

LCB File No. R079-06

PROPOSED REGULATION OF THE HEALTH DIVISION OF THE
DEPARTMENT OF HEALTH AND HUMAN SERVICES

Hearing scheduled June 16, 2006

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

PROPOSED AMENDMENT CHANGES TO IMMUNIZATION REGULATIONS

Section 1. NAC 441A.755

1. *Except for as provided in subsection 10 or u*~~U~~ unless excused because of religious belief or medical condition, a person shall not attend *a university as defined in subsection 9*, ~~the University of Nevada, Reno, or the University of Nevada, Las Vegas,~~ 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.

2. A student may enroll in *the university* ~~the University of Nevada, Reno, or the University of Nevada, Las Vegas,~~ 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* ~~University of Nevada, Reno, and the University of Nevada, Las Vegas,~~ shall retain the proof of immunity on a computerized record or on a form provided by the division.

4. The *university* ~~University of Nevada, Reno, and the University of Nevada, Las Vegas,~~ 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 a written statement indicating that his religious belief prohibits immunizations. The 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* ~~University of Nevada, Reno, or the University of Nevada, Las Vegas,~~ a statement of that fact written by a licensed physician. The 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* ~~University of Nevada, Reno, or the University of Nevada, Las Vegas,~~ 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 stating that the student has met the new requirements of immunity.

7. If the health authority determines that, at the *university* ~~University of Nevada, Reno, or the University of Nevada, Las Vegas,~~ there is a case having a communicable disease against which immunity is required for admission to the *university* ~~University of Nevada, Reno, or the~~

~~University of Nevada, Las Vegas,]~~ and a student who has not submitted proof of immunity to that disease is attending that university, the president of the university shall require that:

(a) The student be immunized; or

(b) The student be excluded from the university until allowed to return by the health authority.

8. A student shall not attend a 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 from which he is excluded until allowed to return by the health authority.

9. For the purpose of this regulation, university means any university within the University and Community College System of Nevada or any private postsecondary educational institution as defined in NRS 394.099 that provides on campus housing. For the purpose of this regulation, on-campus housing is defined as a dormitory or other student residence that is owned or operated by or located on the campus of the university or postsecondary educational institution.

10. Any student who is enrolled in a program of distance education and who does not attend classes on campus is exempt from the requirements of this regulation.