

BILL ANALYSIS

Senate Research Center
78R869 KSD-D

S.B. 28
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S/C on Higher Education
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As Filed

DIGEST AND PURPOSE

Currently, Texas does not require institutions of higher education to vaccinate students with the meningitis vaccine and maintain information regarding whether students choose not to receive the meningitis vaccine. Last year, the University of Texas at Austin had a meningitis death on campus which brought attention to students in the high-risk, college-aged populations known to live in close quarters and share utensils or even cigarettes. As proposed, S.B. 28 requires institutions of higher education to maintain information regarding whether and when a student received a meningitis vaccination and who provided the immunization.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 51Z, Education Code, by adding Section 51.9192, as follows:

Sec. 51.9192. BACTERIAL MENINGITIS IMMUNIZATION RECORDS. (a) Defines “institution of higher education” and “new student.”

(b) Requires the Texas Higher Education Coordinating Board, in consultation with the Texas Department of Health, to prescribe procedures by which each institution of higher education shall request and to make reasonable efforts to obtain certain information from each new student of the institution.

(c) Requires an institution of higher education that administers a bacterial meningitis immunization to a student to maintain a record of the student’s immunization and to request the student’s written consent to the release of the student’s confidential immunization information as described by Subsection (e).

(d) Requires each institution of higher education to retain a record of information collected and a copy of the consent form obtained under Subsection (b) or (c) for not less than 10 years after the student first enrolls at the institution.

(e) Provides that a student’s bacterial meningitis immunization information collected and maintained by an institution of higher education under this section is confidential. Authorizes an institution, on written consent of the student, to release the information to certain entities.

SECTION 2. Provides that this Act applies only to students enrolling in public institutions of higher education in this state on or after January 1, 2004, and to students at those institutions who are immunized against bacterial meningitis by those institutions on or after that date.

SECTION 3. Effective date: upon passage or September 1, 2003.