

SECOND REGULAR SESSION
[P E R F E C T E D]
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 778
94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JUSTUS.

Offered February 26, 2008.

Senate Substitute adopted, February 26, 2008.

Taken up for Perfection February 26, 2008. Bill declared Perfected and Ordered Printed.

TERRY L. SPIELER, Secretary.

3119S.04P

AN ACT

To amend chapter 167, RSMo, by adding thereto one new section relating to immunizations against the human papillomavirus.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 167, RSMo, is amended by adding thereto one new section, to be known as section 167.182, to read as follows:

167.182. 1. Each parent or guardian of a female student enrolling in grade six shall be provided information regarding immunizations against the human papillomavirus in accordance with this section.

2. (1) Each public school district shall provide the names and addresses of all parents and guardians of female students who are entering grade six to the department of health and senior services and the department shall mail to such parent or guardian age appropriate information relating to the connection between human papillomavirus and cervical cancer, and that an immunization against the human papillomavirus infection is available.

(2) Such information shall include:

(a) The risk factors for developing cervical cancer, the symptoms of the disease, how it may be diagnosed and its possible consequences if untreated;

(b) The connection between human papillomavirus and cervical cancer, how human papillomavirus is transmitted, how transmission

17 may be prevented, including abstinence as the best way to prevent
18 sexually transmitted diseases, and the relative risk of contracting
19 human papillomavirus for primary and secondary school students;

20 (c) The latest scientific information on the immunization against
21 human papillomavirus infection and the immunization's effectiveness
22 against causes of cervical cancer;

23 (d) That a pap smear is still critical for the detection of
24 precancerous changes in the cervix to allow for treatment before
25 cervical cancer develops; and

26 (e) A statement that any questions or concerns regarding
27 immunizing the child against human papillomavirus could be answered
28 by contacting a health care provider.

29 (3) Each informational mailing sent to the parents or guardian
30 of female students who are entering grade six shall request that the
31 parents or guardian of such students voluntarily furnish to the
32 department not later than twenty school days after the first day of
33 school a written statement, in a form prescribed by the department of
34 health and senior services, stating that the parent has received the
35 information required under this subsection and that:

36 (a) The student has received or is receiving the immunization;
37 or

38 (b) The parent has decided not to have the student immunized.
39 Such form to be returned voluntarily by the parent or guardian shall
40 not request from the parent or guardian any identifying information of
41 the female student or parent or guardian.

42 (4) The informational mailing shall have prominently displayed
43 in bold type that the request from the parent or guardian for the
44 written statement under subdivision (3) of this subsection is voluntary.

45 (5) Beginning July 1, 2009, the department shall submit to the
46 general assembly a report detailing the number of sixth grade female
47 students who have and have not been immunized against the human
48 papillomavirus infection and the number of non-responses to the
49 request for the written statement under subdivision (3) of this
50 subsection. The information derived from subdivision (3) of this
51 subsection shall be used for statistical purposes only and shall not be
52 used to personally identify any parent or guardian, or any student.

53 (6) Nothing in this subsection shall be construed to prevent a

54 student from school attendance if such parent or guardian has opted
55 not to have the student receive the human papillomavirus
56 immunization or has not returned the statement prescribed in
57 subdivision (3) of this subsection.

58 3. If a parent or guardian chooses to have the female student
59 immunized for the human papillomavirus but is unable to pay, the
60 student shall be immunized at public expense by a physician or nurse
61 at or from the county, district, city public health center or a school
62 nurse or by a nurse or physician in the private office or clinic of the
63 child's personal physician with the costs of immunization paid through
64 the Mo HealthNet program, private insurance or in a manner to be
65 determined by the department of health and senior services subject to
66 state and federal appropriations.

67 4. Funds for the administration of this section and for the
68 purchase of vaccines for students of families unable to afford them
69 shall be appropriated to the department of health and senior services
70 from general revenue or from federal funds if available.

71 5. Any rule or portion of a rule, as that term is defined in section
72 536.010, RSMo, that is created under the authority delegated in this
73 section shall become effective only if it complies with and is subject to
74 all of the provisions of chapter 536, RSMo, and, if applicable, section
75 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
76 and if any of the powers vested with the general assembly pursuant to
77 chapter 536, RSMo, to review, to delay the effective date, or to
78 disapprove and annul a rule are subsequently held unconstitutional,
79 then the grant of rulemaking authority and any rule proposed or
80 adopted after August 28, 2008, shall be invalid and void.

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