

109TH CONGRESS
1ST SESSION

H. R. 803

To require entering students who will reside in on-campus housing at postsecondary institutions to have received meningococcal vaccinations.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2005

Mr. ANDREWS (for himself and Mr. PLATTS) introduced the following bill;
which was referred to the Committee on Education and the Workforce

A BILL

To require entering students who will reside in on-campus housing at postsecondary institutions to have received meningococcal vaccinations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Meningococcal Vac-
5 cination Act of 2005”.

6 **SEC. 2. VACCINATION REQUIREMENTS.**

7 Part G of title IV of the Higher Education Act of
8 1965 is amended by inserting after section 485C (20
9 U.S.C. 1092c) the following new section:

1 **“SEC. 485D. VACCINATION REQUIREMENTS.**

2 “(a) DEFINITIONS.—As used in this section:

3 “(1) The term ‘enrolled’ means having reg-
4 istered for a credit or noncredit course.

5 “(2) The term ‘postsecondary institution’
6 means a school of post-secondary education that
7 generally limits enrollment to graduates of secondary
8 schools and awards degrees at the associate, bacca-
9 laurate, or graduate level.

10 “(3) The term ‘meningococcal vaccination’
11 means receipt of the vaccine protecting against at
12 least the four serogroups of A, C, Y, and W-135 of
13 meningococcal disease within the 3 years preceding
14 the date on which the individual moves into on-cam-
15 pus student housing.

16 “(4) The term ‘on-campus student housing’
17 means housing provided to individuals, regardless of
18 the fee, that is owned, rented, or contracted for and
19 operated by a postsecondary institution, or through
20 written agreement, with an agent of the postsec-
21 ondary institution.

22 “(b) REQUIRED MENINGOCOCCAL VACCINATION.—
23 Except as provided in subsection (c), an individual en-
24 rolled in a postsecondary institution living in on-campus
25 student housing shall—

26 “(1) obtain a meningococcal vaccination; and

1 “(2) submit written documentation to the post-
2 secondary institution from a health care professional
3 or clinic of receipt of a meningococcal vaccination.

4 “(c) NOTIFICATION OF REQUIRED MENINGOCOCCAL
5 VACCINATION.—A postsecondary institution shall—

6 “(1) inform an individual or the parent or
7 guardian of an individual younger than 18 years old
8 of the requirement for meningococcal vaccination at
9 the time the individual—

10 “(A) is accepted for admission to a post-
11 secondary institution; or

12 “(B) registers for classes, if the individual
13 is not required to apply for admission before
14 registering for courses;

15 “(2) include notice of the requirement for
16 meningococcal vaccination in—

17 “(A) admission acceptance information;

18 “(B) student health-related information
19 and materials;

20 “(C) resident life information and mate-
21 rials;

22 “(D) the student handbook; and

23 “(E) the college catalog; and

24 “(3) provide detailed information to an indi-
25 vidual who resides or may reside in on-campus stu-

1 dent housing or the parent or guardian of an indi-
2 vidual younger than 18 years old who resides or may
3 reside in on-campus student housing concerning—

4 “(A) the risks associated with
5 meningococcal disease; and

6 “(B) the availability and effectiveness of
7 meningococcal vaccine.

8 “(d) EXEMPTION FROM MENINGOCOCCAL VACCINA-
9 TION REQUIREMENT.—

10 “(1) ADULTS.—An individual 18 years old or
11 older is exempt from the meningococcal vaccination
12 requirement under section 3 if the individual pre-
13 sents to the postsecondary institution a signed writ-
14 ten waiver in the form required by section 6 stating
15 that the individual has—

16 “(A) received and reviewed the information
17 specified in section 4; and

18 “(B) chosen not to obtain the
19 meningococcal vaccination.

20 “(2) MINORS.—An individual younger than 18
21 years old is exempt from the meningococcal vaccina-
22 tion requirement under section 3 if a signed written
23 waiver in the form required by section 6 is presented
24 to the postsecondary institution on behalf of the in-

1 dividual stating that a parent or guardian of the in-
2 dividual has—

3 “(A) received and reviewed the information
4 specified in section 4; and

5 “(B) chosen not to have the individual ob-
6 tain the meningococcal vaccination.

7 “(e) WAIVER FORM.—

8 “(1) ADULTS.—A waiver form for an individual
9 18 years old or older shall—

10 “(A) state that the individual—

11 “(i) is 18 years old or older;

12 “(ii) has received and reviewed the in-
13 formation provided by the postsecondary
14 institution on the risk of meningococcal
15 disease and the availability and effective-
16 ness of meningococcal vaccine; and

17 “(iii) chooses to waive the receipt of
18 meningococcal vaccine; and

19 “(B) provide spaces for the—

20 “(i) printed name of the individual;

21 “(ii) signature of the individual; and

22 “(iii) date.

23 “(2) MINORS.—A waiver form for an individual
24 younger than 18 years old shall—

25 “(A) state that—

1 “(i) the individual is younger than 18
2 years old;

3 “(ii) the parent or guardian of the in-
4 dividual has received and reviewed the in-
5 formation provided by the postsecondary
6 institution on the risk of meningococcal
7 disease and the availability and effective-
8 ness of meningococcal vaccine; and

9 “(iii) the parent or guardian of the in-
10 dividual chooses to waive the receipt of
11 meningococcal vaccine for the individual;
12 and

13 “(B) provide spaces for the—

14 “(i) printed name of the individual;

15 “(ii) printed name of the parent or
16 guardian;

17 “(iii) signature of the parent or
18 guardian; and

19 “(iv) date.

20 “(f) PAYMENT FOR INNOCULATION.—Nothing in this
21 section shall be construed to require a postsecondary insti-
22 tution or a local public health agency to provide or pay
23 for a meningococcal vaccination.

24 “(g) PENALTY FOR FAILURE BY INSTITUTION TO
25 COMPLY.—The Secretary may, after notice and oppor-

1 tunity for a hearing, reduce by not more than 10 percent
2 the amount of administrative expense funds available for
3 a fiscal year to an institution under section 489 if the Sec-
4 retary determines that such institution has failed to com-
5 ply with the requirements of subsection (c).”.

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