

23100132D

HOUSE BILL NO. 1889

Offered January 11, 2023

Prefiled January 10, 2023

A BILL to amend and reenact § 23.1-800 of the Code of Virginia and to amend the Code of Virginia by adding in Article 2 of Chapter 1 of Title 23.1 a section numbered 23.1-111, relating to public institutions of higher education and certain other public educational institutions; certain immunization requirements prohibited.

Patrons—McGuire and Williams

Referred to Committee on Education

Be it enacted by the General Assembly of Virginia:

1. That § 23.1-800 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 2 of Chapter 1 of Title 23.1 a section numbered 23.1-111 as follows:

§ 23.1-111. Employees of public institutions of higher education and certain other public educational institutions; certain immunization requirements prohibited.

No prospective or current full-time or part-time employee of a public institution of higher education or any of its centers or other subdivisions; the Virginia Commonwealth University Health System Authority; Eastern Virginia Medical School; or any authority, center, or institute set forth in Chapter 31 (§ 23.1-3100 et seq.) that enrolls or otherwise provides instruction to students shall be required, as a condition of initial or continued employment, to be immunized against COVID-19.

§ 23.1-800. Health histories and immunizations requirements; exemptions; prohibitions.

A. No full-time student who enrolls for the first time in any baccalaureate public institution of higher education is eligible to register for his second semester or quarter unless he (i) has furnished, before the beginning of the second semester or quarter of enrollment, a health history consistent with guidelines adopted by each institution's board of visitors that includes documented evidence, provided by a licensed health professional or health facility, of the diseases for which the student has been immunized, the numbers of doses given, the date on which the immunization was administered, and any further immunizations indicated or (ii) objects to such health history requirement on religious grounds, in which case he is exempt from such requirement.

B. Prior to enrollment for the first time in any baccalaureate public institution of higher education, each student shall be immunized by vaccine against diphtheria, tetanus, poliomyelitis, measles (rubeola), German measles (rubella), and mumps according to the guidelines of the American College Health Association.

C. Prior to enrollment for the first time in any baccalaureate public institution of higher education, each full-time student shall be vaccinated against meningococcal disease and hepatitis B unless the student or, if the student is a minor, the student's parent or legal guardian signs a written waiver stating that he has received and reviewed detailed information on the risks associated with meningococcal disease and hepatitis B and the availability and effectiveness of any vaccine and has chosen not to be or not to have the student vaccinated.

D. Any student is exempt from the immunization requirements set forth in subsections B and C who (i) objects on the grounds that administration of immunizing agents conflicts with his religious tenets or practices, unless the Board of Health has declared an emergency or epidemic of disease, or (ii) presents a statement from a licensed physician that states that his physical condition is such that administration of one or more of the required immunizing agents would be detrimental to his health.

E. The Board and Commissioner of Health shall cooperate with any board of visitors seeking assistance in the implementation of this section.

F. The Council shall, in cooperation with the Board and Commissioner of Health, encourage private institutions of higher education to develop a procedure for providing information about the risks associated with meningococcal disease and hepatitis B and the availability and effectiveness of any vaccine against meningococcal disease and hepatitis B.

G. No prospective or current full-time or part-time student at a public institution of higher education or any of its centers or other subdivisions; the Virginia Commonwealth University Health System Authority; Eastern Virginia Medical School; or any authority, center, or institute set forth in Chapter 31 (§ 23.1-3100 et seq.) that enrolls or otherwise provides instruction to students shall be required, as a condition of initial or continued enrollment, to be immunized against COVID-19.

INTRODUCED

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