

HB 308 Questions and Answers
Effective July 2018

1. What is the school/daycare immunization record review process at enrollment?

Each school/daycare:

- Must request an immunization record for each student at the time the student enrolls in the school.
- Within five business days after the day a student enrolls in a school/daycare, an individual designated by the school principal or administrator must review each student's immunization record to:
 - Determine whether the record complies with the required immunizations. The record must show the student: 1) has received each vaccination required by the Utah Department of Health under Section 53A-11-303; 2) has immunity against the disease as documented by a healthcare provider for any required vaccination that the student has not received because the student previously contracted the disease; 3) is exempt from receiving the vaccination under Section 53A-11-302; 4) qualifies for conditional enrollment under Section 53A-11-306; or 5) complies with the immunization requirements for military children under Section 53A-1-1001.
 - Identify any deficiencies in the student's/child's immunization record.
 - Place students/children lacking immunization records or having deficiencies in their immunization records on conditional enrollment. Students/children can attend school/daycare during the conditional enrollment period (21 calendar day).
- Must retain an immunization record for each enrolled student as part of the student's permanent school record
- A school/daycare from which a student transfers must provide the student's immunization record to the student's/child's new school upon request of the student's/child's legally responsible individual.

2. What is conditional enrollment and what is the conditional enrollment process?

CONDITIONAL ENROLLMENT is a period of 21 calendar days after the day a school provides written notice to a student's legally responsible individual, in-person or by mail for a student who has not provided the school with a complete immunization record at the time of enrollment. Students can attend school during the conditional enrollment period.

During the Conditional Enrollment period the student's/child's legally responsible individual has to get the student/child vaccinated, show a record of past vaccination, show health care provider statement as proof of immunity if the child has history of disease for any of the required vaccines, or exempt their student/child for the missing vaccine.

- Starting the day of enrollment, the school/daycare has up to 5 business days to review the immunization record.
- After the above review, if deficiencies in the immunization record exist, the school/daycare has 5 additional days to provide **written notice** to the student's/child's legally responsible individual which:
 - Identifies, and requests the required immunizations.
 - Provide a written 21-calendar day notice for the immunization records to be provided to avoid exclusion.
 - At the end of the conditional enrollment period, students who do not comply with the conditional enrollment rule must be prohibited (suspended for non-compliance) from attending the school until they provide proper documentation of immunization records to school.

3. Can schools/daycares extend the conditional enrollment period?

- A school/daycare principal or school administrator, with the agreement of the school nurse or health official, can grant an additional extension of the conditional enrollment period when:
 - Additional extension of this period will likely lead to compliance.

- An extension is medically recommended for a student/child to complete all of the required vaccination doses.
- Except as provided in the above circumstances, at the end of the conditional enrollment period, a school must prohibit a student/child who does not comply with required immunizations from attending school until the student/child complies with each vaccination required by the State Health Department.

4. What is the process for claiming an exemption from the required vaccines?

Starting July 1, 2018, students/children claiming an exemption to the required vaccinations must have their legally responsible individual complete an on-line educational module (free of charge), or in-person consultation (fee of up to \$25) at a local health department, and provide a copy of the completed form to the school official. *Completion of the On-line educational module or in-person consultation at a local health department must be done for all types of exemptions.*

- Utah allows for three types of exemptions medical, personal, or religious.
- The legally responsible individual who claims the exemption for the student/child must take the online education module, available July 1, 2018, free of charge at www.immunize-utah.org, sign the vaccination exemption form, and present a copy of the form to the school/daycare.
- If the legally responsible individual who claims the exemption for the student/child declines to take the online education module, he/she can obtain a vaccination exemption form from a local health department and receive an in-person consultation. There is a fee of up to \$25 to cover the costs of providing an in-person consultation.
- For a **medical exemption** from required immunizations, the student's/child's legally responsible individual must provide to the student's/child's school/daycare a completed vaccination exemption form **and** a written notice signed by a licensed health care provider stating that, due to the physical condition of the student/child, administration of the vaccine would endanger the student's/child's life or health.
- For **personal/religious** exemption from the required vaccinations, the student's/child's legally responsible individual must provide to the student's/child's school/daycare a completed vaccination exemption form, stating that the student/child is exempt from vaccination because of a personal or religious belief.
- A copy of the signed exemption form must be attached to the Utah School Immunization Record and filed in the student cumulative folder.

5. When should students/children renew their exemption forms?

When the student is eligible to enroll in kindergarten or the student turns six years old. Also when the student enrolls in 7th grade or the student turns 12 years old.

- Vaccination exemption forms provided to a preschool or child care program do not need to be renewed as long as the child is in preschool or any child care program even if the child changes preschool or child care program. However, if a child changes school and is old enough to enroll in kindergarten or the child turns six years old, the child must renew his/her exemption form. In other words children must renew their exemption forms for kindergarten entry.
- Once a vaccination exemption form is submitted at any point from kindergarten through 6th grade, the exemption form is valid even if the student changes school. When the student is eligible to enroll in 7th grade or turns 12-years old, the student must renew his/her exemption form. In other words students must renew their exemption forms for 7th grade enrollment.
- Once an exemption form is received at, any point from grade 7 on, the form is valid until the student graduates from high school even if the student changes schools. No need for exemption renewal.
- Exemption forms obtained through the completion of the online education module are **valid for no less than 2 years**. For example if a student obtains an exemption form in 6th grade, that student needs to renew his/her exemption form in 8th grade not seventh grade.

6. What if a Student/Child has previously been diagnosed by a physician with a vaccine preventable disease?

- If a student/child has immunity against the disease for which the vaccination is required, because they have previously contracted the disease, a letter from a healthcare provider must be provided to the school/daycare verifying the diagnosis. For questions, contact the Utah Immunization Program at 1-800-275-0659.
- Parents are no longer required to sign the Utah School Immunization Record for history of chickenpox disease verification or any other diseases. Schools must attach the immunity document from the provider to the Utah School Immunization Record.

7. Do schools need to ask parents of students who signed the USIR for history of chickenpox disease to bring in a document signed by a health care provider to verify immunity from chickenpox disease?

No, parents who have signed their child's USIR **prior to July 1, 2018 do not** need to present schools with a document signed by a health care provider for history of chickenpox disease as long as they are in the school system.

Any Parent claiming that their child has had history of chickenpox **on or after July 1, 2018 MUST** present the school with a document signed by a health care provider as a proof of immunity.

8. Do schools/child care facilities have to maintain a current list of all students' Immunization Status?

Yes. HB 308 Section 53A-11-307 requires schools to maintain a current list of all enrolled students, including students: 1) who have a valid and complete immunization record, 2) who are exempt from receiving the required vaccines, and 3) who are allowed to attend school under conditional enrollment status. This list must be available upon request from a local health department in the event of a disease outbreak so that the school principal or administrator, in conjunction with the local health department, can take appropriate actions to protect students. Names appearing on the list are subject to confidentiality requirements. The law will provide the necessary authority to schools, after obtaining approval from the local health department, to protect non-immune students by preventing them from attending school, provide a separate educational environment for non-immune students, and protect the remainder of the student body.

9. What is the definition of legally responsible individual?

Legally responsible individual is defined as a parent or parents, a legal guardian, or adult sibling of a student/child who has no legal guardian.