

**Cover Sheet**

**DATE:** October 1, 2015

**SUBJECT:** Implementation of School Immunization Requirements effective October 1, 2015

**INSTRUCTIONS:**

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Immunization Section  
1-406-444-5580**

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**Health Alert:** conveys the highest level of importance; warrants immediate action or attention.

**Health Advisory:** provides important information for a specific incident or situation; may not require immediate action.

**Health Update:** provides updated information regarding an incident or situation; unlikely to require immediate action.

**Information Service:** passes along low level priority messages that do not fit other HAN categories and are for informational purposes only.

**Please update your HAN contact information on the [Montana Public Health Directory](#)**

# Information Sheet

**Date:** October 1, 2015

**Subject:** Implementation of School Immunization Requirements effective October 1, 2015

**Background:** The 2015 Montana Legislature revised school immunization requirements for school attendance through the passage of House Bill (HB) 158. The law, signed by the Governor and effective October 1, 2015, requires students attending school be vaccinated against varicella disease (chickenpox) and receive a booster of pertussis vaccine at 7th grade.

**Information:** DPHHS and local public health authorities are working with providers and schools regarding implementation of new school immunization requirements. The work on behalf of health care providers, schools and health departments to implement the requirements is very much appreciated and will result in fewer cases of communicable disease in our schools.

However, a few specific questions regarding implementation have been identified and we hope the guidance in this HAN Advisory will help address these issues.

- 1) Who is responsible for enforcement of the new regulations?

*State law assigns responsibility for screening and exclusion of children regarding immunization requirements to the school (§ 20-5-403, MCA). Public health authorities can assist with enforcement issues and do have some oversight responsibilities (§ 20-5-409, MCA).*

- 2) Must a student not in compliance be immediately excluded from attendance?

*In general, § 20-5-403, MCA requires students not in compliance to be excluded unless the student files for an exemption or qualifies for “conditional attendance” as outlined in § 20-5-404, MCA. These exceptions to immediate compliance remain unchanged by HB 158. DPHHS encourages health care providers and local health departments to use the conditional attendance option in those cases when vaccine supplies, illnesses, or required spacing between vaccines prevents full compliance.*

*Conditional enrollment allows students who have already received a shot in a vaccine series time to come into compliance while attending school. In this case, a student who has received any pertussis containing vaccine or a single varicella and has a plan to complete the series documented on the conditional form may attend school.*

*While students who have not received the initial vaccine of a series are not eligible for conditional attendance, DPHHS and local public health departments understand that vaccine supplies in some areas are limited. Schools are encouraged to discuss supply issues with their*

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*local health department and determine a course of action regarding exclusion of students who may not be eligible for conditional attendance. In most cases, this will be limited to only those who have never received a dose of varicella. School officials will have to make a determination regarding how stringent compliance with the statute will be in cases related to vaccine supplies.*

*Lastly, in the case of varicella, measles, mumps, or rubella, history of disease diagnosed or verified by a health care provider will be accepted as proof of immunity and negate the vaccination requirement. Documentation must be from a health care provider to comply with state rules ARM 37.114.703. This is not an option for pertussis vaccination.*

## **Recommendations:**

**School Officials:** Please work to ensure that students are brought into compliance with the new regulation as soon as possible recognizing that supply issues may delay compliance. Consider the use of conditional attendance options as applicable. Schools may determine it may be necessary to delay strict enforcement of exclusion requirements while vaccine supplies are replenished.

**Health Care Providers:** Be aware that vaccine demand may be increased during the next few weeks and adjust orders as needed. In addition to required vaccinations, please review the student for other recommended vaccines such as MCV and HPV if age appropriate.

**Local Public Health Department:** In order to ensure referrals or to take advantage of sharing agreements, contact vaccine providers within your community to determine if vaccine is available in their clinic and share information as necessary. Assist students/parents and schools with vaccine issues including understanding conditional enrollments.