requirements for the year subsequent to the following school year.

(d) The publishing time frame for the calendar described in subsection (c) does not apply in the event of an emergency as determined by the state health commissioner.

(e) The state department of health shall adopt rules under IC 4-22-2 specifying the:

- (1) required immunizations;
- (2) child's age for administering each vaccine;
- (3) adequately immunizing doses; and
- (4) method of documentation of proof of immunity.

*As added by P.L.1-2005, SEC.18. Amended by P.L.161-2009, SEC.5; P.L.208-2015, SEC.12.*

### **IC 20-34-4-3**

#### **Notification; provision of information to parents**

Sec. 3. (a) Each school shall notify each parent of a student who enrolls in the school of the requirement that the student must be immunized and that the immunization is required for the student's continued enrollment, attendance, or residence at the school unless:

- (1) the parent or student provides the appropriate documentation of immunity; or
- (2) IC 20-34-3-2 or IC 20-34-3-3 applies.

(b) A school that enrolls grade 6 students shall provide each parent of a student who is entering grade 6 with information prescribed by the state department of health under subsection (c) concerning the link between cancer and the human papillomavirus (HPV) infection and that an immunization against the human papillomavirus (HPV) infection is available.

(c) The state department of health shall provide a school described in subsection (b) with the information concerning cancer and the human papillomavirus (HPV) infection required in subsection (b). The information must include the following:

- (1) The latest scientific information on the immunization against the human papillomavirus (HPV) infection and the immunization's effectiveness against causes of cancer.
- (2) That a pap smear is still critical for the detection of precancerous changes in the cervix to allow for treatment before cervical cancer develops.
- (3) Information concerning the means in which the human papillomavirus (HPV) infection is contracted.
- (4) A statement that any questions or concerns concerning immunizing the child against human papillomavirus (HPV) could be answered by contacting a health care provider.

(d) The state department of health shall provide the department of education with material concerning immunizations and immunization preventable diseases for distribution to parents and guardians. The department of education shall provide these materials to schools to

be provided to students' parents and guardians. These materials may be distributed by a school by posting the required information on the school's Internet web site.

*As added by P.L.1-2005, SEC.18. Amended by P.L.80-2007, SEC.1; P.L.208-2015, SEC.13.*

#### **IC 20-34-4-4**

##### **Presenting student for immunization; entering information into immunization data registry**

Sec. 4. (a) The parent of any student who has not received the immunizations required under this chapter shall present the student to a health care provider authorized to administer the immunizations.

(b) The health care provider who administers the required immunizations to a student or the health care provider's designee shall enter the immunization information into the state immunization data registry in accordance with IC 16-38-5.

*As added by P.L.1-2005, SEC.18. Amended by P.L.208-2015, SEC.14.*

#### **IC 20-34-4-5**

##### **Statement of immunization history; waiver; rules**

Sec. 5. (a) Each school shall require the parent of a student who has enrolled in the school to furnish, not later than the first day of school attendance, proof of the student's immunization status, either as a written document from the health care provider who administered the immunization or documentation provided from the state immunization data registry.

(b) The statement must show, except for a student to whom IC 20-34-3-2 or IC 20-34-3-3 applies, that the student has been immunized as required under section 2 of this chapter. The statement must include the student's date of birth and the date of each immunization.

(c) A student may not be permitted to attend school beyond the first day of school without furnishing the documentation described in subsections (a) and (b) unless:

- (1) the school gives the parent of the student a waiver; or
- (2) the local health department or a health care provider determines that the student's immunization schedule has been delayed due to extreme circumstances and that the required immunizations will not be completed before the first day of school.

The waiver referred to in subdivision (1) may not be granted for a period that exceeds twenty (20) school days. If subdivision (2) applies, the parent of the student shall furnish the written statement and a schedule, approved by a health care provider who is authorized to administer the immunizations or the local health department, for the completion of the remainder of the immunizations.

(d) The state department of health may commence an action

against a school under IC 4-21.5-3-6 or IC 4-21.5-4 for the issuance of an order of compliance for failure to enforce this section.

(e) Neither a religious objection under IC 20-34-3-2 nor an exception for the student's health under IC 20-34-3-3 relieves a parent from the reporting requirements under this section.

(f) The state department of health shall adopt rules under IC 4-22-2 to implement this section.

*As added by P.L.1-2005, SEC.18. Amended by P.L.208-2015, SEC.15.*

#### **IC 20-34-4-5.5**

##### **Repealed**

*(As added by P.L.80-2007, SEC.2. Repealed by P.L.208-2015, SEC.16.)*

#### **IC 20-34-4-6**

##### **Collection of immunization data; onsite review or examination**

Sec. 6. (a) The state department of health shall collect immunization data on school age children using the state immunization data registry. Each school corporation shall ensure that all applicable immunization information is complete in the state immunization data registry not later than the first Friday in February each year. The state department of health shall use the data to create aggregate reports.

(b) The state department of health and the local health department shall, for good cause shown that there exists a substantial threat to the health and safety of a student or the school community, be able to validate immunization reports by onsite reviews or examinations of nonidentifying immunization record data. This section does not independently authorize the state department of health, a local department of health, or an agent of the state department of health or local department of health to have access to identifying medical or academic record data of individual students attending nonaccredited nonpublic schools.

(c) The state department of health has exclusive power to adopt rules for the administration of this section.

*As added by P.L.1-2005, SEC.18. Amended by P.L.231-2005, SEC.45; P.L.80-2007, SEC.3; P.L.208-2015, SEC.17.*

#### **IC 20-34-4-7**

##### **Repealed**

*(As added by P.L.1-2005, SEC.18. Repealed by P.L.1-2009, SEC.174.)*