

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5005

Chapter 299, Laws of 2011

62nd Legislature
2011 Regular Session

K-12--IMMUNIZATION--EXEMPTION

EFFECTIVE DATE: 07/22/11

Passed by the Senate April 21, 2011
YEAS 34 NAYS 12

BRAD OWEN

President of the Senate

Passed by the House March 25, 2011
YEAS 66 NAYS 29

FRANK CHOPP

Speaker of the House of Representatives

Approved May 10, 2011, 4:00 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5005** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 11, 2011

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5005

AS AMENDED BY THE HOUSE

Passed Legislature - 2011 Regular Session

State of Washington **62nd Legislature** **2011 Regular Session**

By Senators Keiser, Honeyford, Pflug, Becker, Regala, Carrell, Hobbs, Nelson, Rockefeller, Shin, and Chase

Read first time 01/10/11. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to exemption from immunization; and amending RCW
2 28A.210.090.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28A.210.090 and 1991 c 3 s 290 are each amended to
5 read as follows:

6 (1) Any child shall be exempt in whole or in part from the
7 immunization measures required by RCW 28A.210.060 through 28A.210.170
8 upon the presentation of any one or more of the ~~((following))~~
9 certifications required by this section, on a form prescribed by the
10 department of health:

11 ~~((1))~~ (a) A written certification signed by ~~((any physician~~
12 ~~licensed to practice medicine pursuant to chapter 18.71 or 18.57 RCW))~~
13 a health care practitioner that a particular vaccine required by rule
14 of the state board of health is, in his or her judgment, not advisable
15 for the child: PROVIDED, That when it is determined that this
16 particular vaccine is no longer contraindicated, the child will be
17 required to have the vaccine;

18 ~~((2))~~ (b) A written certification signed by any parent or legal

1 guardian of the child or any adult in loco parentis to the child that
2 the religious beliefs of the signator are contrary to the required
3 immunization measures; (~~and~~) or

4 (~~(3)~~) (c) A written certification signed by any parent or legal
5 guardian of the child or any adult in loco parentis to the child that
6 the signator has either a philosophical or personal objection to the
7 immunization of the child.

8 (2)(a) The form presented on or after the effective date of this
9 section must include a statement to be signed by a health care
10 practitioner stating that he or she provided the signator with
11 information about the benefits and risks of immunization to the child.
12 The form may be signed by a health care practitioner at any time prior
13 to the enrollment of the child in a school or licensed day care.
14 Photocopies of the signed form or a letter from the health care
15 practitioner referencing the child's name shall be accepted in lieu of
16 the original form.

17 (b) A health care practitioner who, in good faith, signs the
18 statement provided for in (a) of this subsection is immune from civil
19 liability for providing the signature.

20 (c) Any parent or legal guardian of the child or any adult in loco
21 parentis to the child who exempts the child due to religious beliefs
22 pursuant to subsection (1)(b) of this section is not required to have
23 the form provided for in (a) of this subsection signed by a health care
24 practitioner if the parent or legal guardian demonstrates membership in
25 a religious body or a church in which the religious beliefs or
26 teachings of the church preclude a health care practitioner from
27 providing medical treatment to the child.

28 (3) For purposes of this section, "health care practitioner" means
29 a physician licensed under chapter 18.71 or 18.57 RCW, a naturopath
30 licensed under chapter 18.36A RCW, a physician assistant licensed under
31 chapter 18.71A or 18.57A RCW, or an advanced registered nurse
32 practitioner licensed under chapter 18.79 RCW.

Passed by the Senate April 21, 2011.

Passed by the House March 25, 2011.

Approved by the Governor May 10, 2011.

Filed in Office of Secretary of State May 11, 2011.