



Date: January 8, 2020

To: Washington State Board of Health Members

From: Thomas Pendergrass, MD, MSPH, Vice Chair

Subject: Petition for Rulemaking on WAC 246-105-030 – Vaccine-preventable diseases children must be protected against for full immunization

Background and Summary:

The Administrative Procedures Act (RCW 34.05.330) allows any person to petition a state agency to request adoption, amendment, or repeal of any rule. Upon receipt of a petition, the agency has 60 days to either (1) deny the petition in writing stating the reasons and, as appropriate, offer other means for addressing the concerns raised by the petitioner, or (2) accept the petition and initiate rulemaking.

On November 7, 2019, State Board of Health (Board) staff received an email from Mr. Caleb Huffman requesting a change to WAC 246-105-030 – Vaccine-preventable diseases children must be protected against for full immunization. Specifically, Mr. Huffman requested that the Board amend WAC 246-105-030 to include the human papillomavirus (HPV) as one of the diseases requiring vaccination against or proof of acquired immunity prior to school or a child care center attendance.

In the rulemaking petition, Mr. Huffman stated that more than 33,000 cases of cancer (oropharyngeal, cervical, and anal) annually are attributable to HPV and that 90% of those could be prevented through the addition of HPV to the immunizations mandated in WAC 246-105-030. Mr. Huffman also stated that HPV-related cancers impact certain populations disproportionately, including Women and African Americans on a national level, and Native Americans and Cambodian women within Washington State. He stated that by not amending WAC 246-105-030 to include HPV, the current rule perpetuates unequal health outcomes among Washington State residents.

Chris Trent, Policy Advisor for the Board, will brief the Board on the petition and Kathy Lofy, State Health Officer and State Science Officer for the Washington State Department of Health (DOH), may speak to the Board on behalf of DOH.

(continued on the next page)

Recommended Board Actions:

The Board may wish to consider, amend if necessary, and adopt one of the following motions:

- The Board accepts the petition for rulemaking to consider adding HPV to the list of vaccine-preventable diseases that children are required to be vaccinated against for school or child care attendance in WAC 246-105-030. The Board directs staff to notify the petitioner of its decision and to initiate rulemaking.
- The Board denies the petition for rulemaking to amend WAC 246-105-030 – Vaccine-preventable diseases children must be protected against for full immunization, and directs staff to coordinate with DOH staff in convening a Technical Advisory Committee to thoroughly evaluate the scientific merit of the petition, as resources allow. The Board directs staff to notify the petitioner of its decision.
- The Board denies the petition for rulemaking to amend WAC 246-105-030 – Vaccine-preventable diseases children must be protected against for full immunization, and directs staff to notify the petitioner of the Board's decision.

Staff

Chris Trent

To request this document in an alternate format or a different language, please contact Kelie Kahler, Washington State Board of Health Communication Manager, at 360-236-4102 or by email at kelie.kahler@sboh.wa.gov. TTY users can dial 711.

PO Box 47990 • Olympia, WA 98504-7990
360-236-4110 • wsboh@sboh.wa.gov • sboh.wa.gov