

103^D CONGRESS
1ST SESSION

H. R. 1840

To amend part A of title IV of the Social Security Act to deny benefits under the program of aid to families with dependent children with respect to any child who has not received preventive health care or been immunized in accordance with recommendations issued by the Surgeon General of the Public Health Service, and to amend the Child Care and Development Block Grant Act to require that child care providers that receive assistance, directly or indirectly, under such Act require all children to be immunized in accordance with such recommendations.

IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 1993

Mrs. ROUKEMA introduced the following bill; which was referred jointly to the Committees on Ways and Means and Energy and Commerce

A BILL

To amend part A of title IV of the Social Security Act to deny benefits under the program of aid to families with dependent children with respect to any child who has not received preventive health care or been immunized in accordance with recommendations issued by the Surgeon General of the Public Health Service, and to amend the Child Care and Development Block Grant Act to require that child care providers that receive assistance, directly or indirectly, under such Act require all children to be immunized in accordance with such recommendations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Child Immunization
5 Incentive Act of 1993”.

6 **SEC. 2. AFDC BENEFITS DENIED FOR CHILDREN WHO HAVE**
7 **NOT RECEIVED PREVENTIVE HEALTH CARE**
8 **OR IMMUNIZATIONS.**

9 Section 402(a) of the Social Security Act (42 U.S.C.
10 602(a)) is amended—

11 (1) by striking “and” at the end of paragraph
12 (44);

13 (2) by striking the period at the end of para-
14 graph (45) and inserting “; and”; and

15 (3) by inserting after paragraph (45) the fol-
16 lowing:

17 “(46) provide that—

18 “(A) aid under the plan shall not be pay-
19 able with respect to any child who has not at-
20 tained the age of 6 years, unless the State
21 agency has received from 1 or more physicians
22 written verification (on a form prescribed by the
23 State)—

24 “(i) that the child has been examined
25 by a physician not less frequently than—

1 “(I) in the case of a child who
2 has not attained the age of 19
3 months, every 6 months since the
4 child was born; and

5 “(II) in the case of any other
6 child, every 6 months until the child
7 attained the age of 19 months, and
8 every year thereafter;

9 “(ii) that the child has been immu-
10 nized in accordance with recommendations
11 issued by the Surgeon General of the Pub-
12 lic Health Service; and

13 “(iii) of any contraindication which
14 exempts the child from receiving an immu-
15 nization;

16 “(B) the State will conduct appropriate
17 education and outreach activities designed to—

18 “(i) increase public awareness of the
19 importance of preventive health care and
20 immunizations for pre-school children; and

21 “(ii) inform the public about—

22 “(I) the availability of preventive
23 health care and immunization services
24 for pre-school children;

1 “(II) any transportation, child
2 care, or other support services that
3 may be available to assist parents in
4 obtaining such services for their chil-
5 dren; and

6 “(III) the clinics at which any
7 child may receive immunizations free
8 or at a reduced charge.”.

9 **SEC. 3. AMENDMENTS TO THE CHILD CARE AND DEVELOP-**
10 **MENT BLOCK GRANT.**

11 Section 658E(2) of the Child Care and Development
12 Block Grant Act (42 U.S.C. 9858c(2)) is amended—

13 (1) in subparagraph (F)—

14 (A) in clause (ii) by striking “and” at the
15 end,

16 (B) in clause (iii) by striking the period at
17 the end and inserting “; and”,

18 (C) by inserting after subclause (III), as so
19 redesignated, the following:

20 “(iv) a requirement that such provid-
21 ers require with respect to each child who
22 receives child care services from any of
23 such providers that certificates signed by a
24 physician who verifies that such child has
25 been immunized in accordance with rec-

1 ommendations issued by the Surgeon Gen-
2 eral of the Public Health Service be sub-
3 mitted, at required intervals and in accord-
4 ance with rules issued by the Secretary, to
5 the child care provider involved.”, and

6 (D) by striking the last sentence, and

7 (2) in subparagraph (G)—

8 (i) by inserting “(i)” before “Provide”, and

9 (ii) by adding at the end the following:

10 “(ii) For the purpose of enforcing the re-
11 quirement described in subparagraph (F)(iv),
12 such procedures shall ensure that each of such
13 providers gives to parents of each child who re-
14 ceives child care services from the provider in-
15 volved written notice of—

16 “(I) each immunization requirement
17 applicable to such child;

18 “(II) an opportunity of not less than
19 30 days, and not more than 45 days, to
20 correct the failure to satisfy such require-
21 ment; and

22 “(III) the fact that child care services
23 for such child will be terminated for failure
24 to satisfy such requirement before the expi-

1 ration of the 45-day period beginning on
2 the date such notice is received.”.

3 **SEC. 4. ISSUANCE OF IMMUNIZATION RECOMMENDATIONS**
4 **BY THE SURGEON GENERAL OF THE PUBLIC**
5 **HEALTH SERVICE.**

6 After taking into consideration the then most recent
7 report of the Committee on Infectious Diseases of the
8 American Academy of Pediatrics, the Surgeon General of
9 the Public Health Service shall issue, and revise from time
10 to time, recommendations for the immunization of chil-
11 dren under 6 years of age. With respect to each rec-
12 ommended immunization, such recommendation shall in-
13 clude—

14 (1) contraindications (if any) that should be
15 identified to exempt a child from receiving such im-
16 munization, and

17 (2) remedial action that may be taken to mini-
18 mize the adverse effect of failure to administer such
19 immunization to a child at the recommended age.

20 **SEC. 5. EFFECTIVE DATES; APPLICATION OF AMENDMENTS.**

21 (a) EFFECTIVE DATE.—Except as provided in sub-
22 sections (b) and (c), this Act and the amendments made
23 by this Act shall take effect on the date of the enactment
24 of this Act.

1 (b) APPLICATION OF SECTION 2 AMENDMENTS.—

2 The amendments made by section 2 shall apply, without
3 regard to whether regulations to implement the amend-
4 ments have been promulgated, to—

5 (1) payments to individuals under State plan
6 approved under part A of title IV of the Social Secu-
7 rity Act, for months ending after the 120-day period
8 that begins with the date of the enactment of this
9 Act; and

10 (2) payments to States under such part for cal-
11 endar quarters ending after such 120-day period.

12 (c) APPLICATION OF SECTION 3 AMENDMENTS.—

13 The amendments made by section 3 shall not apply with
14 respect to fiscal years beginning before the date of the en-
15 actment of this Act.

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