

**Department of Legislative Services**  
Maryland General Assembly  
2006 Session

**FISCAL AND POLICY NOTE**

Senate Bill 1012 (Senator Klausmeier)  
Education, Health, and Environmental Affairs

---

**Family Law - Child Care - Influenza Immunization**

---

This bill requires that by February 1 each year, a parent or guardian of a child in the care of a licensed child care center (whether or not it is in a State-occupied building) must provide the center evidence that the child received an immunization against the influenza virus. If a child enters a center after December 1 but before the next April 1, the center must determine the child's immunization status and require the specified immunization if necessary. The child's parent or guardian is not required to provide evidence of the specified immunization if the parent or guardian can provide evidence that receiving the immunization creates an undue financial burden or the parent or guardian objects to the immunization because it conflicts with bona fide religious beliefs and practices. Each center must provide to the Maryland State Department of Education (MSDE) documentation for each child in its care who has received the required immunization or is exempt from the requirement.

---

**Fiscal Summary**

**State Effect:** The bill would not substantively change State activities or operations.

**Local Effect:** None.

**Small Business Effect:** None. Small business child care centers would be required to receive proof that children they are caring for received an influenza immunization along with the currently required age-appropriate immunizations.

---

## Analysis

**Current Law:** MSDE licenses and inspects child care centers in Maryland. MSDE may establish child care centers for the children of State employees in State-occupied buildings, which are also subject to inspection. The State Superintendent of Schools must adopt rules and regulations for licensing and operating child care centers. The rules and regulations must include ensuring the health of children in child care centers by monitoring health practices to help prevent the spread of disease.

Department of Health and Mental Hygiene regulations require children to receive the age-appropriate immunizations before entering a preschool program or school, with specified exemptions including bona fide religious beliefs and practices. The influenza immunization currently is not on the list of required immunizations.

**Background:** MSDE child care licensing specialists currently review a child care center's records during an inspection, including whether children in a center's care are up-to-date with the required immunizations.

---

### Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland State Department of Education, Department of Health and Mental Hygiene, Department of Legislative Services

**Fiscal Note History:** First Reader - March 17, 2006  
nas/jr

---

Analysis by: Lisa A. Daigle

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510