

SB 5841 - S AMD 358

By Senator Cleveland

NOT CONSIDERED 12/23/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 28A.210.090 and 2011 c 299 s 1 are each amended to
4 read as follows:

5 (1) Any child shall be exempt in whole or in part from the
6 immunization measures required by RCW 28A.210.060 through 28A.210.170
7 upon the presentation of any one or more of the certifications
8 required by this section, on a form prescribed by the department of
9 health:

10 (a) A written certification signed by a health care practitioner
11 that a particular vaccine required by rule of the state board of
12 health is, in his or her judgment, not advisable for the child:
13 PROVIDED, That when it is determined that this particular vaccine is
14 no longer contraindicated, the child will be required to have the
15 vaccine;

16 (b) A written certification signed by any parent or legal
17 guardian of the child or any adult in loco parentis to the child that
18 the religious beliefs of the signator are contrary to the required
19 immunization measures; or

20 (c) (i) Except as provided in (c)(ii) of this subsection, a
21 written certification signed by any parent or legal guardian of the
22 child or any adult in loco parentis to the child that the signator
23 has either a philosophical or personal objection to the immunization
24 of the child.

25 (ii) For enrollment into grades kindergarten through twelve, a
26 parent or legal guardian of a child or any adult in loco parentis may
27 not use a philosophical or personal objection to exempt the child
28 from receiving vaccines for measles, mumps, rubella, diphtheria,
29 tetanus, pertussis, pneumococcal disease, and poliomyelitis.

30 (2) (a) The form presented on or after July 22, 2011, must include
31 a statement to be signed by a health care practitioner stating that
32 he or she provided the signator with information about the benefits

1 and risks of immunization to the child. The form may be signed by a
2 health care practitioner at any time prior to the enrollment of the
3 child in a school or licensed day care. Photocopies of the signed
4 form or a letter from the health care practitioner referencing the
5 child's name shall be accepted in lieu of the original form.

6 (b) A health care practitioner who, in good faith, signs the
7 statement provided for in (a) of this subsection is immune from civil
8 liability for providing the signature.

9 (c) Any parent or legal guardian of the child or any adult in
10 loco parentis to the child who exempts the child due to religious
11 beliefs pursuant to subsection (1)(b) of this section is not required
12 to have the form provided for in (a) of this subsection signed by a
13 health care practitioner if the parent or legal guardian demonstrates
14 membership in a religious body or a church in which the religious
15 beliefs or teachings of the church preclude a health care
16 practitioner from providing medical treatment to the child.

17 (3) For purposes of this section, "health care practitioner"
18 means a physician licensed under chapter 18.71 or 18.57 RCW, a
19 naturopath licensed under chapter 18.36A RCW, a physician assistant
20 licensed under chapter 18.71A or 18.57A RCW, or an advanced
21 registered nurse practitioner licensed under chapter 18.79 RCW."

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22 On page 1, line 1 of the title, after "Relating to" strike the
23 remainder of the title and insert "specifying the list of
24 immunizations for which a personal or philosophical exemption is not
25 available for students enrolling in grades kindergarten through
26 twelve; and amending RCW 28A.210.090."

EFFECT: Removes the personal objection exemption for measles,
mumps, rubella, diphtheria, tetanus, pertussis, pneumococcal disease,
and poliomyelitis vaccines for children beginning in kindergarten.
Amends the title to read: An Act relating to specifying the list of
immunizations for which a personal or philosophical exemption is not

available for students enrolling in grades kindergarten through twelve.

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