

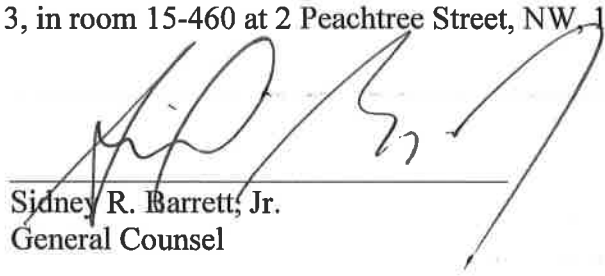
14 November 2013

NOTICE OF PROPOSED RULEMAKING
Public Health Regulations in Chapter 511-2-2
“Immunization of School Children”

Please take note that the Department of Public Health proposes to revise its regulations regarding the immunizations required of all school children pursuant to Code Section 20-2-771. The proposed revision is intended to simplify and update the existing regulation, and to add meningitis to the list of required immunizations. This action is taken by the Department of Public Health pursuant to its authority under O.C.G.A. Sections 31-2A-4(12), 31-2A-6, and 20-2-771.

Interested persons may submit comments on these proposed revisions in writing addressed to: Sidney R. Barrett, Jr., General Counsel, Georgia Department of Public Health, 2 Peachtree Street, NW, 15th Floor, Atlanta, GA 30303.

Comment may also be presented in person at a public meeting scheduled for 10:30 a.m., 4 December 2013, in room 15-460 at 2 Peachtree Street, NW, 15th Floor, Atlanta GA.



Sidney R. Barrett, Jr.
General Counsel



**RULES OF THE
DEPARTMENT OF PUBLIC HEALTH**

**CHAPTER 511-2-2
IMMUNIZATION OF SCHOOL CHILDREN**

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511-2-2-.01 Definitions.

(a) "Childcare facility" means any public or private day center or nursery intended for the care, supervision, or instruction of children, including pre-kindergarten programs;

(b) "County Board of Health" means a county board of health organized pursuant to O.C.G.A. Section 31-3-1 et seq.;

(c) "Department" means the Georgia Department of Public Health;

(d) "Epidemic" means an outbreak, or rise in incidence rate, or spread of incidence of a contagious or infectious disease so as to constitute a clear and present risk of infection to the public at large or to congregated groups thereof;

(e) "Physician" means a practitioner of the healing arts licensed in accord with O.C.G.A. Section 43-34-20 et seq. or the equivalent laws of the practitioner's jurisdiction if outside Georgia;

(f) "School" means any public or private educational program or institution instructing children at any level or levels, kindergarten through twelfth grade, or children of ages five through nineteen if grade divisions are not used;

(g) "Tdap vaccine" means a single vaccine that protects against tetanus, diphtheria, and pertussis.

Authority: O.C.G.A. Secs. 31-2A-6, 20-2-771, 31-12-3, 49-5-12.

511-2-2-.02 Immunization Required.

(1) Except as otherwise provided, immunization against the following diseases shall be required of all children entering a school or childcare facility operating in the state:

- (a) Diphtheria;
- (b) Haemophilus influenzae type B (not required on or after the fifth birthday);
- (c) Hepatitis A;
- (d) Hepatitis B;
- (e) Measles;
- (f) Meningitis;
- (g) Mumps;
- (h) Pertussis;
- (i) Pneumococcal (not required on or after the fifth birthday);
- (j) Poliomyelitis;
- (k) Rubella (German measles);
- (l) Tetanus; and
- (m) Varicella (chickenpox).

(2) A parent or guardian must submit a valid Certificate of Immunization for any child entering a school or childcare facility in the state of Georgia for the first time.

(3) School or childcare facility officials may allow a child without a valid certificate of immunization to attend for no more than 90 calendar days after the first day of attendance, provided that the parent or legal guardian either shows that that the child is in the process of completing required immunizations and that immunizations are being scheduled with the shortest intervals recommended in the current Official Immunization Schedules, or presents an affidavit of religious objection as provided in DPH Rule 511-2-2-.07.

(3) Effective July 1, 2014, for entrance into Georgia school grades kindergarten through twelve, students must have a total of two doses of measles vaccine, two doses of mumps vaccine, one dose of rubella vaccine and a total of two doses of varicella vaccine.

(4) Children attending any childcare facility must show evidence of protection against pneumococcal disease.

(5) Children born on or after January 1, 2006 who are attending any childcare facility or school must have proof of protection against hepatitis A disease (vaccination or serology).

(6) Requirements for hepatitis A, hepatitis B, measles, mumps, rubella, and varicella vaccines may be waived with serologic proof of immunity. Requirements for varicella vaccine may be waived also with a healthcare provider diagnosis of varicella disease or healthcare provider verification of history of varicella disease.

(7) Effective July 1, 2014, children born on or after January 1, 2002 who are attending seventh grade, and children who are new entrants into a Georgia school in grades eight through twelve, must have received one dose of Tdap vaccine.

(8) Effective July 1, 2014, children born on or after January 1, 2002 who are attending seventh grade, and children who are new entrants into a Georgia school in grades eight through twelve, must have received one dose of meningococcal conjugate vaccine.

Authority: O.C.G.A. Secs. 31-2A-6, 20-2-771, 31-12-3, 49-5-12.

511-2-2-.03 Official Immunization Schedules.

(1) An immunization regimen equivalent to the current immunization schedule developed by the Advisory Committee on Immunization Practices (ACIP), adopted by the Department and published in the official state immunization program manual, shall be deemed the minimum regimen of immunization which satisfies the requirements of this Chapter. Immunization certified by County Boards of Health shall be accomplished in accord with the departmental immunization schedule.

(2) Any other immunization schedule which includes the immunizations itemized in Rule 511-2-2-.02, Immunizations Required, and equals or exceeds the minimum requirements of the Departmental Immunization Schedule shall be deemed to satisfy the requirement for issuance of a Certificate of Immunization.

(3) Copies of the Departmental Immunization Schedule may be obtained from the Department or County Board of Health.

Authority: O.C.G.A. Secs. 31-2A-6, 20-2-771, 31-12-3, 49-5-12.

511-2-2-.04 Certificate of Immunization.

(1) A Certificate of Immunization may be issued by a physician, physician's assistant, advanced practice registered nurse, or qualified employee of a County Board of Health or the State Immunization Program, on a form provided by or approved by the Department, for any person that has been vaccinated against a specific disease in compliance with this Chapter.

(2) A Certificate of Immunization may be issued for a child who has not received all required immunizations with the conditions that the child is in the process of completing required immunizations and that immunizations are being scheduled with the shortest intervals recommended in the current Official Immunization Schedules. Such a certificate must be retained and monitored for currency by the school or childcare facility while the child continues in attendance and must be made available for inspection during normal business hours by authorized officials of the Department or County Board of Health.

(3) A certificate for a child who is in the process of receiving all required vaccines must show a date of expiration, which shall be the date on which the next required immunization is due or the date on which a medical exemption must be reviewed. A new certificate must then be obtained and submitted to the school or childcare facility within thirty days after the expiration date. Children whose parents fail to renew said certificates within the time allotted shall not be permitted to continue in attendance.

(4) If a child transfers to another school or childcare facility, then the certificate of immunization shall be transferred to the new school or childcare facility. If a child ceases to attend without transfer, then the certificate shall be returned to the parent or guardian.

Authority: O.C.G.A. Secs. 31-2A-6, 20-2-771, 31-12-3, 49-5-12.

511-2-2-.05 Certificate of Immunization Issued for Child with Physical Disability.

If a child has a physical disability, condition, or physiological idiosyncrasy which might cause a specific immunization to endanger life or health, then a physician may issue a Certificate of Immunization indicating "medical exemption." A Certificate of Immunization indicating medical exemption shall be valid for one year, and may be reissued from year to year until the physician determines that immunization or a specific immunization may finally be accomplished without danger to the child's health.

Authority: O.C.G.A. Secs. 31-2A-6, 20-2-771, 31-12-3, 49-5-12.

511-2-2-.06 Certificate of Immunization for a Child Immunized Outside of Georgia.

A County Board of Health or physician may issue a Certificate of Immunization as provided by Rule 511-2-2-.04 upon receiving written proof attested to by a physician licensed by Georgia, a physician licensed in another state, or an authorized representative of a public health authority of another state or nation, that all required immunizations have been accomplished for the child. Such proof shall indicate each vaccine type administered and the date of each dose. A County Board of Health or physician may issue a Certificate of Immunization indicating medical exemption as provided by Rule 511-2-2-.05 upon receiving written proof attested to by a physician licensed by Georgia or another state that the child has a physical disability, condition, or physiological idiosyncrasy which might cause a specific immunization to endanger life or health.

Authority: O.C.G.A. Secs. 31-2A-6, 20-2-771, 31-12-3, 49-5-12.

511-2-2-.07 Religious Objections to Required Immunizations.

(1) Except as provided in subsection (2) below, a child shall be exempt from the required immunizations if the parent or legal guardian furnished a written statement swearing or affirming that such immunizations conflict with his or her religious beliefs.

(2) When the Department or a County Board of Health determines that an epidemic or the threat of an epidemic exists, said Department or Board shall immediately notify the governing authorities of all schools and childcare facilities within the affected area. Under those circumstances, said Department or Board may require immunization for those who object on the grounds of religious beliefs, or may alternatively prohibit attendance at schools or childcare facilities within the area by unimmunized children.

Authority: O.C.G.A. Secs. 31-2A-6, 20-2-771, 31-12-3, 49-5-12.