

**PROPOSED REGULATION OF THE  
STATE BOARD OF HEALTH**

**LCB File No. R079-06**

April 14, 2006

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 441A.120.

A REGULATION relating to immunizations; revising provisions relating to the proof of immunity to certain communicable diseases by persons attending a university in the State of Nevada; and providing other matters properly relating thereto.

**Section 1.** NAC 441A.755 is hereby amended to read as follows:

441A.755 1. ~~[Unless]~~ *Except as otherwise provided in subsection 9 or unless* excused because of religious belief or medical condition, a person shall not attend ~~[the University of Nevada, Reno, or the University of Nevada, Las Vegas,]~~ *a university* until he submits to the ~~[University]~~ *university* proof of immunity to tetanus, diphtheria, measles, mumps, rubella ~~[,]~~ and any other disease specified by the State Board of Health. The division shall establish the immunization schedule required for admission of the student.

2. A student may enroll in the ~~[University of Nevada, Reno, or the University of Nevada, Las Vegas,]~~ *university* conditionally if the student, or, if the student is a minor, the parent or legal guardian of the student, submits a record of immunization stating that the student is in the process of obtaining the required immunizations, and that record shows that the student has made satisfactory progress toward obtaining those immunizations.

3. The ~~{University of Nevada, Reno, and the University of Nevada, Las Vegas,}~~ *university* shall retain the proof of immunity on a computerized record or on a form provided by the Division.

4. The ~~{University of Nevada, Reno, and the University of Nevada, Las Vegas,}~~ *university* shall not refuse to enroll a student because he has not been immunized if the student, or, if the student is a minor, the parent or legal guardian of the student, has submitted to the ~~{University}~~ *university* a written statement indicating that his religious belief prohibits immunizations. The ~~{University}~~ *university* shall keep the statement on file.

5. If the medical condition of a student does not permit him to be immunized to the extent required, the student or, if the student is a minor, the parent or legal guardian of the student ~~{}~~ must submit to the ~~{University of Nevada, Reno, or the University of Nevada, Las Vegas,}~~ *university* a statement of that fact written by a licensed physician. The ~~{University}~~ *university* shall keep the statement on file.

6. If additional requirements of immunity are imposed by law after a student has been enrolled in the ~~{University of Nevada, Reno, or the University of Nevada, Las Vegas,}~~ *university*, the student or, if the student is a minor, the parent or legal guardian of the student ~~{}~~ shall submit an additional proof of immunity to the ~~{University}~~ *university* stating that the student has met the new requirements of immunity.

7. If the health authority determines that, at the ~~{University of Nevada, Reno, or the University of Nevada, Las Vegas,}~~ *university*, there is a case having a communicable disease against which immunity is required for admission to the ~~{University of Nevada, Reno, or the University of Nevada, Las Vegas,}~~ *university*, and a student who has not submitted proof of

immunity to that disease is attending that ~~[University, the President of the University]~~ *university, the president of the university* shall require that:

(a) The student be immunized; or

(b) The student be excluded from the ~~[University]~~ *university* until allowed to return by the health authority.

8. A student shall not attend a ~~[University]~~ *university* from which he is excluded until allowed to return by the health authority. The parent or legal guardian of a student, if the student is a minor, shall not allow the student to attend a ~~[University]~~ *university* from which he is excluded until allowed to return by the health authority.

*9. Any student who is enrolled in a program of distance education and who does not attend a class on campus is exempt from the requirements of this section.*

*10. As used in this section:*

(a) *“On-campus housing” means a dormitory or other student residence that is owned, operated by or located on the campus of a university.*

(b) *“Postsecondary educational institution” has the meaning ascribed to it in NRS 394.099.*

(c) *“University” means any university within the Nevada System of Higher Education or any private postsecondary educational institution that provides on-campus housing.*