

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 191

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mrs. ROUKEMA introduced the following bill; which was referred to the Committee on Ways and Means and, in addition, to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## 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 1995”.

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)—

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

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

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

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

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

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

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

23                          “(ii) inform the public about—

1           “(I) the availability of preventive  
2 health care and immunization services  
3 for pre-school children;

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

9           “(III) the clinics at which any  
10 child may receive immunizations free  
11 or at a reduced charge.”.

12 **SEC. 3. AMENDMENTS TO THE CHILD CARE AND DEVELOP-**  
13 **MENT BLOCK GRANT.**

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

16           (1) in subparagraph (F)—

17               (A) in clause (ii) by striking “and” at the  
18 end,

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

21               (C) by inserting after subclause (III), as so  
22 redesignated, the following:

23                   “(iv) a requirement that such provid-  
24 ers require with respect to each child who  
25 receives child care services from any of

1 such providers that certificates signed by a  
2 physician who verifies that such child has  
3 been immunized in accordance with rec-  
4 ommendations issued by the Surgeon Gen-  
5 eral of the Public Health Service be sub-  
6 mitted, at required intervals and in accord-  
7 ance with rules issued by the Secretary, to  
8 the child care provider involved.”, and

9 (D) by striking the last sentence, and

10 (2) in subparagraph (G)—

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

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

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

19 “(I) each immunization requirement  
20 applicable to such child;

21 “(II) an opportunity of not less than  
22 30 days, and not more than 45 days, to  
23 correct the failure to satisfy such require-  
24 ment; and

1                   “(III) the fact that child care services  
2                   for such child will be terminated for failure  
3                   to satisfy such requirement before the expi-  
4                   ration of the 45-day period beginning on  
5                   the date such notice is received.”.

6 **SEC. 4. ISSUANCE OF IMMUNIZATION RECOMMENDATIONS**  
7                   **BY THE SURGEON GENERAL OF THE PUBLIC**  
8                   **HEALTH SERVICE.**

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

17                   (1) contraindications (if any) that should be  
18                   identified to exempt a child from receiving such im-  
19                   munization, and

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

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

24           (a) EFFECTIVE DATE.—Except as provided in sub-  
25 sections (b) and (c), this Act and the amendments made

1 by this Act shall take effect on the date of the enactment  
2 of this Act.

3 (b) APPLICATION OF SECTION 2 AMENDMENTS.—

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

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

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

14 (c) APPLICATION OF SECTION 3 AMENDMENTS.—

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

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