

Human Papillomavirus Vaccine

The bill requires females to receive three properly spaced doses of human papillomavirus (HPV) vaccine. The first dose shall be administered before a child enters the sixth grade. After having reviewed materials describing the link between the human papillomavirus and cervical cancer approved for such use by the state board of health, a parent or guardian may elect for their daughter not to receive this vaccine.

Submitted as:

Virginia

HB 2035 (enrolled version)

Status: Enacted into law in 2007.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title*.] This Act shall be cited as “An Act to Mandate Immunization
2 Against Human Papillomavirus (HPV).”
3

4 Section 2. [*Immunization Against Human Papillomavirus (HPV)*.]

5 A. The parent, guardian or person standing in loco parentis of each female child within
6 this state shall cause such child to be immunized in accordance with the Immunization Schedule
7 developed and published by the Centers for Disease Control and Prevention (CDC), Advisory
8 Committee on Immunization Practices (ACIP), the American Academy of Pediatrics (AAP), and
9 the American Academy of Family Physicians (AAFP). The required immunizations for
10 attendance at a public or private elementary, middle or secondary school, child care center,
11 nursery school, family day care home or developmental center shall be those set forth in the [state
12 board of health] [Regulations for the Immunization of School Children]. The parent, guardian or
13 person standing in loco parentis may have such female child immunized by a physician or
14 registered nurse or may present the child to the appropriate local health department, which shall
15 administer the vaccines required by the [state board of health] [Regulations for the Immunization
16 of School Children] without charge. The [state board of health’s] regulations shall at a minimum
17 require:

18 1. Three doses of properly spaced Human Papillomavirus (HPV) vaccine for
19 females. The first dose shall be administered before the female child enters the sixth grade.

20 B. A physician, registered nurse or local health department administering a vaccine
21 required by this section shall provide to the person who presents the female child for
22 immunizations a certificate that shall state the diseases for which the child has been immunized,
23 the numbers of doses given, the dates when administered and any further immunizations
24 indicated.

25 C. The vaccines required by this section shall meet the standards prescribed in, and be
26 administered in accordance with, regulations of the [state board of health].

27 D. The provisions of this Act shall not apply if:

28 1. The parent or guardian of the female child objects thereto on the grounds that
29 the administration of immunizing agents conflicts with his religious tenets or practices, unless an
30 emergency or epidemic of disease has been declared by the [state board of health], or;

31 2. The parent or guardian presents a statement from a physician licensed to
32 practice medicine in this state or a licensed nurse practitioner, that states that the physical

33 condition of the female child is such that the administration of one or more of the required
34 immunizing agents would be detrimental to the health of the child; or

35 3. Because the Human Papillomavirus is not communicable in a school setting, a
36 parent or guardian, at the parent or guardian's sole discretion, may elect for their female child not
37 to receive the Human Papillomavirus vaccine, after having reviewed materials describing the link
38 between the Human Papillomavirus and cervical cancer approved for such use by the [state board
39 of health].

40 E. For the purpose of protecting the public health by ensuring that each child receives age-
41 appropriate immunizations, any physician, physician assistant, nurse practitioner, licensed
42 institutional health care provider, local or district health department, the [state Immunization
43 Information System], and the [state department of health] may share immunization and patient
44 locator information without parental authorization, including, but not limited to, the month, day,
45 and year of each administered immunization; the patient's name, address, telephone number, birth
46 date, and social security number; and the parents' names. The immunization information; the
47 patient's name, address, telephone number, birth date, and social security number; and the
48 parents' names shall be confidential and shall only be shared for the purposes set out in this
49 subsection.

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51 Section 3. [*Severability.*] [Insert severability clause.]

52

53 Section 4. [*Repealer.*] [Insert repealer clause.]

54

55 Section 5. [*Effective Date.*] [Insert effective date.]