PROPOSED RULE MAKING

CR-102 (June 2004)
(Implements RCW 34.05.320)
Do **NOT** use for expedited rule making

Agency: State Board of Health

☐ **Preproposal Statement of Inquiry was filed as WSR ; or**
☐ **Expedited Rule Making--Proposed notice was filed as WSR _ ; or**
☒ **Proposal is exempt under RCW 34.05.310(4).**

☒ **Original Notice**
☐ **Supplemental Notice to WSR**
☐ **Continuance of WSR**

Title of rule and other identifying information: (Describe Subject)
WAC 246-105-040, Requirements based on national immunization guidelines. Updating the reference of the Advisory Committee on Immunization Practices' to the 2012 schedule.

Hearing location(s): Department of Health
Point Plaza East, Rooms 152/153
310 Israel Road S.E.
Tumwater, WA 98501

Date: 06/13/12 Time: 1:30 pm

Submit written comments to:
Name: Jeff Wise
Address: Washington State Department of Health
Office of Immunization and Child Profile
PO Box 47843
Tumwater, WA 98504-7843
Website: https://fortress.wa.gov/doh/policyreview/
fax 360-236-5390 by (date) 06/01/2012

Assistance for persons with disabilities: Contact
Desiree Robinson by 06/06/2012
TTY (800) 833-6388 or () 711

Date of intended adoption: 06/13/2012
(Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:
This proposal would update the reference to the Advisory Committee on Immunization Practices (ACIP) Recommended Childhood and Adolescent Immunization Schedule from the 2010 version to the 2012 version. With this change, the only vaccine required for school entry affected by the update in schedule is Tdap, an adolescent vaccine protecting against tetanus, diphtheria and pertussis. Under this proposal: 1) children could receive Tdap regardless of when they previously received a diphtheria-, tetanus-, or pertussis-containing vaccine, and 2) children as young as seven years of age could receive Tdap vaccine if they are under vaccinated against pertussis. A single dose of Tdap would still routinely require for entry into grade six. Child care centers would not be affected.

Reasons supporting proposal:
This rule revision is necessary to maintain consistency between the national immunization standards as set by the ACIP and Washington State school and child care immunization entry requirements.

Statutory authority for adoption:
RCW 28A.210.140

Statute being implemented:
RCW 28A.210.140

Is rule necessary because of a:

Federal Law?	☐ Yes	☒ No
Federal Court Decision?	☐ Yes	☒ No
State Court Decision?	☐ Yes	☒ No

If yes, CITATION:

DATE 04/19/12

NAME (type or print)
Michelle A. Davis

SIGNATURE
Michelle A Davis

TITLE
Executive Director, Washington State Board of Health

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 19, 2012
TIME: 3:25 PM

WSR 12-10-011

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization) Washington State Board of Health

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting.....	Jeff Wise	101 Israel Road SE, Tumwater, WA, 98501	360-236-3483
Implementation....	Jeff Wise	101 Israel Road SE,Tumwater, WA, 98501	360-236-3483
Enforcement.....	Janna Bardi	101 Israel Road SE,Tumwater, WA, 98501	360-236-3568

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:
Name:
Address:

phone
fax
e-mail

☒ No. Explain why no statement was prepared.

A small business economic impact statement (SBEIS) was not prepared. Under RCW 19.85.025 and 34.05.310(4)(c), a SBEIS is not required for proposed rules that adopt or incorporate by reference - without material change - federal statutes or regulations, Washington state law, the rules of other Washington state agencies, or national consensus codes that generally establish industry standards;

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:
Name:
Address:

phone
fax
e-mail

☒ No: Please explain: The agency did not complete a cost benefit analysis under RCW 34.05.328. RCW 34.05.328(5)(b)(iii) exempts rules that adopt or incorporate by reference without material change federal statutes or regulations, Washington state law, the rules of other Washington state agencies, or national consensus codes that generally establish industry standards;

AMENDATORY SECTION (Amending WSR 11-05-060, filed 2/11/11, effective 3/14/11)

WAC 246-105-040 Requirements based on national immunization guidelines. The department shall develop and distribute implementation guidelines for schools and child care centers that are consistent with the national immunization guidelines described in this section and the requirements in WAC 246-105-090.

(1) Unless otherwise stated in this section, a child must be vaccinated against each vaccine-preventable disease listed in WAC 246-105-030 at ages and intervals according to the ((~~following published~~)) national immunization guidelines((~~:~~

~~(a) Effective July 1, 2009,~~)) in the "*Recommended Immunization Schedule for Persons Aged 0-18 Years, United States ((~~2008~~)) 2012*"; as published in the *Morbidity and Mortality Week Report* (MMWR) ((~~2008;57(01)~~)) 2012;61(05):Q1-4.

((~~(b) Effective July 1, 2011, the "*Recommended Immunization Schedule for Persons Aged 0-18 Years, United States, 2010*"; as published in the *Morbidity and Mortality Week Report* (MMWR), 2010;58(51 and 52):Q1-4.~~))

(2) In addition to the ages and intervals required by subsection (1) of this section, the following vaccine administration guidelines shall apply. Schools and child care centers may accept one of the following as proof of a child's immunization status against varicella:

(a) Documentation on the CIS form that the child received age appropriate varicella vaccine; or

(b) Diagnosis or verification of a history of varicella disease by a health care provider; or

(c) Diagnosis or verification of a history of herpes zoster by a health care provider; or

(d) Serologic proof of immunity against varicella; or

(e) Documentation by the parent that a child has a history of varicella. This type of proof will be accepted only for certain grade levels described in the department's implementation guidelines according to WAC 246-105-090(2).