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LEGISLATURE OF THE STATE OF IDAHO
Sixty-second Legislature Second Regular Session - 2014

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1 AN ACT
2 RELATING TO IMMUNIZATION; AMENDING SECTION 39-4804, IDAHO CODE, TO PROVIDE
3 FOR NOTIFICATION TO ADULT RECIPIENTS, TO REVISE TERMINOLOGY, TO PROVIDE
4 FOR INFORMATION GIVEN TO AN ADULT RECIPIENT, PARENT OR GUARDIAN AND TO
5 PROVIDE THAT AN ADULT RECIPIENT, PARENT OR GUARDIAN SHALL SIGN A NOTIFI-
6 CATION FORM.

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 39-4804, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 39-4804. NOTIFICATION TO ADULT RECIPIENT, PARENT OR GUARDIAN. (1) Be-
11 fore an immunization is administered to any adult or child in this state, the
12 adult recipient or parent or guardian of the child shall be notified that:

- 13 (a) Immunizations are not mandatory and may be refused on religious or
14 other grounds;
- 15 (b) Participation in the immunization registry is voluntary;
- 16 (c) The adult recipient, parent or guardian is entitled to an accurate
17 explanation of the ~~complications~~ adverse reactions known to follow such
18 immunization.

19 (2) Before an immunization is administered to any adult or child in this
20 state, the adult recipient, parent or guardian shall be provided with a vac-
21 cine information statement (VIS) from the centers for disease control, any
22 package insert from the manufacturer of the vaccine and a link to the federal
23 vaccine adverse events reporting system (VAERS) to report adverse events
24 following immunization.

25 (3) At the time information is initially collected regarding any child
26 for entry into the registry created pursuant to this chapter, the parent or
27 guardian shall be notified that:

- 28 (a) They have the right under Idaho law to submit a statement pursuant
29 to the provisions of sections 39-1118 and 39-4802, Idaho Code, which ex-
30 empts them from any requirement to have information regarding the child
31 entered into the registry;
- 32 (b) At any time they have the right to remove any information from the
33 registry regarding the child; and
- 34 (c) Immunizations are not mandatory and may be refused on religious or
35 other grounds.
- 36 (34) The decision of a parent or guardian to:
 - 37 (a) Submit a statement pursuant to the provisions of either section
38 39-1118(2) or 39-4802(2), Idaho Code;
 - 39 (b) Remove any information regarding the child from the registry pur-
40 suant to the provisions of section 39-4803(4), Idaho Code; or
 - 41 (c) Refuse the immunization on religious or other grounds;

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1 shall not be used in any manner against the interests of the parent or
2 guardian in any administrative, civil or criminal action.

3 (5) Before an immunization is administered, the adult recipient, par-
4 ent or guardian shall sign a notification form provided by the healthcare
5 provider advising them of the law. The notification form shall be signed for
6 each office visit to a healthcare provider when a vaccine is administered and
7 shall state the following:

8 "Please be advised that immunizations are not mandatory and may be refused
9 on religious or other grounds. Immunizations are known to cause serious
10 adverse reactions in some individuals including hospitalization and death.
11 Furthermore, participation in the immunization registry is voluntary, and
12 you have the right at any time to remove any information from the registry
13 regarding your child. The federal vaccine adverse events reporting system
14 (VAERS) is available to report any adverse events following immunization."