

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 778**  
**94TH GENERAL ASSEMBLY**

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Reported from the Committee on Health Care Policy April 30, 2008 with recommendation that House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 778 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

D. ADAM CRUMBLISS, Chief Clerk

3119L.05C

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**AN ACT**

To amend chapter 167, RSMo, by adding thereto one new section relating to immunizations against the human papillomavirus.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 167, RSMo, is amended by adding thereto one new section, to be  
2 known as section 167.182, to read as follows:

**167.182. 1. Each parent or guardian of a female student enrolling in grade six in  
2 public school shall be provided information regarding immunizations against the human  
3 papillomavirus in accordance with this section.**

**4 2. (1) Each public school district shall provide the names and addresses of all  
5 parents and guardians of female students who are entering grade six to the department of  
6 health and senior services and the department shall mail to such parent or guardian age  
7 appropriate information relating to the connection between human papillomavirus and  
8 cervical cancer, and that an immunization against the human papillomavirus infection is  
9 available.**

**10 (2) Such information shall include:**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

11           (a) The risk factors for developing cervical cancer, the symptoms of the disease,  
12 how it may be diagnosed and its possible consequences if untreated;

13           (b) The connection between human papillomavirus and cervical cancer, how  
14 human papillomavirus is transmitted, how transmission may be prevented, including  
15 abstinence as the best way to prevent sexually transmitted diseases, and the relative risk  
16 of contracting human papillomavirus for primary and secondary school students;

17           (c) The latest scientific information on the immunization against human  
18 papillomavirus infection and the immunization's effectiveness against causes of cervical  
19 cancer;

20           (d) That a pap smear is still critical for the detection of precancerous changes in the  
21 cervix to allow for treatment before cervical cancer develops; and

22           (e) A statement that any questions or concerns regarding immunizing the child  
23 against human papillomavirus could be answered by contacting a health care provider.

24           (3) Each informational mailing sent to the parents or guardian of female students  
25 who are entering grade six shall request that the parents or guardian of such students  
26 voluntarily furnish to the department not later than twenty school days after the first day  
27 of school a written statement, in a form prescribed by the department of health and senior  
28 services, stating that the parent has received the information required under this  
29 subsection and that:

30           (a) The student has received or is receiving the immunization; or

31           (b) The parent has decided not to have the student immunized.

32 Such form to be returned voluntarily by the parent or guardian shall not request from the  
33 parent or guardian any identifying information of the female student or parent or  
34 guardian.

35           (4) The informational mailing shall have prominently displayed in bold type that  
36 the request from the parent or guardian for the written statement under subdivision (3)  
37 of this subsection is voluntary.

38           (5) Beginning July 1, 2009, the department shall submit to the general assembly a  
39 report detailing the number of sixth grade female students who have and have not been  
40 immunized against the human papillomavirus infection and the number of nonresponses  
41 to the request for the written statement under subdivision (3) of this subsection. The  
42 information derived from subdivision (3) of this subsection shall be used for statistical  
43 purposes only and shall not be used to personally identify any parent or guardian, or any  
44 student.

45           (6) Nothing in this subsection shall be construed to prevent a student from school  
46 attendance if such parent or guardian has opted not to have the student receive the human

47 papillomavirus immunization or has not returned the statement prescribed in subdivision  
48 (3) of this subsection.

49       3. If a parent or guardian chooses to have the female student immunized for the  
50 human papillomavirus but is unable to pay, the student shall be immunized at public  
51 expense by a physician or nurse at or from the county, district, city public health center or  
52 a school nurse or by a nurse or physician in the private office or clinic of the child's  
53 personal physician with the costs of immunization paid through the Mo HealthNet  
54 program, private insurance or in a manner to be determined by the department of health  
55 and senior services subject to state and federal appropriations.

56       4. Funds for the administration of this section and for the purchase of vaccines for  
57 students of families unable to afford them shall be appropriated to the department of  
58 health and senior services from general revenue or from federal funds if available.

59       5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo,  
60 that is created under the authority delegated in this section shall become effective only if  
61 it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if  
62 applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable  
63 and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo,  
64 to review, to delay the effective date, or to disapprove and annul a rule are subsequently  
65 held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
66 adopted after August 28, 2008, shall be invalid and void.

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