

CHAPTER 71. PUBLIC HEALTH AND WELFARE

ARTICLE 19. CARE OF CHILDREN

(b) CHILD CARE LICENSURE

R.R.S. Neb. § 71-1913.01 (2007)

§ 71-1913.01. Immunization requirements; record; report

(1) Each program shall require the parent or guardian of each child enrolled in such program to present within thirty days after enrollment and periodically thereafter (a) proof that the child is protected by age-appropriate immunization against measles, mumps, rubella, poliomyelitis, diphtheria, pertussis, tetanus, and haemophilus influenzae type B and invasive pneumococcal disease and such other diseases as the Department may from time to time specify based on then current medical and scientific knowledge, (b) certification by a physician, an advanced practice registered nurse practicing under and in accordance with his or her respective certification act, or a physician assistant that immunization is not appropriate for a stated medical reason, or (c) a written statement that the parent or guardian does not wish to have such child so immunized and the reasons therefore. The program shall exclude a child from attendance until such proof, certification, or written statement is provided. At the time the parent or guardian is notified that such information is required, he or she shall be notified in writing of his or her right to submit a certification or written statement pursuant to subdivision (b) or (c) of this subsection.

(2) Each program shall keep the written record of immunization, the certification, or the written statement of the parent or guardian. Such record, certification, or statement shall be kept by the program as part of the child's file, shall be available onsite to the Department, and shall be filed with the Department for review and inspection. Each program shall report to the Department of Health and Human Services by November 1 of each year the status of immunization for children enrolled as of September 30 of that year, and children who have reached kindergarten age and who are enrolled in public or private school need not be included in the report.

CHAPTER 79. SCHOOLS

ARTICLE 2. PROVISIONS RELATING TO STUDENTS

(c) ADMISSION REQUIREMENTS

R.R.S. Neb. § 79-217 (2007)

§ 79-217. School board and governing authority; student; immunization against certain contagious diseases; exception

Except as provided in sections 79-221 and 79-222, the school board or board of education of each school district and the governing authority of each private, denominational, or parochial school in this state shall require each student to be protected against measles, mumps, rubella, poliomyelitis, diphtheria, pertussis, and tetanus by immunization prior to enrollment. Any student who does not comply with this section shall not be permitted to continue in school until he or she so complies, except as provided by section 79-222. Each school district shall make diligent efforts to inform families prior to the date of school registration of the immunization requirements of this section.

Except as provided in the Childhood Vaccine Act, the cost of such immunization shall be borne by the parent or guardian of each student who is immunized or by the Department of Health and Human Services for those students whose parent or guardian is financially unable to meet such cost.

R.R.S. Neb. § 79-220 (2007)

§ 79-220. Child; physical examination; visual evaluation; immunization; right of refusal

At the time the parent or guardian of any child is notified that such child must have a physical examination and a visual evaluation pursuant to section 79-214 or immunizations pursuant to section 79-217, the parent or guardian shall also be notified in writing of (1) his or her right to submit a written statement refusing a physical examination, a visual examination or immunization for his or her child and (2) a telephone number or other contact information to assist the parent or guardian in receiving information regarding free or reduced-cost visual evaluations for low-income families who qualify.

R.R.S. Neb. § 79-221 (2007)

§ 79-221. Immunization; when not required

Immunization shall not be required for a student's enrollment in any school in this state if he or she submits to the admitting official either of the following:

(1) A statement signed by a physician, a physician assistant, or an advanced practice registered nurse practicing under and in accordance with his or her respective certification act stating that, in the health care provider's opinion, the immunizations required would be injurious to the health and well-being of the student or any member of the student's family or household; or

(2) An affidavit signed by the student or, if he or she is a minor, by a legally authorized representative of the student, stating that the immunization conflicts with the tenets and practice of a recognized religious denomination of which the student is an adherent or

member or that immunization conflicts with the personal and sincerely followed religious beliefs of the student.

CHAPTER 85. STATE UNIVERSITY, STATE COLLEGES, AND POSTSECONDARY EDUCATION

R.R.S. Neb. § 85-902(2007)

§ 85-902. Information on meningococcal disease; requirements.

(1) Beginning with school year 2003-04, each postsecondary educational institution shall provide to each newly enrolled student who will reside in oncampus housing and the student's parent or guardian:

- (a) Detailed information on the risks associated with the potentially fatal meningococcal disease;
- (b) the availability and effectiveness of a vaccine against the disease;
- (c) a recommendation that each student receive the meningococcal vaccination; and
- (d) information on the availability of an indigent patient fund to assist qualified persons with the cost of the vaccine.

(2) Each postsecondary educational institution shall request a confirmation signed by the student, parent, or guardian that the information provided has been received and reviewed.