ANNEX A

TITLE 28. HEALTH AND SAFETY

PART III. PREVENTION OF DISEASES

CHAPTER 23. SCHOOL HEALTH

Subchapter C. IMMUNIZATION

§23.82. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

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Attendance at school -- The attendance at a grade, or special classes, kindergarten through 12th grade, including public, private, parochial, vocational, intermediate unit and home education students **AND STUDENTS OF CYBER AND CHARTER SCHOOLS**. <u>This definition does not cover the attendance of children at a child care group setting, defined by 28 Pa. Code § 27.1 (relating to definitions), located in a public, private, or vocational school, or in an intermediate unit.</u>

§ 23.83. Immunization requirements.

(a) [*Required for entry*] <u>*Duties of a school director, superintendent, principal, or other person in charge of a public, private, parochial or nonpublic school*</u>. [The following immunizations are required for entry into school for the first time at the kindergarten or first grade level, at public, private or parochial schools in this Commonwealth, including special education and home education programs:

(1) *Hepatitis B.* Three properly spaced doses of hepatitis B vaccine or a history of hepatitis B immunity proved by laboratory testing.

(2) *Diphtheria.* Four or more properly-spaced doses of diphtheria toxoid, which may be administered as a single antigen vaccine, in combination with tetanus toxoid or in combination with tetanus toxoid and pertussis vaccine. One dose shall be administered on or after the 4th birthday.

(3) *Tetanus*. Four or more properly-spaced doses of tetanus toxoid, which may be administered as a single antigen vaccine, in combination with diphtheria toxoid or in combination with diphtheria toxoid and pertussis vaccine. One dose shall be administered on or after the 4th birthday,

(4) *Poliomyelitis*. Three or more properly-spaced doses of any combination or oral polio vaccine or enhanced inactivated polio vaccine.

(5) *Measles (rubeola)*. Two properly spaced doses of live attenuated measles vaccine, the first dose administered at 12 months of age or older, or a history of measles immunity proved by serological evidence showing antibody to measles as determined by the hemagglutination inhibition test or a

comparable test. Each dose of measles vaccine may be administered as a single antigen vaccine.

(6) *German measles (rubella)*. One dose of live attenuated rubella vaccine, administered at 12 months of age or older or a history of rubella immunity proved by serological evidence showing antibody to rubella determined by the hemagglutination inhibition test or any comparable test. Rubella vaccine may be administered as a single antigen vaccine.

(7) *Mumps*. One dose of live attenuate mumps vaccine, administered at 12 months of age or older or a physician diagnosis of mumps disease indicated by a written record signed by the physician or the physician's designee. Mumps vaccine may be administered as a single antigen vaccine.

(8) *Chickenpox (varicella*). One of the following:

(i) One dose of varicella vaccine, administered at 12 months of age or older.

(ii) A history of chickenpox immunity proved by laboratory testing or a written statement of a history of chickenpox disease from a parent,

guardian or physician.]

Each school director, superintendent, principal, or other person in charge of a public, private, parochial or nonpublic school in this Commonwealth, including vocational schools, intermediate units, and special education and home education programs**, CYBER AND CHARTER SCHOOLS**, shall ascertain that a child has been immunized in accordance with the requirements in subsections (b), (c) and (e) prior to admission to school for the first time**, PURSUANT TO 24 p.s. § 13-1303A (RELATING TO IMMUNIZATION REQUIRED; PENALTY)**.

(b) *Required for attendance.* The following immunizations are required as a condition of attendance at school in this Commonwealth[if the child has not received the immunizations required for school entry listed in subsection (a)].

(1) *Diphtheria.* [Three] Four or more properly-spaced doses of diphtheria toxoid, which may be administered as a single antigen vaccine, in combination with tetanus toxoid or in combination with tetanus toxoid and pertussis vaccine. ~~One~~**THE FOURTH** dose shall be administered on or after the 4th birthday.

(2) *Tetanus*. [Three] Four or more properly-spaced doses of tetanus toxoid, which may be administered as a single antigen vaccine, in combination with diphtheria toxoid or in combination with diphtheria toxoid and pertussis vaccine. ~~One~~ **THE FOURTH** dose shall be administered on or

after the 4th birthday.

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(4) *Measles (rubeola)*. Two properly-spaced doses of live attenuated measles vaccine, the first dose administered at 12 months of age or older, or a history of measles immunity proved by [serological evidence showing antibody to measles as determined by the hemagglutination inhibition test or a comparable test]laboratory testing **BY A LABORATORY WITH THE APPROPRIATE CERTIFICATION**. Each dose of measles vaccine may be administered as a single antigen vaccine.

(5) *German measles (rubella)*. One dose of live attenuated rubella vaccine, administered at 12 months of age or older or a history of rubella immunity proved by [serological evidence showing antibody to rubella determined by the hemagglutination inhibition test or any comparable test]laboratory testing **BY A LABORATORY WITH THE APPROPRIATE CERTIFICATION**. Rubella vaccine may be administered as a single antigen vaccine.

(6) *Mumps*. [One dose]Two properly-spaced doses of live attenuated mumps vaccine, administered at 12 months of age or older or a physician diagnosis of mumps disease indicated by a written record signed by the

physician or the physician's designee. Mumps vaccine may be administered as a single antigen vaccine.

(7) *Hepatitis B.* Three properly-spaced doses of hepatitis B vaccine, unless a child receives a vaccine as approved by the Food and Drug Administration for a two-dose regimen, or a history of hepatitis B immunity proved by laboratory testing.

(8) *Chickenpox (varicella).* One of the following:

(i) Varicella vaccine:

(A) Required for school entry in kindergarten or the first grade **~~until the school year 2010/2011~~**, 2 properly-spaced doses of varicella vaccine, the first dose administered at 12 months of age **OR OLDER**.

(B) **~~Required for school attendance until the school year 2010/2011, 2 properly-spaced doses of varicella vaccine for children 13 years of age or older.~~**

~~(C)~~ Required for school attendance as of the school year 2010/2011, 2 properly-spaced doses of varicella vaccine.

(ii) *Evidence of immunity*. -- Evidence of immunity may be shown by one of the following:

(A) Laboratory evidence of immunity or laboratory confirmation of disease.

(B) A written statement of a history of chickenpox disease from a parent, guardian or physician.

(c) *Required for entry into 7th grade.* In addition to the immunizations listed in subsection (b), the following immunizations are required at any public, private, parochial or [vocational]nonpublic school in this Commonwealth, including vocational schools, intermediate units ~~and~~**,** special education and home education programs, **AND CYBER AND CHARTER SCHOOLS** as a condition of entry for students entering the 7th grade; or, in an ungraded class, for students in the school year that the student is 12 years of age:

(1) [*Hepatitis B.* Three properly-spaced doses of hepatitis B vaccine, unless a child receives a vaccine approved by the FDA as a two-dose regimen.

(2) *Chickenpox (varicella).* One of the following:

(i) One dose of varicella vaccine, administered at 12 months of age or older.

(ii) Two properly-spaced doses of varicella vaccine for children 13 years of age and older.

(iii) A history of chickenpox immunity proved by laboratory testing or a written statement of history of chickenpox disease from a parent, guardian or physician.]

*Tetanus and diphtheria toxoid and acellular pertussis vaccine (Tdap)(**TdaP**).* One dose if at least five years have elapsed since the last dose of a vaccine containing tetanus and diphtheria as required in subsection (b).

(3) *Meningococcal Conjugate Vaccine (MCV).* One dose of Meningococcal Conjugate Vaccine.

(d) *Child care group setting*. Attendance at a child care group setting located in a public, private, or vocational school, or in an intermediate unit is conditional upon the child's satisfaction of the immunization requirements in 28 Pa. Code § 27.77 (relating to immunization requirements for children in child care group settings).

(e) *Pre-kindergarten programs, ~~e~~Early ~~i~~Intervention programs' EARLY CHILDHOOD SPECIAL EDUCATION CLASSROOMSEarly Intervention programs' early childhood special education classrooms and private academic pre-schools.* Attendance at a pre-kindergarten program operated by a school district, an early intervention program operated

by a contractor or subcontractor including intermediate units, school districts and private vendors, or at private academic pre-schools is conditional upon the child's satisfaction of the immunization requirements in 28 Pa. Code § 27.77 (relating to immunization requirements for children in child care group settings). ~~If a child is 5 years of age or older, the child's attendance shall be conditional upon the child's satisfaction of the immunization requirements set out in subsection (b).~~

(f) *Grace period*. A vaccine dose administered within the 4-day period prior to the minimum age for the vaccination or prior to the end of the minimum interval between doses shall be considered to be a valid dose of the vaccine for purposes of this chapter. **A DOSE ADMINISTERED GREATER THAN 4 DAYS PRIOR TO MINIMUM AGE OR INTERVAL FOR A DOSE IS INVALID FOR PURPOSES OF THIS REGULATION AND SHALL BE REPEATED.**

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§23.86. School reporting.

(a) A public, private, [or] parochial or nonpublic school in this Commonwealth, including vocational schools, intermediate units**,** ~~and~~ special education and home education programs~~,~~ **AND CYBER AND CHARTER SCHOOLS,** shall report immunization data to the

Department by October 15 of each year, using forms provided by the Department.

(b) The school administrator or the administrator's designee shall forward the reports to the [Immunization Program, Bureau of Communicable Diseases, Post Office Box 90, Harrisburg, Pennsylvania 17108]Department as indicated on the reporting form provided by the Department.

(c) Duplicate reports shall be submitted to the county health department if the school is located in a county with a full-time health department.

(d) The school administrator or the administrator's designee shall ensure that the school's identification information, including the name of the school, school district, county and school address, is correct, and shall make any necessary corrections, prior to submitting the report.

[(d)](e) Content of the reports shall include the following information:

(1) [The identification of the school including the name of the school, the school district, the county, the intermediate unit and the type of school.

(2)] The month, day and year of the report.

[(3)](2) The number of students attending school [by]in each grade-level, or in an ungraded school in each age group, as indicated on the reporting form.

[(4) The number of students attending school by grade level who were completely immunized.]

(3) The immunization status by doses of individual antigens of every enrolled student in each grade-level, or in an un-graded school, in each age group, as indicated on the reporting form.

[(5)](4) The number of students attending school [by grade-level] who were classed as medical exemptions in each grade-level, or in an un-graded school, in each age group, as indicated on the reporting form.

[(6)](5) The number of students attending school [by grade level] who were classed as religious exemptions in each grade level, or in an un-graded school, in each age group, as indicated on the reporting form.

[(7)](6) The number of students provisionally admitted ~~**to any**~~**IN EACH** grade **LEVEL** or, in an un-graded school, in any age group **AS INDICATED**

ON THE REPORTING FORM.

[(8)](7) The number of [children]students in ~~any~~ **EACH** grade level who were denied admission because of [their] the student's inability to qualify for provisional admission or, in an un-graded school, in ~~any~~ **EACH** age group **AS INDICATED ON THE REPORTING FORM**.

[(9)](8) Other information as required by the Department.

[(e) For purposes of reporting the immunization status of a school's students to the Department, the following grade-levels will be used: kindergarten, grades 1-6, 7-9, 10-12 and special education.]

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CHAPTER 27. COMMUNICABLE AND NONCOMMUNICABLE DISEASES

SUBCHAPTER C. QUARANTINE AND ISOLATION

COMMUNICABLE DISEASES IN CHILDREN AND STAFF ATTENDING SCHOOLS AND CHILD CARE GROUP SETTINGS

Section 27.77. Immunization requirements for children in child care group settings.

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(d) *Exemptions*.

(1) This section does not apply to the following:

(i) Children attending [Kindergarten] kindergarten, elementary school or higher school who are 5 years of age or older. These caregivers shall comply with §§ 23.81—23.87 (relating to immunization)

~~(ii) Children who are known by the caregiver to be [6] 5 years of age or older or to attend a kindergarten, elementary school or higher school.~~