

Title 70 Oklahoma School Immunization Law

1210.191. Required immunizations--Enforcement--Alteration of list of required immunizations

Oklahoma Statutes Annotated Title 70. Schools Effective: July 1, 2021

A. No minor child shall be admitted to any public, private or parochial school operating in this state unless and until certification is presented to the appropriate school authorities from a licensed physician, or authorized representative of the State Department of Health, that such child has received or is in the process of receiving, immunizations against diphtheria, pertussis, tetanus, haemophilus influenzae type B (HIB), measles (rubeola), rubella, poliomyelitis, varicella and hepatitis A or is likely to be immune as a result of the disease.

B. Immunizations required, and the manner and frequency of their administration, as prescribed by the State Commissioner of Health, shall conform to recognized standard medical practices in the state. The State Department of Health shall supervise and secure the enforcement of the required immunization program. The State Department of Education and the governing boards of the school districts of this state shall render reasonable assistance to the State Department of Health in the enforcement of the provisions hereof.

C. The Commissioner, by rule, may alter the list of immunizations required after notice and hearing. Any change in the list of immunizations required shall be submitted to the next regular session of the Legislature and such change shall remain in force and effect unless and until a concurrent resolution of disapproval is passed. Hearings shall be conducted by the Commissioner, or such officer, agents or employees as the Commissioner may designate for that purpose. The Commissioner shall give appropriate notice of the proposed change in the list of immunizations required and of the time and place for hearing. The change shall become effective on a date fixed by the Commissioner. Any change in the list of immunizations required may be amended or repealed in the same manner as provided for its adoption. Proceedings pursuant to this subsection shall be governed by the Administrative Procedures Act.¹

D. The State Department of Education and the governing boards of the school districts of this state shall provide for release to the Oklahoma Health Care Authority of the immunization records of school children covered under Title XIX or Title XXI of the federal Social Security Act² who have not received the required immunizations at the appropriate time. The information received pursuant to such release shall be transmitted by the Oklahoma Health Care Authority to medical providers who provide services to such children pursuant to Title XIX or Title XXI to assist in their efforts to increase the rate of childhood immunizations pursuant to the requirements of the Early and Periodic Screening, Diagnosis and Treatment (EPSDT) services provisions. The provisions of this subsection shall not be construed to prohibit or affect the eligibility of any child to receive benefits pursuant to Title XIX or Title XXI of the Social Security Act or to require the immunization of any child if such child is exempt from the immunization requirements pursuant to law. The name of any child exempt from immunization pursuant to Section 1210.192 of this title shall not be included in the information transmitted pursuant to this subsection.

E. The State Department of Education shall provide and ensure that each school district in this state provides, on the school district website and in any notice or publication provided to parents regarding immunization requests, the following information regarding immunization requirements for school attendance: “For school enrollment, a parent or guardian shall provide one of the following:

1. Current, up-to-date immunization records; or
2. A completed and signed exemption form.”

Credits

Laws 1970, c. 225, § 1, emerg. eff. April 15, 1970; Laws 1976, c. 262, § 1, emerg. eff. June 17, 1976; Laws 1998, c. 175, § 1, eff. Nov. 1, 1998; Laws 1998, c. 412, § 3, eff. Nov. 1, 1998; Laws 2021, c. 575, § 1, eff. July 1, 2021.

Footnotes

1 Title 75, § 250 et seq.

2 42 U.S.C.A. § 1396 et seq. or 1397aa et seq.

70 Okl. St. Ann. § 1210.191, OK ST T. 70 § 1210.191

Current with emergency effective legislation through Chapter 41 of the First Regular Session of the 59th Legislature (2023). Some sections may be more current, see credits for details.

§ 1210.192. Exemptions

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Any minor child, through the parent, guardian, or legal custodian of the child, may submit to the health authority charged with the enforcement of the immunization laws of this state:

1. A certificate of a licensed physician as defined in Section 725.2 of Title 59 of the Oklahoma Statutes, stating that the physical condition of the child is such that immunization would endanger the life or health of the child; or

2. A written statement by the parent, guardian or legal custodian of the child objecting to immunization of the child;
whereupon the child shall be exempt from the immunization laws of this state.

Credits

Laws 1970, c. 225, § 2, emerg. eff. April 15, 1970; Laws 1998, c. 181, § 4, eff. Nov. 1, 1998.

70 Okl. St. Ann. § 1210.192, OK ST T. 70 § 1210.192

Current with emergency effective legislation through Chapter 41 of the First Regular Session of the 59th Legislature (2023). Some sections may be more current, see credits for details.

1210.193. Administration--Parents unable to pay

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The immunizations will be administered by a licensed physician, someone under his direction, or public health department. If the parents or guardians are unable to pay, the State Department of Public Health shall provide, without charge, the immunization materials required by this act to such pupils. The parents, guardian or person having legal custody of any child may claim an exemption from the immunizations on medical, religious or personal grounds.

Credits

Laws 1970, c. 225, § 3, emerg. eff. April 15, 1970; Laws 1976, c. 262, § 2, emerg. eff. June 17, 1976.

70 Okl. St. Ann. § 1210.193, OK ST T. 70 § 1210.193

Current with emergency effective legislation through Chapter 41 of the First Regular Session of the 59th Legislature (2023). Some sections may be more current, see credits for details.