

BILL NO. 36-0278

Thirty-Sixth Legislature of the Virgin Islands

May 8, 2026

An act amending title 19, Virgin Islands Code, to establish immunization requirements for children and students enrolling in educational institutions in the Virgin Islands; to provide for immunization exemptions; and to require electronic reporting of immunization compliance to the Virgin Islands Department of Health through the Virgin Islands Immunization Registry (VIIRS)

PROPOSED BY: Senator Ray Fonseca

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 19 Virgin Islands Code is amended by adding the following part IX:

“Part IX. Immunizations

Chapter 76. Pre-Adolescent and Adolescent Immunization Requirements

§ 4118. Immunization Card

(a) All pre-adolescent and adolescent children entering daycare, kindergarten, elementary school, middle school, junior high school, or high school in public, private, or parochial institutions, and any student enrolling for the first time at an institution of higher education located in the Virgin Islands must have a valid immunization card issued by the Virgin Islands Department of Health, United States Department of Health and Human Services, or certificate of immunization if from a country outside of the United States, or present evidence of an immunization program in progress. A pre-adolescent or adolescent child, or any student enrolling for the first time at an institution of higher education located in

1 the Virgin Islands who is in the process of completing a required vaccination series shall
2 complete all required vaccine doses in accordance with the immunization schedule established
3 by the Department of Health.

4 (1) The immunization card or certificate must include satisfactory evidence of
5 immunity to or immunization against vaccine-preventable diseases including Hepatitis
6 B, Diphtheria, Tetanus, Pertussis, Polio, Measles, Mumps, Rubella, Varicella, and
7 Meningococcal.

8 (2) The immunization card or certificate must reflect satisfactory evidence of
9 immunization against vaccine-preventable diseases according to the schedule established
10 by the Department of Health.

11 (3) A student transferring to the Virgin Islands from another school system must
12 present a valid immunization card as issued by the Virgin Islands Department of Health,
13 United States Department of Health and Human Services, or certificate of immunization
14 if from a country outside of the United States, or shall present documentation to the
15 school the student will be attending demonstrating that the student has received at least
16 one dose of each required vaccine and is actively completing the remaining doses in
17 accordance with the schedule established by the Department of Health.

18 **§ 4119. Prohibition**

19 (a) The superintendent, principal, or head administrator of the institution, or the
20 designee thereof, is prohibited from knowingly admitting or retaining any student who has not
21 submitted acceptable evidence of immunization as provided in § 4118.

22 (1) The superintendent, principal, or head administrator of the institution, or the
23 designee thereof, shall ensure compliance with § 4118 and shall:

24 (i) maintain records of student immunizations and electronically report
25 such records to the Virgin Islands Department of Health through the Virgin Islands

1 Immunization Registry (“VIIRS”), the territorial electronic immunization data
2 system maintained by the Department of Health;

3 (ii) make immunization records available for inspection by the Virgin
4 Islands Department of Health Adolescent Immunization Coordinator; and

5 (iii) report outbreaks or confirmed or suspected cases of vaccine-
6 preventable diseases to the Virgin Islands Department of Health Epidemiology
7 Division.

8 (b The superintendent, principal, or head administrator of the institution, or the
9 designee thereof, that fails to electronically report a student vaccination record to the VIIRS or
10 fails to report an outbreak or potential outbreak to the Virgin Islands Department of Health
11 Epidemiology Division, shall be subject to a fine of \$1,000 per violation, which shall be
12 assessed against the school, kindergarten, university, or daycare facility.

13 **§ 4120. Exemptions**

14 (a) A student is exempt from complying with the school entry requirements of this
15 section if the student provides an immunization exemption form issued by the Virgin Islands
16 Department of Health. An exemption shall be valid for one academic year and must be
17 resubmitted annually thereafter.

18 (1) A parent or guardian seeking to exempt a child from immunization for
19 medical or religious reasons shall obtain an exemption form from the Virgin Islands
20 Department of Health Maternal and Child Health Clinic.

21 (2) A parent or guardian seeking to exempt a child from immunization for
22 medical reasons shall obtain a physical examination and evaluation conducted by a
23 licensed physician or an advanced registered nurse practitioner (ARNP) and shall submit
24 supporting medical documentation to the Virgin Islands Department of Health Maternal
25 and Child Health Clinic.

1 (3) A parent or guardian seeking to exempt a child from immunization for
2 religious reasons shall, prior to approval of the exemption, attend a one-hour counseling
3 session administered by the Virgin Islands Department of Health Maternal and Child
4 Health Clinic. The counseling session shall include a one-on-one discussion with a public
5 health clinician, an educational video presentation, and the provision of written
6 educational materials regarding immunization. Upon completion of the session, the
7 parent or guardian shall sign an acknowledgment confirming participation, which shall
8 be maintained by the Department of Health as part of the exemption record.

9 **§ 4121. Outbreaks**

10 In the event of an outbreak of a vaccine-preventable disease at an educational institution
11 or facility, the superintendent, principal, or head administrator of the institution, or the designee
12 thereof, may, upon the recommendation of the Commissioner of Health, exclude from
13 attendance any unimmunized student for a period of not less than 21 days or until two
14 incubation periods of the disease have elapsed, whichever is longer. An excluded student shall,
15 prior to reinstatement, present documentation of compliance with the counseling requirements
16 set forth in § 4120 and, if applicable, an updated exemption form.

17 **§ 4122. Penalties**

18 The superintendent, principal, or head administrator of the institution, or the designee
19 thereof, is authorized to suspend or prohibit the admission of any student whose parent refuses
20 to comply with the policies and rules for immunization unless exempted as stated in § 4120.

21 **§ 4123 Provider Reporting Requirements**

22 (a) The Commissioner of Health shall require all healthcare providers, hospitals, and
23 medical centers to report all administered vaccines within 24 hours to the VIIRS. Healthcare
24 providers, hospitals, and medical centers shall also report confirmed cases of vaccine-

1 preventable diseases to the Virgin Islands Department of Health Epidemiology Division.
2 Reporting shall be conducted in the manner prescribed by the Commissioner.

3 (1) The reporting of patient demographic information under this subsection shall
4 be limited to the necessary information to ensure patient confidentiality while providing
5 the data required to calculate the territorial immunization rate. For purposes of this
6 paragraph, patient demographic information shall include:

- 7 (i) age;
- 8 (ii) race;
- 9 (iii) ethnicity;
- 10 (iv) nationality;
- 11 (v) citizenship; and
- 12 (vi) territorial district.

13 (b) The Virgin Islands Department of Health Immunization Program is authorized to
14 examine and obtain relevant patient medical records of individuals diagnosed with, or
15 reasonably suspected of having, a vaccine-preventable disease for the purpose of
16 epidemiological investigation, disease surveillance, and the prevention or control of outbreaks.

17 (c) A healthcare provider, hospital, or medical center shall permit the Virgin Islands
18 Department of Health Immunization Program to inspect and obtain copies of relevant patient
19 medical records and medical-related information as authorized under subsection (b).

20 (1) The release of medical records or medical-related patient information to the
21 Virgin Islands Department of Health Immunization Program pursuant to this section shall
22 not constitute a violation of patient confidentiality under the laws of the Virgin Islands
23 and shall not subject the provider or its employees to civil or criminal liability under
24 territorial law.

1 (d) A healthcare provider, hospital, or medical center that fails to comply with the
2 requirements of this chapter shall be subject to a fine of \$500 per violation.

3 **BILL SUMMARY**

4 This bill amends Title 19 of the Virgin Islands Code by adding Part IX, Chapter 76, to
5 establish immunization requirements for students enrolled in daycare centers, schools, and
6 institutions of higher education in the Virgin Islands. It requires presentation of valid
7 immunization documentation issued by the Virgin Islands Department of Health or other
8 recognized authorities and establishes procedures for medical and religious exemptions.

9 The bill also mandates vaccine and disease reporting to the Virgin Islands Immunization
10 Registry and authorizes the Department of Health to conduct epidemiological record review
11 for public health purposes, and establishes penalties for noncompliance.

12 **BR25-0400/March 4, 2026/KEH**