

# PROPOSED AMENDMENT

## SB 8 # 9

### DIGEST

Student immunizations. Provides that a student enrolled in a health profession education program may not be required to receive an immunization as a condition of: (1) participating in; or (2) obtaining; clinical training or clinical experience required by the program. Allows a student to bring a civil action against an entity for a violation of these provisions. Amends the definition of "documentation of exemption" for purposes of provisions governing immunization requirements at state educational institutions. Prohibits a state educational institution from requiring a student to provide specific information regarding the student's religious objection in a request for an exemption from immunization requirements.

- 
- 1           Page 2, between lines 9 and 10, begin a new paragraph and insert:  
2           "SECTION 3. IC 20-34-10 IS ADDED TO THE INDIANA CODE  
3           AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
4           UPON PASSAGE]:  
5           **Chapter 10. Health Profession Education Program**  
6           **Sec. 1. This chapter does not apply to a contract entered into or**  
7           **renewed before March 31, 2024.**  
8           **Sec. 2. As used in this chapter, "health profession education**  
9           **program" means an education program that:**  
10           **(1) is designed to prepare a student for a career in a health**  
11           **profession regulated by an entity described in IC 25-0.5-11;**  
12           **and**  
13           **(2) requires a student to complete clinical training or clinical**  
14           **experience at an offsite facility.**  
15           **Sec. 3. As used in this chapter, "immunization" means the**  
16           **treatment of an individual with a vaccine to produce immunity.**  
17           **Sec. 4. As used in this chapter, "student" means a student**  
18           **enrolled in a health profession education program.**  
19           **Sec. 5. A student may not be required to receive an**  
20           **immunization as a condition of:**  
21           **(1) participating in; or**  
22           **(2) obtaining;**  
23           **clinical training or clinical experience required by a health**

1 **profession education program.**

2 **Sec. 6. (a) A student may bring a civil action against an entity**  
3 **that violates this chapter.**

4 **(b) The court may award to a student who prevails in an action**  
5 **under this section any of the following:**

6 **(1) Injunctive relief.**

7 **(2) Costs and reasonable attorney's fees.**

8 SECTION 4. IC 21-40-1-6, AS ADDED BY P.L.2-2007, SECTION  
9 281, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON  
10 PASSAGE]: Sec. 6. "Documentation of exemption" means a: ~~form that:~~

11 ~~(+) is acceptable to a state educational institution; and~~

12 ~~(-) (1) form that indicates the circumstances as described in~~  
13 ~~IC 21-40-5-4; and or~~

14 ~~(2) statement that a student has a sincerely held religious~~  
15 ~~belief as described in IC 21-40-5-6;~~

16 entitling the student to an exemption from the requirements in ~~sections~~  
17 ~~IC 21-40-5-2 and IC 21-40-5-3.~~

18 SECTION 5. IC 21-40-5-6, AS ADDED BY P.L.2-2007, SECTION  
19 281, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON  
20 PASSAGE]: Sec. 6. (a) Except as otherwise provided, a student may  
21 not be required to undergo testing, examination, immunization, or  
22 treatment required under this chapter when the student objects on  
23 religious grounds.

24 (b) A religious objection does not exempt a student from testing,  
25 examination, immunization, or treatment required under this chapter  
26 unless the request for an exemption is:

27 (1) made in writing;

28 (2) signed by the student; and

29 (3) delivered to the individual who might order a test, an  
30 examination, an immunization, or a treatment absent the religious  
31 objection.

32 **(c) A state educational institution may not require a student to**  
33 **provide specific information regarding the student's religious**  
34 **objection in a request for an exemption described in subsection**  
35 **(b).".**

36 Page 13, after line 4, begin a new paragraph and insert:

37 "SECTION 15. IC 21-44-8 IS ADDED TO THE INDIANA CODE  
38 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
39 UPON PASSAGE]:

40 **Chapter 8. Health Profession Education Program**

1           **Sec. 1. This chapter does not apply to a contract entered into or**  
2 **renewed before March 31, 2024.**

3           **Sec. 2. (a) As used in this chapter, "health profession education**  
4 **program" means an education program that:**

- 5                   **(1) is designed to prepare a student for a career in a health**
- 6                   **profession regulated by an entity described in IC 25-0.5-11;**
- 7                   **and**
- 8                   **(2) requires a student to complete clinical training or clinical**
- 9                   **experience at an offsite facility.**

10           **(b) The term includes an intern, residency, and graduate**  
11 **program (as defined in IC 21-44-1-12).**

12           **Sec. 3. As used in this chapter, "immunization" means the**  
13 **treatment of an individual with a vaccine to produce immunity.**

14           **Sec. 4. As used in this chapter, "student" means a student**  
15 **enrolled in a health profession education program.**

16           **Sec. 5. A student may not be required to receive an**  
17 **immunization as a condition of:**

- 18                   **(1) participating in; or**
- 19                   **(2) obtaining;**
- 20 **clinical training or clinical experience required by a health**
- 21 **profession education program.**

22           **Sec. 6. (a) A student may bring a civil action against an entity**  
23 **that violates this chapter.**

24           **(b) The court may award to a student who prevails in an action**  
25 **under this section any of the following:**

- 26                   **(1) Injunctive relief.**
- 27                   **(2) Costs and reasonable attorney's fees.**

28           **SECTION 16. An emergency is declared for this act."**

29           Renumber all SECTIONS consecutively.

(Reference is to SB 8 as reprinted February 6, 2024.)