

ASSEMBLY, No. 2616

STATE OF NEW JERSEY

211th LEGISLATURE

INTRODUCED MAY 3, 2004

Sponsored by:

Assemblywoman CHARLOTTE VANDERVALK

District 39 (Bergen)

Co-Sponsored by:

Assemblymen S.Kean, McKeon and Assemblywoman Oliver

SYNOPSIS

Provides for conscientious exemption to mandatory immunizations.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/16/2004)

1 AN ACT concerning immunization requirements and supplementing
2 Title 26 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. As used in this act:

8 "Commissioner" means the Commissioner of Health and Senior
9 Services.

10 "Conscientious exemption" means an exemption from a mandatory
11 immunization on the grounds of a sincerely held or moral objection to
12 the immunization.

13 "Department" means the Department of Health and Senior Services.

14 "Mandatory immunization" means any vaccination required by the
15 State as a condition for attendance at public or private institutions of
16 higher education, public or private school, kindergarten, nursery
17 school, preschool or child care facilities in New Jersey.

18 "School" means any public or private institution of higher
19 education, public or private school, kindergarten, nursery school,
20 preschool or child care facility in New Jersey.

21 "Student" means any person attending a public or private institution
22 of higher education, public or private school, kindergarten, nursery
23 school, preschool or child care facility in New Jersey.

24

25 2. a. The department shall provide to all local health departments
26 a standardized form to be used by a student, or if the student is a
27 minor, by the student's parent or legal guardian, claiming a
28 conscientious exemption from a mandatory immunization. A local
29 health department shall make the form available upon request.

30 The form shall state that the student, or parent or legal guardian,
31 understands the potential benefits of immunization and the risks in not
32 immunizing. The form shall require, at a minimum, all of the
33 following:

34 (1) a statement claiming exemption from a specific immunization
35 signed by the student, or if the student is a minor, by the student's
36 parent or legal guardian, witnessed by the local health officer or the
37 local health officer's designee;

38 (2) the name and address of the person who signs the form;

39 (3) the name of the student seeking exemption from the
40 immunization; and

41 (4) the school at which the student is enrolled.

42 b. Upon receipt of a completed form by a local health department,
43 the designated local health officer shall grant a conscientious
44 exemption from a mandatory immunization to a student. A student
45 who is granted a conscientious exemption shall provide the form
46 granting the exemption to officials at the student's school.

A2616 VANDERVALK

1 determined by the Commissioner of Health and Senior Services. An
2 conscientious exemption may also be suspended at any time by the
3 commissioner in an emergency. Further, pursuant to N.J.S.A.26:4-6,
4 a school administrator, taking into consideration the spread of a
5 communicable disease, may prohibit the attendance of a student with
6 a conscientious exemption and specify the amount of time the student
7 must remain away from the school.

8 At present, 19 states permit similiar exemptions from mandatory
9 immunizations. This bill would allow New Jersey to join with other
10 states that grant individuals the right to manage their health or their
11 children's health as they deem appropriate.