

SECOND REGULAR SESSION

SENATE BILL NO. 627

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR JUSTUS.

Pre-filed December 1, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

3144S.011

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 student enrolling in grade six in public school 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 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 and gender 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 may be prevented, including abstinence as the best way to prevent sexually transmitted diseases, and the relative risk of contracting human papillomavirus for primary and secondary school students;

(c) The latest scientific information on the immunization against

22 human papillomavirus infection and the immunization's effectiveness
23 against causes of cervical cancer;

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

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

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

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

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

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

46 (5) Beginning July 1, 2011, the department shall submit to the
47 general assembly a report detailing the number of sixth grade students
48 who have and have not been immunized against the human
49 papillomavirus infection and the number of nonresponses to the
50 request for the written statement under subdivision (3) of this
51 subsection. The information derived from subdivision (3) of this
52 subsection shall be used for statistical purposes only and shall not be
53 used to personally identify any parent or guardian, or any student.

54 (6) Nothing in this subsection shall be construed to prevent a
55 student from school attendance if such parent or guardian has opted
56 not to have the student receive the human papillomavirus
57 immunization or has not returned the statement prescribed in
58 subdivision (3) of this subsection.

59 **3. Any rule or portion of a rule, as that term is defined in section**
60 **536.010, that is created under the authority delegated in this section**
61 **shall become effective only if it complies with and is subject to all of**
62 **the provisions of chapter 536, and, if applicable, section 536.028. This**
63 **section and chapter 536, are nonseverable and if any of the powers**
64 **vested with the general assembly pursuant to chapter 536, to review, to**
65 **delay the effective date, or to disapprove and annul a rule are**
66 **subsequently held unconstitutional, then the grant of rulemaking**
67 **authority and any rule proposed or adopted after August 28, 2010, shall**
68 **be invalid and void.**

Unofficial

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Bill

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