

1 HOUSE BILL NO. 954
2 INTRODUCED BY J. CARLSON

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING REQUIREMENTS FOR IMMUNIZATIONS
5 IN DAY-CARE FACILITIES; REQUIRING A DAY-CARE CENTER TO RECORD THE IMMUNIZATION
6 STATUS OF ENROLLED CHILDREN; PROHIBITING A FAMILY DAY-CARE HOME OR GROUP DAY-CARE
7 HOME FROM REQUIRING IMMUNIZATIONS PRIOR TO ENROLLMENT; REQUIRING A FAMILY DAY-CARE
8 HOME OR GROUP DAY-CARE HOME TO MAINTAIN IMMUNIZATION STATUS RECORDS FOR ENROLLED
9 CHILDREN; PROVIDING AN APPROPRIATION; AND AMENDING SECTION 52-2-735, MCA."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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13 **Section 1.** Section 52-2-735, MCA, is amended to read:

14 **"52-2-735. Health protection -- certification required.** (1) The department shall adopt rules for the
15 protection of children in day-care centers from the health hazards of inadequate food preparation, poor
16 nutrition, and communicable diseases. ~~Rules adopted by the department must include rules requiring children~~
17 ~~under 5 years of age to be immunized against Haemophilus influenza type "b" before being admitted for care in~~
18 ~~the facility unless an exemption has been claimed as provided in 20-5-405.~~

19 (2) (a) A day-care center shall require written evidence of each child's immunization against
20 diseases listed in 20-5-403 and shall record the immunization status, including any exemptions under 20-5-405,
21 in the child's record.

22 (b) A day-care center may not enroll a child unless the child:

23 (i) has been immunized against diphtheria, pertussis, tetanus, poliomyelitis, rubella, mumps,
24 measles (rubeola), and Haemophilus influenza type "b" in the manner and with immunizing agents approved by
25 the department on the schedule for immunization recommended by the advisory committee on immunization
26 practices of the U.S. department of health and human services or on an alternative schedule approved by a
27 person who is licensed, certified, or otherwise authorized by the laws of any state or a province of Canada to
28 provide health care as defined in 50-16-504;

