

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

**LCB FILE NO. R069-211**

**The following document is the initial draft regulation proposed  
by the agency submitted on 11/01/2021**

PROPOSED NEW REGULATIONS

*Italics, blue:* New proposed language

~~[Red]:~~ Removed language

AUTHORITY: NRS 441A.120; NRS 233B.0613

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

***NAC 441A.755 University, Community college, and State college students: Proof of immunity to certain communicable diseases required; exceptions; exclusions.*** ~~[from university.]~~ (NRS 441A.120)

1. Except as otherwise provided in subsection ~~[10]~~ **13** or unless excused because of religious belief or medical condition, a person shall not attend a university until he submits to the 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 ***and what constitutes proof of immunity.***

***2. Except as otherwise provided in subsection 13 or unless excused because of religious belief or medical condition, a person shall not attend a community college or state college in this State after July 1, 2024, until they submit to the institution 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 and what constitutes proof of immunity.***

***3. Except as otherwise provided in subsection 13 or unless excused because of religious belief or medical condition, a person shall not attend an institution in this State until they submit to the institution proof of immunity to Coronavirus Disease 2019 (COVID-19). The Division shall establish the immunization schedule required for admission of the student and what constitutes proof of immunity.***

~~[2.]~~**4.** Except as otherwise provided in subsection ~~[10]~~ **13** or unless excused because of religious belief or medical condition, a person who:

(a) Is less than 23 years of age; and

(b) Is enrolled as a freshman;

↳ shall not attend a university until ~~[he or she]~~ **they** submit~~[s]~~ to the university proof of immunity to Neisseria meningitidis. The Division shall establish the immunization schedule required for admission of the student ***and what constitutes proof of immunity.***

***5. Except as otherwise provided in subsection 13 or unless excused because of religious belief or medical condition, a person who:***

***(a) Is less than 23 years of age; and***

***(b) Is enrolled as a freshman or equivalent standing;***

↳ ***shall not attend a community college or state college after July 1, 2024, until they submit to the institution proof of immunity to Neisseria meningitidis. The Division shall establish the immunization schedule required for admission of the student and what constitutes proof of immunity.***

~~[3.]~~**6.** A student may enroll in the ~~[university]~~ **institution** 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.

~~[4.]~~**7.** The ~~[university]~~ **institution** shall retain the proof of immunity on a computerized record or on a form provided by the Division.

~~{5.}~~**8.** The ~~[university]~~ *institution* shall not refuse to enroll a student because ~~[he has]~~ *they have* 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]~~ *institution* a written statement indicating ~~[that his]~~ *their* religious belief prohibits immunizations. The ~~[university]~~ *institution* shall keep the statement on file.

~~{6.}~~**9.** If the medical condition of a student does not permit ~~[him]~~ *them* 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]~~ *institution* a statement of that fact written by a licensed physician. The ~~[university]~~ *institution* shall keep the statement on file.

~~{7.}~~**10.** If additional requirements of immunity are imposed by law after a student has been enrolled in the ~~[university]~~ *institution*, 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]~~ *institution* stating that the student has met the new requirements of immunity.

~~{8.}~~**11.** If the health authority determines that, at the ~~[university]~~ *institution*, there is a case having a communicable disease against which immunity is required for admission to the ~~[university]~~ *institution*, and a student who has not submitted proof of immunity to that disease is attending that ~~[university]~~ *institution*, the president of the *institution* ~~[university]~~ shall require that:

- (a) The student be immunized; or
- (b) The student be excluded from the *institution* ~~[university]~~ until allowed to return by the health authority.

~~{9.}~~**12.** A student shall not attend an *institution* ~~[university]~~ from which ~~[he is]~~ *they have been* 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 an *institution* ~~[university]~~ from which ~~[he is]~~ *they have been* excluded until allowed to return by the health authority.

~~{10.}~~**13.** Any student who is enrolled in a program of distance education and who does not attend a class *or participate in any clubs, sports, or extracurricular activities* on campus is exempt from the requirements of this section.

~~{11.}~~**14.** As used in this section:

- (a) "Postsecondary educational institution" has the meaning ascribed to it in NRS 394.099.
- (b) "University" means any university within the Nevada System of Higher Education or any private postsecondary educational institution.
- (c) "*Community college*" means all of the community colleges within the Nevada System of Higher Education.
- (d) "*State college*" means all of the state colleges within the Nevada System of Higher Education.
- (e) "*Institution*" means any university, community college, state college, or postsecondary educational institution as defined above.