
ASSEMBLY BILL NO. 200—ASSEMBLYWOMAN WOODBURY

PREFILED FEBRUARY 13, 2017

JOINT SPONSOR: SENATOR HARDY

Referred to Committee on Health and Human Services

SUMMARY—Requires notice of exemptions from certain immunization requirements to be provided to parents or guardians of children under certain circumstances. (BDR 38-726)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§§ 3, 5)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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

AN ACT relating to children; requiring an accommodation facility or child care facility to notify the parent or guardian of a child of whether another child admitted to the facility is exempt from immunization requirements under certain circumstances; requiring a public or private school to notify the parent or guardian of a pupil of whether another pupil enrolled in the school is exempt from immunization requirements under certain circumstances; requiring an accommodation facility, child care facility, public school or private school to notify a parent or guardian of the ability to request such notice; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law prohibits a child from being enrolled in a public or private school,
2 or a child from being admitted to an accommodation facility or child care facility,
3 without first certifying that the child has been immunized for certain diseases.
4 (NRS 392.435, 394.192, 432A.230, 432A.235) Existing law also exempts a child
5 from such immunization requirements if: (1) the religious belief of a child’s parents
6 or guardian prohibits immunization of the child; or (2) the medical condition of the



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7 child will not permit the child to be immunized. (NRS 392.437, 392.439, 394.193,
8 394.194, 432A.240, 432A.250) **Section 1** of this bill requires an accommodation
9 facility or child care facility in this State to: (1) notify each parent or guardian of a
10 child at the time the child is initially admitted to the facility, that the parent or
11 guardian may request notice of whether any child currently admitted to the facility
12 is exempt from immunization requirements based on a religious belief or medical
13 condition; and (2) upon request from the parent or guardian of a child admitted to
14 such a facility, notify the parent or guardian if another child admitted to the facility
15 has filed an immunization exemption with the facility. **Sections 3 and 4** of this bill
16 impose these same notification requirements on public and private schools.
17 **Sections 1, 3 and 4** further provide that any notice of an immunization exemption
18 provided to a parent or guardian must not include the name of the child who is
19 exempt from the immunization requirement. **Section 5** of this bill requires that, on
20 or before October 1, 2017, each public school, private school, accommodation
21 facility or child care facility in this State provide notice to a parent or guardian of
22 each pupil or child enrolled in or admitted to the school or facility that the parent or
23 guardian may, in accordance with this bill, request notice of whether another child
24 or pupil in the school or facility is exempt from immunization requirements based
25 on a religious belief or medical condition.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 432A of NRS is hereby amended by
2 adding thereto a new section to read as follows:

3 *1. At the time a child is initially admitted to an*
4 *accommodation facility or child care facility in this State, the*
5 *facility shall notify a parent or guardian of the child that the*
6 *parent or guardian may request notice of whether any child*
7 *currently admitted to the facility is exempt from immunization*
8 *pursuant to NRS 432A.240 or 432A.250.*

9 *2. Upon the request of a parent or guardian of a child*
10 *admitted to an accommodation facility or child care facility, the*
11 *facility shall notify the parent or guardian of whether any child*
12 *currently admitted to the facility is exempt from immunization*
13 *pursuant to NRS 432A.240 or 432A.250. A notice provided*
14 *pursuant to this subsection must not disclose the name of a child*
15 *who is exempt from immunization.*

16 **Sec. 2.** NRS 391.292 is hereby amended to read as follows:

17 391.292 A school nurse shall, for each school at which he or
18 she is responsible for providing nursing services:

19 1. Ensure that each pupil enrolled in the school has been
20 immunized in accordance with, is exempt from or has otherwise
21 complied with, the requirements set forth in NRS 392.435 to
22 392.446, inclusive **H**, and *section 3 of this act.*

23 2. Assess and evaluate the general health and physical
24 development of the pupils enrolled in the school to identify those



1 pupils who have physical or mental conditions that impede their
2 ability to learn.

3 3. Report the results of an evaluation conducted pursuant to
4 subsection 2 to:

5 (a) A parent or guardian of the pupil;

6 (b) Each administrator and teacher directly involved with the
7 education of the pupil; and

8 (c) Other professional personnel within the school district who
9 need the information to assist the pupil with the pupil's health or
10 education.

11 4. Design and carry out a plan of nursing care for a pupil with
12 special needs which incorporates any plan specified by the pupil's
13 physician or provider of health care, as defined in NRS 629.031, and
14 which is approved by the pupil's parent or guardian. The nursing
15 services provided pursuant to a plan of nursing care must be
16 performed in compliance with chapter 632 of NRS.

17 5. When appropriate, refer a pupil and the pupil's parent or
18 guardian to other sources in the community to obtain services
19 necessary for the health of the pupil.

20 6. Interpret medical and nursing information that relates to a
21 pupil's individual educational plan or individualized
22 accommodation plan and make recommendations to:

23 (a) Professional personnel directly involved with that pupil; and

24 (b) The parents or guardian of that pupil.

25 **Sec. 3.** Chapter 392 of NRS is hereby amended by adding
26 thereto a new section to read as follows:

27 ***1. At the time a pupil is initially enrolled in a public school in***
28 ***this State, the public school shall notify a parent or guardian of***
29 ***the pupil that the parent or guardian may request notice of***
30 ***whether any pupil currently enrolled in the school is exempt from***
31 ***immunization pursuant to NRS 392.437 or 392.439.***

32 ***2. Upon the request of a parent or guardian of any pupil***
33 ***enrolled in a public school, the school shall notify the parent or***
34 ***guardian of whether any pupil currently enrolled in the school is***
35 ***exempt from immunization pursuant to NRS 392.437 or 392.439.***
36 ***A notice provided pursuant to this subsection must not disclose the***
37 ***name of a pupil who is exempt from immunization.***

38 **Sec. 4.** Chapter 394 of NRS is hereby amended by adding
39 thereto a new section to read as follows:

40 ***1. At the time a pupil is initially enrolled in a private school***
41 ***in this State, the private school shall notify a parent or guardian of***
42 ***the pupil that the parent or guardian may request notice of***
43 ***whether any pupil currently enrolled in the school is exempt from***
44 ***immunization pursuant to NRS 394.193 or 394.194.***



1 **2. Upon the request of a parent or guardian of a pupil**
2 **enrolled in a private school, the school shall notify the parent or**
3 **guardian of whether any pupil currently enrolled in the school is**
4 **exempt from immunization pursuant to NRS 394.193 or 394.194.**
5 **A notice provided pursuant to this subsection must not disclose the**
6 **name of a pupil who is exempt from immunization.**

7 **Sec. 5.** 1. On or before October 1, 2017, each public school,
8 private school, accommodation facility and child care facility in this
9 State shall notify a parent or guardian of each pupil or child
10 currently enrolled in or admitted to the public school, private school,
11 accommodation facility or child care facility that the parent or
12 guardian may, on or after October 1, 2017, request notice of whether
13 any child or pupil currently enrolled in or admitted to the public
14 school, private school, accommodation facility or child care facility
15 is exempt from immunization pursuant to NRS 392.437, 392.439,
16 394.193, 394.194, 432A.240 or 432A.250, as applicable.

17 2. As used in this section:

18 (a) "Accommodation facility" has the meaning ascribed to it in
19 NRS 432A.0205.

20 (b) "Child care facility" has the meaning ascribed to it in
21 NRS 432A.024.

22 (c) "Private school" has the meaning ascribed to it in
23 NRS 394.103.

24 (d) "Public school" has the meaning ascribed to it in
25 NRS 385.007.

26 **Sec. 6.** The provisions of NRS 354.599 do not apply to any
27 additional expenses of a local government that are related to the
28 provisions of this act.

29 **Sec. 7.** This act becomes effective:

30 1. Upon passage and approval for the purpose of adopting any
31 regulations and performing any other preparatory administrative
32 tasks that are necessary to carry out the provisions of this act; and

33 2. On October 1, 2017, for all other purposes.

