

HB 308 Questions and Answers
Effective July 2018

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

Each school/daycare:

- Must request an immunization record for each student at the time the student enrolls in the school.
- Review each immunization record within five business days after the day a student enrolls in a school/daycare. An individual designated by the school principal or administrator must:
 - Determine whether the school has received an immunization record for the student.
 - Review the student's immunization record to determine whether the record complies with the required immunizations.
 - Identify any deficiencies in the student's immunization record.
- Must keep an immunization record for each enrolled student/child as part of the student's/child's permanent school record.
- Must place students/children lacking immunization records or having deficiencies in their immunization records on conditional enrollment.
- A school/daycare, from which a student/child 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 does a student/child need in order to attend a school or daycare?

- A student/child may not attend a school/daycare unless the school/daycare receives an immunization record that shows the student/child has received each vaccination required by the State Health Department. This record can be obtained from:
 - The legally responsible individual of the student/child
 - The student's/child's former school
 - A statewide registry
- The student/child has immunity against the disease because the student previously contracted the disease as documented by a health care provider.
- Student/child has an exemption for the required vaccinations.
- The student/child qualifies for conditional enrollment.
- The student/child is an active duty military student/child or is McKinney Vinto.

3. When should the required immunization records of students/children be reviewed to determine if a student can attend a school/daycare?

Schools/daycares will receive immunization records at the time of enrollment and have up to 5 days to review them.

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

Conditional Enrollment is the 21 day time period in which the student's/child's legally responsible individual has to get the student/child vaccinated, show a record of past vaccination, or exempt their student/child for the missing vaccine. Students/children can attend school/daycare during the conditional enrollment period.

- 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.
 - Provides a written 21-calendar day notice for the immunization records to be provided to avoid exclusion.

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.

5. 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 the 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.

6. 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.

7. How often should exemptions be renewed?

Starting July 1, 2018:

- Legally responsible individuals who have students/children claiming exemptions for required immunizations, must provide new exemption forms routinely when entering:
 - Pre-k and Kindergarten
 - 7th grade
- Exceptions:
 - If a student/child changes schools before kindergarten enrollment (i.e. pre-k/daycare), the current exemption form will be valid until the student/child enters kindergarten, or turns 6 years old, whichever comes first.
 - If a student/child changes schools after kindergarten, but before 7th grade, the current exemption will be valid until the student turns 12 years old, or enters 7th grade, whichever comes first.
 - The exemption obtained at 12 years of age, or at 7th grade will be valid through 12th grade.
 - Two year Rule: In addition to the exceptions above, all exemptions are valid for a minimum of 2 years. For example: If a student changes schools in 6th grade, the student will not be asked to provide a new exemption until 8th grade.

NOTE: Legally responsible individuals who enroll their child in daycare, pre-k, kindergarten or 7th grade **on or after** July 1, 2018 must use the exemption module on-line, or go to the local health department to obtain an exemption form.

For those enrolled **before** July 1, 2018 exemptions obtained previously will be honored.

NOTE:

- Schools are required to keep record of the following information for auditing purposes and disease outbreaks:
 - The names of all students/children who are out of compliance.
 - Immunization and exemption status, (including all exempt immunizations, and the diseases, which the student/child is not immune) for all students/children.
 - List of students/children who are on conditional enrollment.

