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Bill Analysis

Legislative Service Commission

S.B. 248

124th General Assembly
(As Introduced)

Sen. Armbruster

BILL SUMMARY

- Requires the Ohio Department of Health to approve meningitis vaccines.
- Requires the Department to distribute to school districts, private schools, and institutions of higher education information about meningitis and meningitis vaccines.
- Requires institutions of higher education to provide information about meningitis and meningitis vaccines to students who apply for residence in on-campus student housing.
- Prohibits institutions of higher education from providing on-campus student housing to any student who has not provided either written proof of vaccination against meningitis or a signed vaccination waiver form.

CONTENT AND OPERATION

Background: meningitis in college students

Meningococcal meningitis is a rare but potentially fatal bacterial infection most commonly expressed either as meningitis, an attack of the brain and spinal cord, or meningococemia, an accumulation of the bacterium *Neisseria meningitidis* in the blood.

Neisseria meningitidis is a leading cause of meningitis and blood poisoning in teenagers and young adults in the United States. According to the Meningitis Foundation of America, meningitis and meningococemia can cause permanent brain damage, hearing loss, learning disability, organ failure, loss of limbs, or death. Meningococcal meningitis is transmitted through air droplets and by direct contact with infected persons. Early symptoms of meningococcal meningitis, which may include high fever, headache, stiff neck, confusion, nausea, vomiting,

exhaustion, and rash, are often misdiagnosed as a less serious infection, such as influenza. Undetected, the disease can progress rapidly, often within hours of the first signs of symptoms.

Studies show that young people age 15 to 24 years are at greater risk of contracting meningococcal meningitis, and that in recent years there has been an increase in the number of college outbreaks. Freshmen living in dormitories are found to have a sixfold increased risk for the disease. The Meningitis Foundation reports that the Centers for Disease Control and Prevention now recommends college students, particularly freshmen living in dormitories, learn more about meningococcal meningitis and consider vaccination.¹

Duties of the Department of Health

(sec. 3701.133)

The bill requires the Ohio Department of Health to approve meningitis vaccines.² The Department may adopt any rules it considers necessary to implement the vaccine approval process. The Department must also distribute information about the risks associated with meningitis and the availability and effectiveness of meningitis vaccines to the following:

- (1) Each public school district;
- (2) Each nonpublic school, whether chartered, nonchartered, or nontax supported, that enrolls students in ninth grade or the equivalent educational level;
- (3) Each community school that enrolls students in ninth grade or the equivalent education level;
- (4) Each state institution of higher education;
- (5) Each nonprofit institution of higher education;³

¹ *The Meningitis Foundation of America*, <http://www.musa.org/facts.html>, visited 3-20-02.

² "Vaccine" refers to the preparation of killed microorganisms administered to increase immunity to a particular disease. "Vaccination" refers to the act of administering a vaccine.

³ As defined by the bill, "nonprofit institution of higher education" means a nonprofit college, university, or other institution that offers instruction in recognized academic and professional fields of study, and awards degrees for fulfilling requirements of academic work beyond high school.

(6) Each private career school.⁴

Vaccination for students in on-campus housing

(secs. 1713.55, 3332.25, and 3345.85)

The bill prohibits any state institution of higher education, nonprofit institution of higher education, or private career school from allowing a student who has not been vaccinated against meningitis from residing in the institution's on-campus housing unless the requirement is waived at the request of the student or the student's parents.⁵

An institution of higher education, on receiving a student's application for residence in the institution's on-campus student housing, must inform the student of the meningitis vaccination requirement and provide the student with a copy of the information provided to the institution by the Department of Health about meningitis and the availability and efficacy of meningitis vaccines. To be permitted to reside in the institution's on-campus student housing, a student must present to the institution either written proof of vaccination against meningitis by a vaccine approved by the Department of Health or a waiver form signed by the student or, if the student is younger than 18, the student's parent, to release the student from the vaccination requirement.

The institution must also inform the student of the vaccination requirement waiver process. The institution must provide to any student or parent who requests it a waiver form.⁶ The form must include a statement for the student or, if the student is younger than 18, the student's parent to sign in acknowledgement of having received and read the information about meningitis provided by the institution. The institution must waive the vaccination requirement for any student who returns a signed waiver form to the institution.

The bill states that it does not require an institution to provide or pay for any student's vaccination against meningitis.

⁴ *Private career schools provide career training at the post-secondary level.*

⁵ *"On-campus housing" means a dormitory or other student residence that is owned or operated by, or located on the campus of, a nonprofit institution of higher education.*

⁶ *As defined by the bill, "parent" means either parent, except that if one parent has sole custody, "parent" means the parent with custody. "Parent" also includes a guardian or, in the absence of a parent or guardian, another person who has accepted responsibility for the care of the student.*

HISTORY

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