

2026 SESSION

INTRODUCED

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1 **HOUSE BILL NO. 983**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 *A BILL to amend and reenact §§ 22.1-271.2 and 32.1-46 of the Code of Virginia, relating to immunization*
5 *requirements for children; hepatitis B vaccine.*

6 Patron—Garrett

7 _____
8 Committee Referral Pending
9 _____

10 **Be it enacted by the General Assembly of Virginia:**

11 **1. That §§ 22.1-271.2 and 32.1-46 of the Code of Virginia are amended and reenacted as follows:**

12 **§ 22.1-271.2. Immunization requirements.**

13 A. No student shall be admitted by a school unless at the time of admission the student or his parent
14 submits documentary proof of immunization to the admitting official of the school or unless the student is
15 exempted from immunization pursuant to subsection C or is a homeless child or youth as defined in
16 subdivision A 7 of § 22.1-3. If a student does not have documentary proof of immunization, the school shall
17 notify the student or his parent (i) that it has no documentary proof of immunization for the student; (ii) that it
18 may not admit the student without proof unless the student is exempted pursuant to subsection C, including
19 any homeless child or youth as defined in subdivision A 7 of § 22.1-3; (iii) that the student may be
20 immunized and receive certification by a licensed physician, a licensed advanced practice registered nurse, a
21 registered nurse, or an employee of a local health department; and (iv) how to contact the local health
22 department to learn where and when it performs these services. Neither this Commonwealth nor any school
23 or admitting official shall be liable in damages to any person for complying with this section.

24 Any physician, advanced practice registered nurse, registered nurse, or local health department employee
25 performing immunizations shall provide to any person who has been immunized or to his parent, upon
26 request, documentary proof of immunizations conforming with the requirements of this section.

27 B. Any student whose immunizations are incomplete may be admitted conditionally if that student
28 provides documentary proof at the time of enrollment of having received at least one dose of the required
29 immunizations accompanied by a schedule for completion of the required doses within 90 calendar days. ~~If the student requires more than two doses of hepatitis B vaccine, the conditional enrollment period shall be 180 calendar days.~~

30 The immunization record of each student admitted conditionally shall be reviewed periodically until the
31 required immunizations have been received.

32 Any student admitted conditionally and who fails to comply with his schedule for completion of the
33 required immunizations shall be excluded from school until his immunizations are resumed.

34 C. No certificate of immunization shall be required for the admission to school of any student if (i) the
35 student or his parent submits an affidavit to the admitting official stating that the administration of
36 immunizing agents conflicts with the student's religious tenets or practices; or (ii) the school has written
37 certification from a licensed physician, a licensed advanced practice registered nurse, or a local health
38 department that one or more of the required immunizations may be detrimental to the student's health,
39 indicating the specific nature and probable duration of the medical condition or circumstance that
40 contraindicates immunization.

41 However, if a student is a homeless child or youth as defined in subdivision A 7 of § 22.1-3 and (a) does
42 not have documentary proof of necessary immunizations or has incomplete immunizations and (b) is not
43 exempted from immunization pursuant to clause (i) or (ii), the school division shall immediately admit such
44 student and shall immediately refer the student to the local school division liaison, as described in the federal
45 McKinney-Vento Homeless Education Assistance Improvements Act of 2001, as amended (42 U.S.C. §
46 11431 et seq.) (the Act), who shall assist in obtaining the documentary proof of, or completing, immunization
47 and other services required by such Act.

48 D. The admitting official of a school shall exclude from the school any student for whom he does not have
49 documentary proof of immunization or notice of exemption pursuant to subsection C, including notice that
50 such student is a homeless child or youth as defined in subdivision A 7 of § 22.1-3.

51 E. Every school shall record each student's immunizations on the school immunization record. The school
52 immunization record shall be a standardized form provided by the State Department of Health, which shall be
53 a part of the mandatory permanent student record. Such record shall be open to inspection by officials of the
54 State Department of Health and the local health departments.

55 The school immunization record shall be transferred by the school whenever the school transfers any
56 student's permanent academic or scholastic records.

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59 Within 30 calendar days after the beginning of each school year or entrance of a student, each admitting
60 official shall file a report with the local health department. The report shall be filed on forms prepared by the
61 State Department of Health and shall state the number of students admitted to school with documentary proof
62 of immunization, the number of students who have been admitted with a medical or religious exemption and
63 the number of students who have been conditionally admitted, including those students who are homeless
64 children or youths as defined in subdivision A 7 of § 22.1-3.

65 F. The requirement for Haemophilus Influenzae Type b immunization as provided in § 32.1-46 shall not
66 apply to any child admitted to any grade level, kindergarten through grade 12.

67 G. The Board of Health shall promulgate rules and regulations for the implementation of this section in
68 congruence with rules and regulations of the Board of Health promulgated under § 32.1-46 and in
69 cooperation with the Board of Education.

70 **§ 32.1-46. Immunization of patients against certain diseases.**

71 A. The parent, guardian or person standing in loco parentis of each child within this Commonwealth shall
72 cause such child to be immunized in accordance with the Immunization Schedule developed and published by
73 the Centers for Disease Control and Prevention (CDC), Advisory Committee on Immunization Practices
74 (ACIP), the American Academy of Pediatrics (AAP), and the American Academy of Family Physicians
75 (AAFP). The required immunizations for attendance at a public or private elementary, middle or secondary
76 school, child care center, nursery school, family day care home, or developmental center shall be those set
77 forth in the State Board of Health Regulations for the Immunization of School Children. The Board's
78 regulations shall at a minimum require:

79 1. A minimum of three properly spaced doses of hepatitis B vaccine (HepB).

80 2. A minimum of three or more properly spaced doses of diphtheria toxoid. One dose shall be
81 administered on or after the fourth birthday.

82 3. 2. A minimum of three or more properly spaced doses of tetanus toxoid. One dose shall be administered
83 on or after the fourth birthday.

84 4. 3. A minimum of three or more properly spaced doses of acellular pertussis vaccine. One dose shall be
85 administered on or after the fourth birthday. A booster dose shall be administered prior to entry into the
86 seventh grade.

87 5. 4. Two or three primary doses of Haemophilus influenzae type b (Hib) vaccine, depending on the
88 manufacturer, for children up to 60 months of age.

89 6. 5. Two properly spaced doses of live attenuated measles (rubeola) vaccine. The first dose shall be
90 administered at age 12 months or older.

91 7. 6. One dose of live attenuated rubella vaccine shall be administered at age 12 months or older.

92 8. 7. One dose of live attenuated mumps vaccine shall be administered at age 12 months or older.

93 9. 8. Two properly spaced doses of varicella vaccine. The first dose shall be administered at age 12
94 months or older.

95 10. 9. Three or more properly spaced doses of oral polio vaccine (OPV) or inactivated polio vaccine
96 (IPV). One dose shall be administered on or after the fourth birthday. A fourth dose shall be required if the
97 three dose primary series consisted of a combination of OPV and IPV.

98 11. 10. One to four doses, dependent on age at first dose, of properly spaced pneumococcal conjugate
99 (PCV) vaccine for children up to 60 months of age.

100 12. 11. Two doses of properly spaced human papillomavirus (HPV) vaccine. The first dose shall be
101 administered before the child enters the seventh grade.

102 13. 12. Two or three properly spaced doses of rotavirus vaccine, depending on the manufacturer, for
103 children up to eight months of age.

104 14. 13. Two properly spaced doses of hepatitis A vaccine (HAV). The first dose shall be administered at
105 age 12 months or older.

106 15. 14. Two properly spaced doses of meningococcal conjugate vaccine (MenACWY). The first dose
107 shall be administered prior to entry to seventh grade. The second dose shall be administered prior to entry to
108 twelfth grade.

109 The parent, guardian, or person standing in loco parentis may have such child immunized by a physician,
110 a physician assistant, an advanced practice registered nurse, a registered nurse, or a licensed practical nurse,
111 or a pharmacist who administers pursuant to a valid prescription, or may present the child to the appropriate
112 local health department, which shall administer the vaccines required by the State Board of Health
113 Regulations for the Immunization of School Children without charge to the parent or person standing in
114 loco parentis to the child if (i) the child is eligible for the Vaccines for Children Program or (ii) the child is
115 eligible for coverages issued pursuant to Title XVIII of the Social Security Act, 42 U.S.C. § 1395 et seq.
116 (Medicare), Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq. (Medicaid), Title XXI of the
117 Social Security Act, 42 U.S.C. § 1397aa et seq. (CHIP), or 10 U.S.C. § 1071 et seq. (CHAMPUS). In all
118 cases in which a child is covered by a health carrier, Medicare, Medicaid, CHIP, or CHAMPUS, the
119 Department shall seek reimbursement from the health carrier, Medicare, Medicaid, CHIP, or CHAMPUS for
120 all allowable costs associated with the provision of the vaccine. For the purposes of this section, the

121 Department shall be deemed a participating provider with a managed care health insurance plan as defined in
 122 § 32.1-137.1.

123 B. A physician, a physician assistant, an advanced practice registered nurse, a registered nurse, a licensed
 124 practical nurse, a pharmacist, or a local health department administering a vaccine required by this section
 125 shall provide to the person who presents the child for immunizations a certificate that shall state the diseases
 126 for which the child has been immunized, the numbers of doses given, the dates when administered and any
 127 further immunizations indicated.

128 C. The vaccines required by this section shall meet the standards prescribed in, and be administered in
 129 accordance with, the State Board of Health Regulations for the Immunization of School Children. The State
 130 Board of Health shall amend the State Board of Health Regulations for the Immunization of School Children
 131 as necessary from time to time to maintain conformity with evidence-based, routinely recommended
 132 vaccinations for children. The adoption of such regulations shall be exempt from the requirements of Article
 133 2 (§ 2.2-4006 et seq.) of the Administrative Process Act (§ 2.2-4000 et seq.). However, the Department shall
 134 (i) provide a Notice of Intended Regulatory Action and (ii) provide for a 60-day public comment period prior
 135 to the Board's adoption of the regulations.

136 D. The provisions of this section shall not apply if:

137 1. The parent or guardian of the child objects thereto on the grounds that the administration of immunizing
 138 agents conflicts with his religious tenets or practices, unless an emergency or epidemic of disease has been
 139 declared by the Board;

140 2. The parent or guardian presents a statement from a physician licensed to practice medicine in Virginia,
 141 a licensed advanced practice registered nurse, or a local health department that states that the physical
 142 condition of the child is such that the administration of one or more of the required immunizing agents would
 143 be detrimental to the health of the child; or

144 3. Because the human papillomavirus is not communicable in a school setting, a parent or guardian, at the
 145 parent's or guardian's sole discretion, may elect for the parent's or guardian's child not to receive the human
 146 papillomavirus vaccine, after having reviewed materials describing the link between the human
 147 papillomavirus and cervical cancer approved for such use by the Board.

148 E. For the purpose of protecting the public health by ensuring that each child receives age-appropriate
 149 immunizations, any physician, physician assistant, advanced practice registered nurse, licensed institutional
 150 health care provider, or local or district health department, the Virginia Immunization Information System,
 151 and the Department of Health may share immunization and patient locator information without parental
 152 authorization, including, but not limited to, the month, day, and year of each administered immunization; the
 153 patient's name, address, telephone number, birth date, and social security number; and the parents' names.
 154 The immunization information; the patient's name, address, telephone number, birth date, and social security
 155 number; and the parents' names shall be confidential and shall only be shared for the purposes set out in this
 156 subsection.

157 F. The State Board of Health shall review this section annually and make recommendations for revision
 158 by September 1 to the Governor, the General Assembly, and the Joint Commission on Health Care.

159 **2. That the State Board of Health shall amend the State Board of Health Regulations for the**
 160 **Immunization of School Children to remove any provisions requiring a child to receive the hepatitis B**
 161 **vaccine.**