

**DIVISION 1. GOVERNMENT
TITLE 18. EDUCATION
CHAPTER 302A. EDUCATION
[PART IV.] PROVISIONS AFFECTING SYSTEM STRUCTURE**

HRS § 302A-901 (2006)

§302A-901. Specific definitions.

For the purposes of sections 302A-1154 to 302A-1163, "school" means any day care center, child care facility, headstart program, preschool, kindergarten, elementary, or secondary school, public or private, including any special school for children in the State.

HRS § 302A-1154 (2006)

§ 302A-1154. Immunization upon entering school; tuberculosis clearance

(a) No child shall attend any school in the State unless the child presents to the appropriate school official documentation satisfactory to the department of health that the child has received immunizations against communicable diseases as required by the department of health.

(b) No child shall be admitted to attend any school for the first time in the State unless the child presents to the appropriate school official documentation satisfactory to the department of health that the child has been examined and tested according to the rules of the department, and is free from tuberculosis in a communicable form.

HRS § 302A-1155 (2006)

§ 302A-1155. Provisional entrance to school

(a) A child may enter school provisionally upon submitting written documentation from a licensed physician, advanced practice registered nurse, or an authorized representative of the department of health stating that the child is in the process of receiving the required immunizations. Further documentation showing that the required immunizations have been completed shall be submitted to the appropriate school official no later than three months after the child first entered the school. If all of the required immunizations cannot be completed within three months due to the length of the minimum intervals between doses of a particular vaccine required by the department of health, provisional admission may be extended so long as the child's parent or guardian provides documentation that appointments for required immunizations have been made and that progress toward completing the immunizations continues in accordance with the requirements of the department of health.

(b) Provisional entrance to school may be suspended by the department of health when there is danger of an epidemic from any of the communicable diseases for which immunization is required.

HRS § 302A-1156 (2006)

[§ 302A-1156]. Exemptions

A child may be exempted from the required immunizations:

- (1) If a licensed physician certifies that the physical condition of the child is such that immunizations would endanger the child's life or health; or
- (2) If any parent, custodian, guardian, or any other person in loco parentis to a child objects to immunization in writing on the grounds that the immunization conflicts with that person's bonafide religious tenets and practices. Upon showing the appropriate school official satisfactory evidence of the exemption, no certificate or other evidence of immunization shall be required for entry into school.

HRS § 302A-1157 (2006)

[§ 302A-1157]. Exemptions from immunization; not recognized; epidemic conditions

If at any time there is, in the opinion of the department of health, danger of an epidemic from any of the communicable diseases for which immunization is required under sections 302A-1154 to 302A-1163, no exemption from immunization against the disease shall be recognized. Quarantine shall be a legal alternative to immunization.

HRS § 302A-1162 (2006)

§ 302A-1162. Rules

(a) The department of health shall adopt rules under chapter 91 relating to immunization, physical examination, and tuberculin testing under sections 302A-1154 to 302A-1163. Immunizations required, and the manner and frequency of their administration, shall conform with recognized standard medical practices. The list of diseases and minimum requirements for protection under sections 302A-1154 to 302A-1163 may be revised whenever the department of health deems it necessary for the protection of public health.

(b) The department shall establish by rule standards for documentation of compliance with school health requirements under sections 302A-1154 through 302A-1163.

HRS § 302A-1163 (2006)

[§ 302A-1163]. Enforcement

The department of health shall administer and enforce the immunization and tuberculin test requirements under sections 302A-1154 to 302A-1163.

DIVISION 1. GOVERNMENT
TITLE 19. HEALTH
CHAPTER 325. INFECTIOUS AND COMMUNICABLE DISEASES
PART II. VACCINATION AND IMMUNIZATION

HRS § 325-32 (2006)

§ 325-32. Immunization against infectious diseases

The department of health may adopt rules requiring and governing immunization against typhoid fever, pertussis (whooping cough), diphtheria, tetanus, poliomyelitis, measles, mumps, hepatitis B, rubella, haemophilus influenzae type B, and any other communicable disease, if a suitable immunizing agent is available for the disease and a need for immunization against it exists within the State. The department may also provide vaccines and other immunizing agents to private and public health care providers for administration to the general public.

HRS § 325-34 (2006)

§ 325-34. Exemptions

Section 325-32 shall be construed not to require the vaccination or immunization of any person for three months after a duly licensed physician or an authorized representative of the department of health has signed two copies of a certificate stating the name and address of the person and that because of a stated cause the health of the person would be endangered by the vaccination or immunization, and has forwarded the original copy of the certificate to the person or, if the person is a minor or under guardianship, to the person's parent or guardian, and has forwarded the duplicate copy of the certificate to the department for its files.

No person shall be subjected to vaccination, revaccination or immunization, who shall in writing object thereto on the grounds that the requirements are not in accordance with the religious tenets of an established church of which the person is a member or adherent, or, if the person is a minor or under guardianship, whose parent or guardian shall in writing object thereto on such grounds, but no objection shall be recognized when, in the opinion of the director of health, there is danger of an epidemic from any communicable disease.

HRS § 325-35 (2006)

§ 325-35. Forms and procedures

The department of health may prescribe forms and procedures to achieve the purposes of sections 325-32 to 325-34 and shall maintain a complete roster of all exemptions from vaccination or immunization.

TITLE 11. DEPARTMENT OF HEALTH

CHAPTER 157. EXAMINATION AND IMMUNIZATION

Hawaii Admin. Rules § 11-157 (2006)

§ 11-157-2. Definitions. As used in this chapter:

"Post-secondary school" means any adult education school, business school, trade school, community college, college or university enrolling or registering students above the age of compulsory school attendance.

"School" means any child care center, preschool, day care center, day nursery, Head Start program, group child care home, kindergarten, elementary, intermediate, middle, or secondary school, but excludes afterschool programs, family child care, parent cooperatives, play groups, respite programs, and drop-in child care centers.

"Student" means any child or adult enrolled in any school or postsecondary school in the State.

§11-157-3 Immunization.

Immunizations against certain specified diseases, including minimum spacing between doses, and other conditions governing acceptability of immunizations, are required as set forth in the following exhibits:

Exhibit A, "Guide to Hawaii Pediatric Immunization Requirements (July 1, 2002)"

Exhibit B, "Guide to Hawaii Immunization & Examination Requirements for Schools (July 1, 2002)."

Exhibit C, "Guide to Hawaii Post-Secondary School Immunization & Tuberculosis Examination Requirements (July 1, 2002)."

The Exhibits are located at the end of and are made a part of this chapter. If an exhibit conflicts with this chapter, this chapter shall prevail. Implementation of the amendments to this section shall occur on July 1, 2002.

NOTE: To see the above Exhibits, Click on "[State of Hawaii Administrative Rules Regarding Examination and Immunization](#)" in the "Other Resources" above. Exhibit A is found on page 9; Exhibit B, page 12; and Exhibit C, page 17.

§11-157-5 Exemptions.

(a) Medical exemptions from the requirements for specific immunizing agents shall be granted upon certification by a physician on the physician's professional stationery that an immunization is medically contraindicated for a specific period of time. The original certificate shall be provided to the exempt person or parent or guardian. A copy of the certificate shall be maintained in the student's school health record. Reports of such certificates shall be submitted to the department by each school.

(b) A religious exemption shall be granted to a student whose parent, custodian, guardian, or other person in loco parentis certifies that the person's religious beliefs prohibit the practice of immunization. Requests for religious exemptions based on objections to specific immunizing agents will not be granted. Students who have reached the age of majority shall apply on their own behalf. The certification shall be retained in the student's health record. Reports of such exemptions shall be submitted to the department by each school.

(c) If at any time, the director determines that there is the danger or presence of an outbreak or epidemic from any of the communicable diseases for which immunization is required under this chapter, the exemption from immunization against such disease shall not be recognized and inadequately immunized students shall be excluded from school until the director has determined that the presence or danger of the outbreak or epidemic no longer exists.