

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2468

To amend the Public Health Service Act to provide for grants to immunize children against vaccine-preventable diseases through programs established in elementary schools.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 1993

Mrs. SCHROEDER introduced the following bill; which was referred to the Committee on Energy and Commerce

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## A BILL

To amend the Public Health Service Act to provide for grants to immunize children against vaccine-preventable diseases through programs established in elementary schools.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “School-Based Child-  
3 hood Immunizations Program Amendments Act”.

4 **SEC. 2. ESTABLISHMENT OF PROGRAM FOR PROVISION OF**  
5 **CHILDHOOD IMMUNIZATIONS THROUGH ELE-**  
6 **MENTARY SCHOOLS.**

7 Part B of title III of the Public Health Service Act  
8 (42 U.S.C. 243 et seq.), as amended by section 308 of  
9 Public Law 102–531 (106 Stat. 3495), is amended by in-  
10 serting after section 317D the following section:

11 “SCHOOL-BASED PROGRAM OF IMMUNIZATIONS FOR  
12 CHILDREN

13 “SEC. 317E. (a) IN GENERAL.—The Secretary, act-  
14 ing through the Director of the Centers for Disease Con-  
15 trol and Prevention and after consultation with the Sec-  
16 retary of Education, may make grants to local educational  
17 agencies for the purpose of providing to children immuni-  
18 zations for vaccine-preventable diseases.

19 “(b) ELIGIBLE GEOGRAPHIC AREAS.—The Secretary  
20 may make a grant under subsection (a) only if the local  
21 educational agency involved administers 1 or more elemen-  
22 tary schools located in communities—

23 “(1) with substantial numbers of cases of vac-  
24 cine-preventable diseases; or

25 “(2) with substantial numbers of children who  
26 have not received the number and variety of im-

1       munizations commonly recommended by medical  
2       authorities.

3       “(c) CERTAIN PROGRAM REQUIREMENTS.—The Sec-  
4       retary may make a grant under subsection (a) only if the  
5       local educational agency involved makes agreements as fol-  
6       lows for the program operated with the grant:

7               “(1) The principal locations for providing im-  
8       munizations will be the premises of schools described  
9       in subsection (b).

10              “(2) To the extent practicable, the individual  
11       with the principal responsibility for carrying out  
12       such program for a participating school will be a  
13       registered nurse—

14                      “(A) who is licensed by the State involved  
15       to practice as a nurse; and

16                      “(B)(i) to whom the State has issued a  
17       credential in school nursing; or

18                      “(ii) in the case of a State that does not  
19       issue such credentials, who has other docu-  
20       mentation or experience appropriate for serving  
21       as a nurse at an elementary school.

22              “(3)(A) Each participating school will, on the  
23       premises of the school, make available to each stu-  
24       dent, and to each of the siblings of the student  
25       whose age is below the official age of school entry,

1 the number and variety of vaccines recommended by  
2 the American Academy of Pediatrics.

3 “(B) To the extent practicable, each participat-  
4 ing school will, on the premises of the school, make  
5 available to children in family child care homes or  
6 child care centers the number and variety of vac-  
7 cines so recommended.

8 “(4) To the extent practicable, the immuniza-  
9 tions will be administered only by the school nurse  
10 or by other registered nurses licensed by the State  
11 involved.

12 “(5) A charge will not be imposed for the provi-  
13 sion of the immunizations.

14 “(6) Each participating school will notify the  
15 families of the students of the school that the school  
16 is providing the immunizations and of the impor-  
17 tance of early immunization, and will answer paren-  
18 tal inquiries about immunization.

19 “(7)(A) In the case of the community in which  
20 a participating school is located and the commu-  
21 nities in which the students of the school reside, the  
22 school will, subject to subparagraphs (B) and (C),  
23 carry out in each such community a program to edu-  
24 cate the residents of the community on—

1           “(i) the availability from the school of im-  
2           munizations;

3           “(ii) the importance of children receiving  
4           the number and variety of immunizations  
5           recommended by the American Academy of  
6           Pediatrics;

7           “(iii) the fact that no significant adverse  
8           health consequences result from administering  
9           immunizations to children during periods in  
10          which the children have common illnesses; and

11          “(iv) the availability of other health, edu-  
12          cational, or social services from public and non-  
13          profit entities in the geographic area involved.

14          “(B) In educating residents for purposes of  
15          subparagraph (A), each participating school will  
16          carry out the program of education for individuals  
17          caring for children in child care homes and child  
18          care centers, and will carry out the program for all  
19          parents of newborn infants.

20          “(C) Such program of education will be coordi-  
21          nated among each participating school (and such  
22          schools will not carry out duplicative activities in a  
23          community) and will be coordinated with local health  
24          departments, hospitals and maternity wards, birth  
25          registries, and community health centers.

1           “(8) In the case of the purposes for which a  
2           grant under subsection (a) may be expended, the  
3           local educational agency will maintain expenditures  
4           of non-Federal amounts for such purposes at a level  
5           that is not less than the level of such expenditures  
6           maintained by the agency for the fiscal year preced-  
7           ing the first fiscal year for which the agency receives  
8           such a grant.

9           “(d) REQUIRED PRIOR ARRANGEMENTS FOR PRO-  
10          GRAMS.—

11           “(1) PROVISION BY STATE OF SUPPLY OF VAC-  
12          CINES.—The Secretary may make a grant under  
13          subsection (a) to a local educational agency only if  
14          the agency has entered into an agreement with the  
15          State involved under which the State will, for pur-  
16          poses of the program operated by the agency with  
17          the grant, provide to the agency a supply of vaccines  
18          that is satisfactory to the Secretary in terms of the  
19          quantity of vaccines supplied and the charge im-  
20          posed for the vaccines.

21           “(2) PARTICIPANTS IN PROGRAM OF PUBLIC  
22          EDUCATION.—With respect to the program of edu-  
23          cation described in subsection (c)(7), the Secretary  
24          may make a grant under subsection (a) only if the  
25          local educational agency involved has entered into

1 such agreements as may be necessary to ensure that,  
2 for purposes of educating a substantial number of  
3 individuals, an appropriate number and variety of  
4 public and private entities participate in the pro-  
5 gram and that the activities of the program are co-  
6 ordinated among such entities.

7 “(e) REQUIREMENT OF APPLICATION.—The Sec-  
8 retary may make a grant under subsection (a) only if an  
9 application for the grant is submitted to the Secretary  
10 containing the agreements required in this section, and the  
11 application is in such form, is made in such manner, and  
12 contains such other agreements, and such assurances and  
13 information, as the Secretary determines to be necessary  
14 to carry out this section.

15 “(f) CERTAIN EXPENDITURES OF GRANT.—

16 “(1) CERTAIN PERMISSIBLE EXPENDITURES.—  
17 The purposes for which a grant under subsection (a)  
18 may be expended by a local educational agency in-  
19 clude—

20 “(A) carrying out the program of edu-  
21 cation described in subsection (c)(7); and

22 “(B) recruiting and retaining a school  
23 nurse, without regard to whether the functions  
24 of the nurse will include functions other than

1 the functions of the program carried out under  
2 subsection (a).

3 “(2) GENERAL LIMITATION.—In the case of the  
4 costs of establishing or operating a program under  
5 subsection (a), the Secretary may not authorize a  
6 local educational agency receiving a grant under  
7 such subsection to expend more than 15 percent of  
8 the grant for such costs that are not directly related  
9 to the provision of immunizations at participating  
10 schools.

11 “(g) DEFINITIONS.—For purposes of this section:

12 “(1) The term ‘immunizations’ means immuni-  
13 zations against vaccine-preventable diseases.

14 “(2) The term ‘local educational agency’ has  
15 the meaning given such term in section 1471 of the  
16 Elementary and Secondary Education Act of 1965.

17 “(3) The term ‘participating school’ means a  
18 school described in subsection (b) at which an agen-  
19 cy is providing immunizations with a grant under  
20 subsection (a).

21 “(4) The term ‘school nurse’ means a nurse de-  
22 scribed in subsection (c)(2).

23 “(h) FUNDING.—

24 “(1) AUTHORIZATION OF APPROPRIATIONS.—  
25 For the purpose of carrying out this section, there

1       are authorized to be appropriated \$4,000,000 for  
2       fiscal year 1994, and such sums as may be nec-  
3       essary for each of the fiscal years 1995 and 1996.

4               “(2) INITIAL NUMBER OF GRANTS.—For the  
5       first fiscal year for which amounts are appropriated  
6       under paragraph (1), the Secretary may not make  
7       more than 10 grants under subsection (a).”.

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