

CHAPTER 312
FORMERLY
SENATE BILL NO. 223
AS AMENDED BY
SENATE AMENDMENT NO. 1

AN ACT TO AMEND TITLE 16 OF THE DELAWARE CODE RELATING TO MENINGITIS PREVENTION.

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

Section 1. Amend § 509, Title 16 of the Delaware Code as follows:

§ 509. Vaccination for meningococcal disease.

(a) The purpose of this section is to prevent the contraction and spread of bacterial meningococcal disease among students in post-secondary educational institutions. The intent of this section is that post-secondary educational institutions and student who wish to enroll in post-secondary educational institutions follow the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention in preventing meningococcal disease.

(b) As used in this section, “campus housing” means any space, in a building, over which a post-secondary educational institution has control and is intended for post-secondary educational institution students, where group sleeping accommodations are provided in 1 room, or in a series of closely associated rooms, for persons not members of the same family group, including dormitories and sorority or fraternity houses.

(c) This section applies to all of the following:

(1) A post-secondary educational institution that has campus housing.

(2) A student who has accepted admission and intends to enroll in a post-secondary educational institution that has campus housing.

(d) A student who wishes to enroll in a post-secondary educational institution shall submit to the post-secondary educational institution documentation confirming that, within the 5 years prior to the date of enrollment, the student received vaccination against meningococcal disease. The student:

(1) Shall submit the documentation prior to enrollment.

(2) May submit the documentation in any of the following methods:

a. As a written statement signed by the health-care professional who administered the vaccination.

b. Within the medical records the student submits to the post-secondary educational institution for admission or enrollment purposes.

c. In any other manner that the post-secondary educational institution requires.

(e) A post-secondary educational institution shall deny enrollment to any student who has not received vaccination against meningococcal disease or been granted an exemption under subsection (f) of this section.

(f) A student seeking an exemption from the requirements of subsection (d) of this section shall submit a written request for exemption to the post-secondary educational institution. A post-secondary educational institution:

(1) May develop its own policies and procedures regarding requests for exemption, including under what circumstances the post-secondary educational institution will grant a student’s request for exemption.

(2) Shall include in its policies and procedures under paragraph (f)(1) of this section the requirement that, if a student who submits a request for exemption is a minor, the student’s parent or guardian shall sign the request for exemption.

(3) May develop its own policies and procedures to grant students additional time to submit vaccination documentation, as long as the policies and procedures require that the documentation is submitted within the first semester of enrollment.

(g) A post-secondary educational institution shall:

(1) Provide information about meningococcal disease to all students who have accepted admission, after the student has paid an initial deposit toward tuition. Such information shall include notice of both of the following:

a. The availability and benefits of vaccination against meningococcal disease.

b. The requirement under paragraph (d) of this section that a student receive vaccination against meningococcal disease within 5 years prior to the student's enrollment in the post-secondary educational institution.

(2) Develop procedures for facilitating, receiving, and recording student responses to the information provided about meningococcal disease and the requirement for vaccination against meningococcal disease, including a student's vaccination record.

(3) Determine the appropriate office and position within the office of the post-secondary educational institution to receive, record, maintain, make determinations about, and notify students regarding the outcome of their requests for exemption.

Section 2. This Act takes effect on January 1, 2017.

Approved July 19, 2016