

Summary

The purpose of this bill is to

- 1) Secure all religious exemptions for medical intervention and/or immunizations found in T.C.A. and remove exceptions where the religious exemptions might be denied, or invalid.

TCA §50-3-106 (10) (Employee's Rights) Nothing in this chapter or this section shall be deemed to authorize or require medical examination, immunization or treatment for those who object to the medical examination, immunization or treatment on religious grounds, **except where the medical examination, immunization or treatment is necessary for the protection of the health or safety of others**; and

Suggestion: Strike emphasized portion.

TCA §49-6-5001 (Schools)

(a) The commissioner of health is authorized, subject to the approval of the public health council, to designate diseases against which children must be immunized prior to attendance at any school, nursery school, kindergarten, preschool or child care facility of this state.

(b)

(1) It is the responsibility of the parents or guardian of children to have their children immunized, as required by subsection (a).

(2) **In the absence of an epidemic or immediate threat of an epidemic**, this section shall not apply to any child whose parent or guardian files with school authorities a signed, written statement that the immunization and other preventive measures conflict with the parent's or guardian's religious tenets and practices, affirmed under the penalties of perjury.

Suggestion: Strike emphasized portion in (b)(2).

TCA §37-10-402 **In the absence of an epidemic or immediate threat thereof**, this section does not apply to any child whose parent or guardian files with proper authorities a signed, written statement that such immunization and other preventative measures conflict with the religious tenets and practices of the parent or guardian affirmed under penalties of perjury.

Suggestion: Strike the emphasized portion

TCA §68-2-603 (Establishment of county health department)

(f) *In the absence of an epidemic or immediate threat of an epidemic,* any person who shall file with the county board of health a signed, written statement that a specific regulation pertaining to personal medical treatment conflicts with the person's religious tenets and practices, affirmed under penalty of perjury, shall be exempted from the regulation.

Suggestion: Strike the emphasized portion

68-5-106. Refusal of vaccination — Physician giving fraudulent certificate — Penalty.

(a) Every person who refuses to be vaccinated or prevents a person under such person's care and control from being vaccinated on application being made by the health officer or board of health or by a physician employed by the health officer or board of health for that purpose, unless in the written opinion of another physician it would not be prudent on account of sickness, commits a Class C misdemeanor.

(b) Any physician fraudulently giving a certificate of sickness or of vaccination to prevent vaccination commits a Class C misdemeanor.

Suggestion: Repeal this statute entirely.

Add 68-5-115 with the following language:

No state agency or department shall promulgate and no political subdivision of the state shall promulgate or adopt any ordinance or rule that shall require medical examination, immunization or treatment for those who object to the medical examination, immunization or treatment on religious grounds, or by right of conscience.