

HOUSE BILL No. 1072

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-34-10; IC 21-40; IC 21-44-8.

Synopsis: 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.

Effective: Upon passage.

Cash, Teshka

January 8, 2024, read first time and referred to Committee on Education.



Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1072



A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

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



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

3 **(1) participating in; or**

4 **(2) obtaining;**

5 **clinical training or clinical experience required by a health**
 6 **profession education program.**

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

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

11 **(1) Injunctive relief.**

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

13 SECTION 2. IC 21-40-1-6, AS ADDED BY P.L.2-2007, SECTION
 14 281, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
 15 PASSAGE]: Sec. 6. "Documentation of exemption" means a: ~~form that:~~

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

17 ~~(2) (1) form that~~ indicates the circumstances as described in
 18 IC 21-40-5-4; ~~and or~~

19 **(2) statement that a student has a sincerely held religious**
 20 **belief as described in IC 21-40-5-6;**

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

23 SECTION 3. IC 21-40-5-6, AS ADDED BY P.L.2-2007, SECTION
 24 281, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
 25 PASSAGE]: Sec. 6. (a) Except as otherwise provided, a student may
 26 not be required to undergo testing, examination, immunization, or
 27 treatment required under this chapter when the student objects on
 28 religious grounds.

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

32 (1) made in writing;

33 (2) signed by the student; and

34 (3) delivered to the individual who might order a test, an
 35 examination, an immunization, or a treatment absent the religious
 36 objection.

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

40 SECTION 4. IC 21-44-8 IS ADDED TO THE INDIANA CODE AS
 41 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
 42 PASSAGE]:



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Chapter 8. Health Profession Education Program

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

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

(1) is designed to prepare a student for a career in a health profession regulated by an entity described in IC 25-0.5-11; and

(2) requires a student to complete clinical training or clinical experience at an offsite facility.

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

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

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

Sec. 5. A student 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 a health profession education program.

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

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

(1) Injunctive relief.

(2) Costs and reasonable attorney's fees.

SECTION 5. An emergency is declared for this act.

