

As Introduced

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2003-2004

H. B. No. 142

Representatives Hagan, Willamowski, Schmidt, Setzer, Husted, Schaffer,
Seitz, Kearns, Gilb, McGregor, Hoops, Jolivette, Collier, White, Williams,
Hollister, Reinhard, Miller, Otterman, Redfern, Allen, Carano, D. Evans,
Barrett, Chandler, Ujvagi

A B I L L

To enact sections 1713.55, 3332.25, 3345.85, and 1
3701.133 of the Revised Code to establish a 2
requirement that institutions of higher education 3
require students living in on-campus housing to be 4
vaccinated for meningitis or obtain a waiver of 5
the vaccination requirement. 6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 1713.55, 3332.25, 3345.85, and 7
3701.133 of the Revised Code be enacted to read as follows: 8

Sec. 1713.55. (A) As used in this section: 9

(1) "Nonprofit institution of higher education" or 10
"institution" means a nonprofit college, university, or other 11
institution that offers instruction in the arts and sciences, 12
business administration, engineering, philosophy, literature, fine 13
arts, law, medicine, nursing, social work, theology, and other 14
recognized academic and professional fields of study, and awards 15
degrees for fulfilling requirements of academic work beyond high 16
school. 17

(2) "On-campus student housing" means a dormitory or other student residence that is owned or operated by or located on the campus of a nonprofit institution of higher education. 18
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(3) "Parent" means either parent, except that if one parent has sole custody, "parent" means the parent with custody. "Parent" also includes a guardian or, in the absence of a parent or guardian, another person who has accepted responsibility for the care of the student. 21
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(B) Except as provided by division (D) of this section, a nonprofit institution of higher education shall not permit a student to reside in on-campus student housing unless the student presents written evidence of having been vaccinated by a method of immunization against meningitis. 26
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(C) On receipt of an application for residence in on-campus student housing, an institution shall do all of the following: 31
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(1) Inform the student of the vaccination requirement; 33

(2) Provide the student in written form the information from the department of health web site that is described in section 3701.133 of the Revised Code; 34
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(3) Inform the student that the vaccination requirement will be waived at the request of the student or, if the student is younger than eighteen years of age, at the request of the student's parent. 37
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(D) An institution with on-campus student housing shall provide a waiver form to any student or parent who requests it. The form shall include a statement for the student or parent to acknowledge having received and read the information provided pursuant to division (C)(2) of this section. If a student or, if the student is younger than eighteen years of age, the student's parent, signs and returns the form to the institution, the 41
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institution shall waive the vaccination requirement. 48

(E) This section does not require an institution to provide 49
or pay for a meningitis vaccination for any student. 50

Sec. 3332.25. (A) As used in this section: 51

(1) "On-campus student housing" means a dormitory or other 52
student residence that is owned or operated by or located on the 53
campus of a school subject to this chapter. 54

(2) "Parent" means either parent, except that if one parent 55
has sole custody, "parent" means the parent with custody. "Parent" 56
also includes a guardian or, in the absence of a parent or 57
guardian, another person who has accepted responsibility for the 58
care of the student. 59

(B) Except as provided by division (D) of this section, a 60
school subject to this chapter shall not permit a student to 61
reside in on-campus student housing unless the student presents 62
written evidence of having been vaccinated by a method of 63
immunization against meningitis. 64

(C) On receipt of an application for residence in on-campus 65
student housing, a school shall do all of the following: 66

(1) Inform the student of the vaccination requirement; 67

(2) Provide the student in written form the information from 68
the department of health web site that is described in section 69
3701.133 of the Revised Code; 70

(3) Inform the student that the vaccination requirement will 71
be waived at the request of the student or, if the student is 72
younger than eighteen years of age, at the request of the 73
student's parent. 74

(D) A school with on-campus student housing shall provide a 75
waiver form to any student or parent who requests it. The form 76

shall include a statement for the student or parent to acknowledge
having received and read the information provided pursuant to
division (C)(2) of this section. If a student or, if the student
is younger than eighteen years of age, the student's parent, signs
and returns the form to the school, the school shall waive the
vaccination requirement.

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(E) This section does not require a school to provide or pay
for a meningitis vaccination for any student.

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Sec. 3345.85. (A) As used in this section:

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(1) "On-campus student housing" means a dormitory or other
student residence that is owned or operated by, or located on the
campus of a state institution of higher education.

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(2) "Parent" means either parent, except that if one parent
has sole custody, "parent" means the parent with custody. "Parent"
also includes a guardian or, in the absence of a parent or
guardian, another person who has accepted responsibility for the
care of the student.

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(B) Except as provided by division (D) of this section, a
state institution of higher education shall not permit a student
to reside in on-campus student housing unless the student presents
written evidence of having been vaccinated by a method of
immunization against meningitis.

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(C) On receipt of an application for residence in on-campus
student housing, an institution shall do all of the following:

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(1) Inform the student of the vaccination requirement;

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(2) Provide the student in written form the information from
the department of health web site that is described in section
3701.133 of the Revised Code;

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(3) Inform the student that the vaccination requirement will

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be waived at the request of the student or, if the student is 106
younger than eighteen years of age, the request of the student's 107
parent. 108

(D) An institution with on-campus student housing shall 109
provide a waiver form to any student or parent who requests it. 110
The form shall include a statement for the student or parent to 111
acknowledge having received and read the information provided 112
pursuant to division (C)(2) of this section. If a student or, if 113
the student is younger than eighteen years of age, the student's 114
parent, signs and returns the form to the institution, the 115
institution shall waive the vaccination requirement. 116

(E) This section does not require an institution to provide 117
or pay for a meningitis vaccination for any student. 118

Sec. 3701.133. The department of health shall make available 119
on its web site information about the risks associated with 120
meningitis, the availability of a vaccine, and the effectiveness 121
of a vaccine. The department shall provide written notice of the 122
availability of meningitis information on the web site to all of 123
the following: 124

(A) Each city, local, exempted village, or joint vocational 125
school district, as defined in Chapter 3311. of the Revised Code; 126

(B) Each nonpublic school, whether chartered, nonchartered, 127
or nontax supported, that enrolls students in ninth grade or the 128
equivalent educational level; 129

(C) Each community school created under section 3314.01 of 130
the Revised Code, that enrolls students in ninth grade or the 131
equivalent educational level; 132

(D) Each state institution of higher education, as defined in 133
section 3345.011 of the Revised Code; 134

(E) Each nonprofit institution of higher education, as 135

defined in section 1713.55 of the Revised Code; 136

(F) Each private career school, as defined in section 3332.01 137

of the Revised Code. 138