



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

House: HHS DP 5-4-0-0 | ED DP 6-4-0-0 | 3rd Read 31-28-1-0
Senate: HHS DP 5-3-0-0 | 3rd Read 16-12-2-0

HB2086: DHS; school immunizations; exclusions

Sponsor: Representative Osborne, LD 13

Transmitted to the Governor

Overview

States that immunizations for COVID-19 or any variant of COVID-19 are not required for school attendance. Repeals statute relating to immunizations not required for school attendance.

History

The Director of the Arizona Department of Health Services (DHS) adopts rules including: 1) prescribing required immunizations for school attendance; 2) approving means of immunization and indicating reinforcing immunizations for diseases; and 3) identifying types of health agencies and health care providers which may sign a laboratory evidence of immunity ([A.R.S. § 36-672](#)).

Additionally, these rules must include: 1) required doses; 2) recommended optimum ages for administration of immunizations; 3) persons authorized to sign on behalf of a health agency; and 4) other necessary rules. The Director of DHS, in consultation with the Superintendent of Public Instruction, must develop standards for documentary proof. Currently, immunization against the human papillomavirus is not required for school attendance ([A.R.S. § 36-672](#)).

[Laws 2021, Chapter 409, Sec. 12](#) amended statute to include that an immunization for which the U.S. Food and Drug Administration emergency use authorization has been issued could not be required for school attendance. It also requires an immunization to be prescribed by DHS rule before the immunization can be required for in-person school attendance and does not preclude a parent's right to make health care decisions for the parent's minor child.

Provisions

1. Repeals changes made to statute by [Laws 2021, Chapter 409, Sec. 12](#), relating to immunizations not required for school attendance. (Sec. 1)
2. Specifies that an immunization for COVID-19 or any variant of COVID-19 is not required for school attendance. (Sec. 2)
3. Requires an immunization to be prescribed by rules adopted by DHS before the immunization can be required for in-person school attendance. (Sec. 2)
4. Clarifies that these provisions do not preclude a parent's right to make health care decisions for their children. (Sec. 2)
5. Makes technical changes. (Sec. 1)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note