

# Nevada Vaccine Exemption Laws

## NEVADA REVISED STATUTES

### TITLE 34. EDUCATION

#### CHAPTER 392. PUPILS

#### HEALTH AND SAFETY; PARENTAL INVOLVEMENT; SCHOOL UNIFORMS

**NRS 392.435 Immunization of pupils: Certificate prerequisite to enrollment; conditional enrollment; effect of failure to immunize; report to Health Division; inclusion of certificate in pupil's record.**

1. Unless excused because of religious belief or medical condition, a child may not be enrolled in a public school within this State unless his parents or guardian submit to the board of trustees of the school district in which the child resides or the governing body of the charter school in which the child has been accepted for enrollment a certificate stating that the child has been immunized and has received proper boosters for that immunization or is complying with the schedules established by regulation pursuant to NRS 439.550 for the following diseases:

(a) Diphtheria;

(b) Tetanus;

(c) Pertussis if the child is under 6 years of age;

(d) Poliomyelitis;

(e) Rubella;

(f) Rubeola; and

(g) Such other diseases as the local board of health or the State Board of Health may determine.

2. The certificate must show that the required vaccines and boosters were given and must bear the signature of a licensed physician or his designee or a registered nurse or his designee, attesting that the certificate accurately reflects the child's record of immunization.

3. If the requirements of subsection 1 can be met with one visit to a physician or clinic, procedures for conditional enrollment do not apply.

4. A child may enter school conditionally if the parent or guardian submits a certificate from a physician or local health officer that the child is receiving the required immunizations. If a certificate from the physician or local health officer showing that the child has been fully immunized is not submitted to the appropriate school officers within 90 school days, or its equivalent in a school district operating under an alternative schedule authorized pursuant to NRS 388.090, after the child was conditionally admitted, the child must be excluded from school and may not be readmitted until the requirements for immunization have been met. A child who is excluded from school pursuant to this section is a neglected child for the purposes of NRS 432.0999 to 432.130, inclusive, and chapter 432B of NRS.

5. Before December 31 of each year, each school district and the governing body of each charter school shall report to the Health Division of the Department of Health and Human Services, on a form furnished by the Division, the exact number of pupils who have completed the immunizations required by this section.

6. The certificate of immunization must be included in the pupil's academic or cumulative record and transferred as part of that record upon request.

**NRS 392.437 Immunization of pupils: Exemption if prohibited by religious belief.**

A public school shall not refuse to enroll a child as a pupil because the child has not been immunized pursuant to NRS 392.435 if the parents or guardian of the child has submitted to the board of trustees of the school district or the governing body of a charter school in which the child has been accepted for enrollment a written statement indicating that their religious belief prohibits immunization of such child or ward.

**NRS 392.439 Immunization of pupils: Exemption if prevented by medical condition.**

If the medical condition of a child will not permit him to be immunized to the extent required by NRS 392.435 and a written statement of this fact is signed by a licensed physician and by the parents or guardian of the child, the board of trustees of the school district or governing body of the charter school in which the child has been accepted for enrollment shall exempt the child from all or part of the provisions of NRS 392.435, as the case may be, for enrollment purposes.

**NRS 392.443 Immunization of pupils: Additional requirements imposed after enrollment; additional certificate required.**

If, after a child has been enrolled in a public school and before registration for any subsequent school year additional immunization requirements are provided by law, the child's parents or guardian shall submit an additional certificate or certificates to the board of trustees or the governing body of the charter school in which the child is enrolled stating that the child has met the new immunization requirements.

**NRS 392.446 Immunization of pupils: Protection of child exempt from immunization if dangerous disease exists in school.**

Whenever the State Board of Health or a local board of health determines that there is a dangerous contagious disease in a public school attended by a child for whom exemption from immunization is claimed pursuant to the provisions of NRS 392.437 or 392.439, the board of trustees of the school district or the governing body of the charter school in which the child is enrolled shall require either:

1. That the child be immunized; or
2. That he remain outside the school environment and the local health officer be notified.

**NRS 392.448 Immunization of pupils: Penalty for refusal to remove child from school when required by law.**

Any parent or guardian who refuses to remove his child from the public school in which he is enrolled when retention in school is prohibited under the provisions of NRS 392.435, 392.443 or

392.446 is guilty of a misdemeanor.

**NEVADA REVISED STATUTES**

**TITLE 34. EDUCATION**

**CHAPTER 394. PRIVATE EDUCATIONAL INSTITUTIONS AND ESTABLISHMENTS  
HEALTH AND SAFETY; THREATS OF VIOLENCE; SCHOOL PROPERTY**

**NRS 394.192 Immunization of pupils: Certificate prerequisite to enrollment; conditional enrollment; effect of failure to immunize; report to Health Division; inclusion of certificate in pupil's record.**

1. Unless excused because of religious belief or medical condition, a child may not be enrolled in a private school within this State unless his parents or guardian submit to the governing body of the private school a certificate stating that the child has been immunized and has received proper boosters for that immunization or is complying with the schedules established by regulation pursuant to NRS 439.550 for the following diseases:

- (a) Diphtheria;
- (b) Tetanus;
- (c) Pertussis if the child is under 6 years of age;
- (d) Poliomyelitis;
- (e) Rubella;
- (f) Rubeola; and
- (g) Such other diseases as the local board of health or the State Board of Health may determine.

2. The certificate must show that the required vaccines and boosters were given and must bear a signature of a licensed physician or his designee or a registered nurse or his designee, attesting that the certificate accurately reflects the child's record of immunization.

3. If the requirements of subsection 1 can be met with one visit to a physician or clinic, procedures for conditional enrollment do not apply.

4. A child may enter school conditionally if the parent or guardian submits a certificate from a physician or local health officer that the child is receiving the required immunizations. If a certificate from the physician or local health officer showing that the child has been fully immunized is not submitted to the appropriate school officials within 90 school days after the child was conditionally admitted, the child must be excluded from school and may not be readmitted until the requirements for immunization have been met. A child who is excluded from school pursuant to this section is a neglected child for the purposes of NRS 432.0999 to 432.130, inclusive, and chapter 432B of NRS.

5. Before December 31 of each year, each private school shall report to the Health Division of the Department of Health and Human Services, on a form furnished by the Division, the exact number of pupils who have completed the immunizations required by this section.

6. The certificate of immunization must be included in the pupil's academic or cumulative record and transferred as part of that record upon request.

**NRS 394.193 Immunization of pupils: Exemption if prohibited by religious belief.**

A private school shall not refuse to enroll a child as a pupil because such child has not been immunized pursuant to NRS 394.192 if the parents or guardian of such child have submitted to the governing body a written statement indicating that their religious belief prohibits immunization of such child or ward.

**NRS 394.194 Immunization of pupils: Exemption if prevented by medical condition.**

If the medical condition of a child will not permit him to be immunized to the extent required by NRS 394.192, a written statement of this fact signed by a licensed physician and presented to the governing body by the parents or guardian of such child shall exempt such child from all or part of the provisions of NRS 394.192, as the case may be, for enrollment purposes.

**NRS 394.196 Immunization of pupils: Additional requirements imposed after enrollment; additional certificate required.**

If, after a child has been enrolled in a private school and before registration for any subsequent school year additional immunization requirements are provided by law, the child's parents or guardian shall submit an additional certificate or certificates to the governing body stating that such child has met the new immunization requirements.

**NRS 394.198 Immunization of pupils: Protection of child exempt from immunization if dangerous disease exists in school.**

Whenever the State Board of Health or a local board of health determines that there is a dangerous contagious disease in a private school attended by a child for whom exemption from immunization is claimed pursuant to the provisions of NRS 394.193 or 394.194, the governing body of such private school shall require either:

1. That the child be immunized; or
2. That he remain outside the school environment and the local health officer be notified.

**NRS 394.199 Immunization of pupils: Penalty for refusal to remove child from school when required by law.**

Any parent or guardian who refuses to remove his child from the private school in which he is enrolled when retention in school is prohibited under the provisions of NRS 394.192, 394.196 or 394.198 is guilty of a misdemeanor.

**NEVADA REVISED STATUTES  
TITLE 38. PUBLIC WELFARE  
CHAPTER 432A. SERVICES AND FACILITIES FOR CARE OF CHILDREN  
IMMUNIZATION OF CHILDREN ADMITTED TO CHILD CARE FACILITIES**

**NRS 432A.230 Certificate of immunization prerequisite to admission to child care facility; conditional admission; report to Health Division.**

Except as otherwise provided in NRS 432A.235 for accommodation facilities:

1. Except as otherwise provided in subsection 3 and unless excused because of religious belief or medical condition, a child may not be admitted to any child care facility within this State, including a facility licensed by a county or city, unless his parents or guardian submit to the operator of the facility a certificate stating that the child has been immunized and has received proper boosters for that immunization or is complying with the schedules established by regulation pursuant to NRS 439.550 for the following diseases:

- (a) Diphtheria;
- (b) Tetanus;
- (c) Pertussis if the child is under 6 years of age;
- (d) Poliomyelitis;
- (e) Rubella;
- (f) Rubeola; and
- (g) Such other diseases as the local board of health or the State Board of Health may determine.

2. The certificate must show that the required vaccines and boosters were given and must bear the signature of a licensed physician or his designee or a registered nurse or his designee, attesting that the certificate accurately reflects the child's record of immunization.

3. A child whose parent or guardian has not established a permanent residence in the county in which a child care facility is located and whose history of immunization cannot be immediately confirmed by a physician in this State or a local health officer, may enter the child care facility conditionally if the parent or guardian:

- (a) Agrees to submit within 15 days a certificate from a physician or local health officer that the child has received or is receiving the required immunizations; and
- (b) Submits proof that he has not established a permanent residence in the county in which the facility is located.

4. If a certificate from the physician or local health officer showing that the child has received or is receiving the required immunizations is not submitted to the operator of the child care facility within 15 days after the child was conditionally admitted, the child must be excluded from the facility.

5. Before December 31 of each year, each child care facility shall report to the Health Division of the Department, on a form furnished by the Division, the exact number of children who have:

- (a) Been admitted conditionally to the child care facility; and

(b) Completed the immunizations required by this section.

**NRS 432A.235 Written documentation of immunization prerequisite to admission to accommodation facility; conditional admission; report to Health Division; maintenance of proof of immunization by business which operates more than one accommodation facility.**

1. Except as otherwise provided in subsection 2 and unless excused because of religious belief or medical condition, a child may not be admitted to any accommodation facility within this State, including an accommodation facility licensed by a county or city, unless his parents or guardian submit to the operator of the accommodation facility written documentation stating that the child has been immunized and has received proper boosters for that immunization or is complying with the schedules established by regulation pursuant to NRS 439.550 for the diseases set forth in subsection 1 of NRS 432A.230. The written documentation required pursuant to this subsection must be:

(a) A letter signed by a licensed physician stating that the child has been immunized and received boosters or is complying with the schedules;

(b) A record from a public school or private school which establishes that a child is enrolled in the school and has satisfied the requirements for immunization for enrollment in the school pursuant to NRS 392.435 or 394.192; or

(c) Any other documentation from a local health officer which proves that the child has been immunized and received boosters or is complying with the schedules.

2. A child whose parent or guardian has not established a permanent residence in the county in which an accommodation facility is located and whose history of immunization cannot be immediately confirmed by the written documentation required pursuant to subsection 1 may enter the accommodation facility conditionally if the parent or guardian:

(a) Agrees to submit within 15 days the documentation required pursuant to subsection 1; and

(b) Submits proof that he has not established a permanent residence in the county in which the facility is located.

3. If the documentation required pursuant to subsection 1 is not submitted to the operator of the accommodation facility within 15 days after the child was conditionally admitted, the child must be excluded from the facility.

4. Before December 31 of each year, each accommodation facility shall report to the Health Division of the Department, on a form furnished by the Division, the exact number of children who have:

(a) Been admitted conditionally to the accommodation facility; and

(b) Completed the immunizations required by this section.

5. To the extent that the Board or an agency for the licensing of child care facilities established by a county or city requires a child care facility to maintain proof of immunization of a child admitted to the facility, the Board or agency shall authorize a business which operates more than

one accommodation facility to maintain proof of immunization of a child admitted to any accommodation facility of the business at a single location of the business. The documentation must be accessible by each accommodation facility of the business.

**NRS 432A.240 Exemption from immunization when contrary to religious belief.**

If the religious belief of a child's parents or guardian prohibits the immunization of the child as required by NRS 432A.230 or 432A.235, a written statement of this fact signed by the parents or guardian and presented to the operator of the facility exempts the child from the provisions of that section for purposes of admission.

**NRS 432A.250 Exemption from immunization because of medical condition.**

If the medical condition of a child will not permit him to be immunized to the extent required by NRS 432A.230 or 432A.235, a written statement of this fact signed by a licensed physician and presented to the operator of the facility by the parents or guardian of such child exempts such child from all or part of the provisions of NRS 432A.230 or 432A.235, as the case may be, for purposes of admission.

**NRS 432A.260 Additional requirements for immunization imposed after admission; additional certificate or documentation required.**

If, after a child has been admitted to a child care facility, including a facility licensed by a county or city, additional immunization requirements are provided by law, the child's parents or guardian shall submit an additional certificate or certificates or, if the facility is an accommodation facility, additional written documentation in a form authorized pursuant to NRS 432A.235 to the operator of the facility stating that such child has met the new immunization requirements.

**NRS 432A.270 Protection of child exempt from immunization if dangerous disease exists in facility.**

Whenever the State Board of Health or a local board of health determines that there is a dangerous contagious disease in a child care facility attended by a child for whom exemption from immunization is claimed pursuant to the provisions of NRS 432A.240 or 432A.250, the operator of the facility shall require either:

1. That the child be immunized; or
2. That he remain outside the school environment and the local health officer be notified.

NRS 432A.280 Penalty for refusal to remove child from child care facility when required by law. Any parent or guardian who refuses to remove his child from the child care facility to which he has been admitted when retention in the facility is prohibited under the provisions of NRS 432A.230, 432A.235, 432A.260 or 432A.270 is guilty of a misdemeanor.

**NEVADA ADMINISTRATIVE CODE  
CHAPTER 441A. COMMUNICABLE DISEASES  
IMMUNIZATIONS**

**NAC 441A.750 Records of immunization: Availability for inspection by health authority. (NRS 441A.120)**

The record of immunization of a person required to be immunized by the provisions of this chapter must be made available for inspection by the health authority upon request.

**NAC 441A.755 University students: Proof of immunity to certain communicable diseases required; exceptions; exclusion from university. (NRS 441A.120)**

1. Except as otherwise provided in subsection 10 or unless excused because of religious belief or medical condition, a person shall not attend a university until he submits to the university proof of immunity to tetanus, diphtheria, measles, mumps, rubella and any other disease specified by the State Board of Health. The Division shall establish the immunization schedule required for admission of the student.
2. Except as otherwise provided in subsection 10 or unless excused because of religious belief or medical condition, a person who:
  - (a) Is less than 23 years of age; and
  - (b) Is enrolled as a freshman; shall not reside in on-campus housing after September 1, 2008, until he submits to the university proof of immunity to Neisseria meningitidis.
3. A student may enroll in the university conditionally if the student, or if the student is a minor, the parent or legal guardian of the student, submits a record of immunization stating that the student is in the process of obtaining the required immunizations, and that record shows that the student has made satisfactory progress toward obtaining those immunizations.
4. The university shall retain the proof of immunity on a computerized record or on a form provided by the Division.
5. The university shall not refuse to enroll a student because he has not been immunized if the student, or if the student is a minor, the parent or legal guardian of the student, has submitted to the university a written statement indicating that his religious belief prohibits immunizations. The university shall keep the statement on file.
6. If the medical condition of a student does not permit him to be immunized to the extent required, the student, or if the student is a minor, the parent or legal guardian of the student, must submit to the university a statement of that fact written by a licensed physician. The university shall keep the statement on file.
7. If additional requirements of immunity are imposed by law after a student has been enrolled in the university, the student, or if the student is a minor, the parent or legal guardian of the student, shall submit an additional proof of immunity to the university stating that the student has met the new requirements of immunity.

8. If the health authority determines that, at the university, there is a case having a communicable disease against which immunity is required for admission to the university, and a student who has not submitted proof of immunity to that disease is attending that university, the president of the university shall require that:

(a) The student be immunized; or

(b) The student be excluded from the university until allowed to return by the health authority.

9. A student shall not attend a university from which he is excluded until allowed to return by the health authority. The parent or legal guardian of a student, if the student is a minor, shall not allow the student to attend a university from which he is excluded until allowed to return by the health authority.

10. Any student who is enrolled in a program of distance education and who does not attend a class on campus is exempt from the requirements of this section.

11. As used in this section:

(a) "On-campus housing" means a dormitory or other student residence that is owned, operated by or located on the campus of a university.

(b) "Postsecondary educational institution" has the meaning ascribed to it in NRS 394.099.

(c) "University" means any university within the Nevada System of Higher Education or any private postsecondary educational institution that provides on-campus housing.