

SENATE BILL NO. 243

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY SENATOR ELTON

Introduced: 1/12/04

Referred: Health, Education and Social Services

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to immunization of postsecondary students for meningitis; and**
2 **providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 14.48.030(b) is amended to read:

5 (b) **Except as provided under AS 14.48.165, the** [THE] commission may
6 exempt the following educational programs, and educational institutions only
7 providing programs exempt under (a) of this section and this subsection, from some or
8 all of the provisions of this chapter:

9 (1) a program operated by a state or a political subdivision of a state;

10 (2) instruction sponsored by a bona fide trade, business, labor,
11 professional, or fraternal association or organization, recognized by the commission,
12 and conducted only for that association's or organization's membership;

13 (3) nonprofit postsecondary educational institutions offering
14 undergraduate or graduate educational programs, from a facility in this state, that are

1 acceptable for credit toward an associate, bachelor's, or graduate degree;

2 (4) a program that is provided without a fee, other than the actual cost
3 of materials, to students;

4 (5) a program that does not offer education credentials;

5 (6) a short course of study that is no more than 10 days or 80 hours in
6 duration;

7 (7) a program offered within the state by an out-of-state institution that
8 is authorized to operate by the state in which it is located and is nationally or
9 regionally accredited;

10 (8) a program or institution that is regulated by another agency or
11 political subdivision of the state regarding the quality of course contents, facilities, and
12 operation.

13 * **Sec. 2.** AS 14.48 is amended by adding a new section to read:

14 **Sec. 14.48.165. Immunization of postsecondary students.** (a) A
15 postsecondary educational institution in this state shall provide written notice to each
16 student who intends to reside in campus housing before the student's initial period of
17 residence, that includes the following information:

18 (1) meningococcal disease

19 (A) is a serious illness that can cause death within a few hours
20 of onset; one in 10 cases is fatal, and one in seven survivors of the illness is left
21 with severe disability;

22 (B) is a contagious but also largely preventable infection of the
23 spinal cord fluid and the fluid surrounding the brain;

24 (2) scientific evidence suggests that college students living in campus
25 housing are at a moderately increased risk of contracting meningococcal disease; and

26 (3) immunization against meningococcal disease decreases the risk of
27 contracting the illness.

28 (b) A student attending a postsecondary educational institution shall sign a
29 document provided by the institution indicating that the student has received

30 (1) an immunization against meningococcal disease; or

31 (2) the notice described under (a) of this section.

1 (c) Nothing in this section may be construed to require a postsecondary
2 educational institution to provide or pay for immunizations against meningococcal
3 disease.

4 (d) A postsecondary educational institution that has made reasonable efforts to
5 comply with this section is not liable for civil damages suffered by a student who
6 attends the institution, who resides on campus, and who contracts meningococcal
7 disease.

8 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
9 read:

10 **APPLICABILITY.** AS 14.48.165(d), added by sec. 2 of this Act, applies to a civil
11 action that accrues on or after the effective date of this Act.

12 * **Sec. 4.** This Act takes effect immediately under AS 01.10.070(c).