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**IDAPA 16
TITLE 02
CHAPTER 15**

16.02.15 - IMMUNIZATION REQUIREMENTS FOR IDAHO SCHOOL CHILDREN

000. LEGAL AUTHORITY.

The Idaho Legislature has granted to the Board of Health and Welfare, in cooperation with the State Board of Education and the Idaho School Boards Association, the authority to adopt rules for the administration and enforcement of an immunization program for Idaho school children, under Section 39-4801, Idaho Code.

(4-6-05)

001. TITLE AND SCOPE.

01. Title. The title of this chapter is, IDAPA 16.02.15, "Immunization Requirements for Idaho School Children."

(4-6-05)

02. Scope. These rules contain the legal requirements for the administration of an immunization program for children enrolled in grades kindergarten through twelve (12) of any Idaho public, private, or parochial school.

(3-30-07)

002. WRITTEN INTERPRETATIONS.

The Department has no written interpretations that apply to rules in this chapter in accordance with Section 67-5201(19)(b)(iv), Idaho Code.

(4-6-05)

003. ADMINISTRATIVE APPEALS.

Administrative appeals on decisions made by the Department are governed by IDAPA 16.05.03, "Rules Governing Contested Case Proceedings and Declaratory Rulings."

(4-6-05)

004. INCORPORATION BY REFERENCE.

No documents have been incorporated by reference in this chapter of rules.

(4-6-05)

005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS -- STREET ADDRESS -- INTERNET WEBSITE.

01. Office Hours. Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the State of Idaho.

(4-6-05)

02. Mailing Address. The mailing address for the business office is Idaho Department of Health and Welfare, P.O. Box 83720, Boise, Idaho 83720-0036.

(4-6-05)

03. Street Address. The business office of the Idaho Department of Health and Welfare is located at 450 West State Street, Boise, Idaho 83702.

(4-6-05)

04. Telephone. (208) 334-5500.

(4-6-05)

05. Internet Website Address. Department Internet address is: "www.healthandwelfare.idaho.gov".

(4-6-05)

006. CONFIDENTIALITY OF RECORDS AND PUBLIC RECORDS REQUESTS.

Any use or disclosure of Department records must comply with IDAPA 16.05.01, "Use and Disclosure of Department Records."

(4-6-05)

007. -- 009. (RESERVED).

010. DEFINITIONS.

01. ACIP. The Center for Disease Control's Advisory Committee on Immunization Practices. (4-6-05)

02. Admission. Enrollment of a child who is admitted for the first time at the commencement of or during the regular school term to public, private or parochial school. (4-6-05)

03. Child. A minor who is enrolled in kindergarten through grade twelve (12) in any Idaho public, private, or parochial school. (3-30-07)

04. Department. Idaho Department of Health and Welfare. (10-13-92)

05. Laboratory Proof. A certificate from a licensed medical laboratory stating the type of test performed, the date of each test, and the results. Tests performed must meet the requirements of IDAPA 16.02.06, "Rules Governing Quality Assurance for Idaho Clinical Laboratories." (4-6-05)

06. Parent, Custodian or Guardian. The legal parent, custodian or guardian of a child or those with limited power of attorney for the temporary care or custody of a minor child. (4-6-05)

07. Pertussis. An infectious agent, Bordetella pertussis, that causes the disease commonly known as whooping cough. (4-6-05)

08. Physician. A medical doctor or osteopath licensed by the Idaho State Board of Medicine, or by a similar body in another state or jurisdiction within the United States. (4-6-05)

09. Physician's Representative. Any person appointed by, or vested with the authority to act on behalf of a physician in matters concerning health. (8-15-79)

10. Private or Parochial School. Any Idaho school maintained by an individual, organization or corporation, not at public expense, and open only to children selected and admitted by the individual, organization or corporation, or to children of a certain class or possessing certain qualifications, which may or may not charge tuition fees. (1-25-79)

11. Public School. Any Idaho school maintained at the public expense and open to all children within a given district, including those responsible for the education and training of exceptional children or those schools specially chartered. (1-25-79)

12. School Authority. An authorized representative designated by the Board of Trustees of a public school or a person or body designated to act on behalf of the governing body of a private or parochial school. (8-15-79)

011. -- 099. (RESERVED).

100. IMMUNIZATION PROGRAM.

All immunizations, listed in Subsections 100.01 through 100.04 of these rules, are required of children upon admission to kindergarten through grade twelve (12) of any Idaho public, private, or parochial school. Immunizations will be recognized if administered according to the "General Recommendations on Immunizations" established by the ACIP or their equivalent. These recommendations are available from the Department. (3-30-07)

01. Measles, Mumps and Rubella (MMR). Two (2) doses of Measles, Mumps and Rubella (MMR) or Measles, Mumps, Rubella and Varicella (MMRV) vaccine administered to the child according to ACIP recommendations for children on or after the beginning of the 2005 school term. (3-30-07)

02. Diphtheria, Tetanus, and Pertussis. Any combination of five (5) doses of the following vaccines for Diphtheria, Tetanus, and Pertussis administered to the child according to ACIP recommendations on or after the beginning of the 2005 school term, unless fewer doses are medically recommended. See Section 110 of these rules for exemptions to the immunization requirements. If the fourth dose was administered on or after the child's fourth birthday, the fifth dose is not needed. The approved combinations are: (3-30-07)

a. Diphtheria, Tetanus, and acellular Pertussis (DTaP - Pediatric); (3-30-07)

- b. Diphtheria, Tetanus and Pertussis (DTP); (3-30-07)
- c. Tetanus, Diphtheria and acellular Pertussis (Tdap - Adolescent); (3-30-07)
- d. Diphtheria, Tetanus (DT - Pediatric); and (3-30-07)
- e. Tetanus, Diphtheria (Td - Adolescent). (3-30-07)

03. Polio. Three (3) doses of Polio vaccine, unless fewer doses are medically recommended. See Section 110 of these rules for exemptions to the immunization requirements. (3-30-07)

04. Hepatitis B. Three (3) doses of Hepatitis B vaccine administered to children born after November 22, 1991, unless fewer doses are medically recommended. See Section 110 of these rules for exemptions to the immunization requirements. (3-30-07)

101. DEADLINE FOR COMPLIANCE.

The legal parent, custodian, or guardian of any child who is to attend any public, private, or parochial school in Idaho must comply with the provisions contained in this chapter at the time of admission and before attendance. (4-6-05)

102. EVIDENCE OF IMMUNIZATION STATUS.

01. Immunization Certification Statement. Within the deadlines established in Section 101 of these rules, a legal parent, custodian, or guardian of each child must present to school authorities an immunization certification statement signed by a physician or a physician's representative stating the type, number and dates of immunizations received. (4-6-05)

02. Schedule of Intended Immunizations. School authorities, at the time of admission and before attendance, must have a statement by a legal parent, custodian or guardian of any child who is not immunized, excepted or exempted, and who is in the process of receiving, or has been scheduled to receive the required immunizations. A form is provided by the Department, or one similar must include the following information: (4-6-05)

- a. Name and age of child; (4-6-05)
- b. School and grade child is enrolled in and attending; (4-6-05)
- c. Type, number and dates of immunizations to be administered; (4-6-05)
- d. Signature of the legal parent, custodian or guardian providing the information; and (10-13-92)
- e. Signature of a physician or physician's representative. (7-9-90)

03. Children Admitted to School and Failing to Continue the Schedule of Intended Immunizations. A child, who does not receive the required immunizations as scheduled in Subsection 102.02 of these rules, will be excluded by school authorities until documentation of the administration of the required immunizations is provided to school authorities by the child's legal parent, custodian, or guardian. (4-6-05)

103. -- 104. (RESERVED).

105. EXCEPTIONS TO IMMUNIZATION REQUIREMENT.

When supporting documentation is in the possession of school authorities at the time of admission and before attendance, a child who meets one (1) or more of the following conditions, will not be required to undergo the required immunizations: (4-6-05)

01. Laboratory Proof. Laboratory proof of immunity to any of the eight (8) childhood diseases listed in Section 100 of these rules, will not require the immunization for that disease; or (4-6-05)

02. Disease Diagnosis. A signed statement of a licensed physician stating that the child has had measles or mumps disease diagnosed by the physician upon personal examination, will not require the immunization for the diagnosed disease. (4-6-05)

106. -- 109. (RESERVED).

110. EXEMPTIONS TO IMMUNIZATION REQUIREMENT.

When supporting documentation is in the possession of school authorities, at the time of admission and before attendance, a child who meets one (1) or both of the following conditions, will not be required to undergo the required immunizations. (4-6-05)

01. Life or Health Endangering Circumstances. A signed statement of a licensed physician that the child's life or health would be endangered if any or all of the required immunizations are administered; or (4-6-05)

02. Religious or Other Objections. A signed statement of the legal parent, custodian or guardian on a form provided by the Department or one containing similar information, and includes the following: (4-6-05)

a. Name of child; and (1-25-79)

b. A statement of objection on religious or other grounds. (1-25-79)

111. -- 149. (RESERVED).

150. ENFORCEMENT OF IMMUNIZATION REQUIREMENT.

01. Noncompliance. Any child not in compliance with this chapter upon admission to any Idaho public, private or parochial school, will be denied attendance by school authorities. (3-30-07)

02. Length of Exclusion. Any child denied attendance in accordance with Subsection 150.01 of these rules, will not be allowed to attend any Idaho public, private or parochial school until they are in compliance with the requirements of this chapter. (4-6-05)

151. -- 199. (RESERVED).

200. REPORTS BY SCHOOL AUTHORITIES.

01. Responsibility and Timeliness. School authorities must submit a report of each school's immunization status, by grade, to the Department on or before the first day of November each year. (4-6-05)

02. Form and Content of Report. The following information will be provided on a Department form or electronically by school: (4-6-05)

a. Inclusive dates of reporting period; (10-13-92)

b. Name and address of school, school district and county; (4-6-05)

c. Grade being reported and total number of children enrolled in the grade; (4-6-05)

d. The name and title of the person completing the report form. (4-6-05)

e. Number of children who meet all of the required immunizations listed in Section 100 of these rules; (4-6-05)

f. Number of children who do not meet all of the required number of immunizations listed by specific immunization type; (4-6-05)

g. Number of children who do not meet the immunization requirement, but are in the process of receiving the required immunizations; and (4-6-05)

h. Number of children who claimed exemption to the required immunizations as allowed in Section 110 of these rules. (4-6-05)

201. -- 999. (RESERVED).

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