PETITION FOR ADOPTION, AMENDMENT, OR REPEAL OF A STATE ADMINISTRATIVE RULE

Print Form

In accordance with RCW 34.05.330, the Office of Financial Management (OFM) created this form for individuals or groups who wish to petition a state agency or institution of higher education to adopt, amend, or repeal an administrative rule. You may use this form to submit your request. You also may contact agencies using other formats, such as a letter or email.

The agency or institution will give full consideration to your petition and will respond to you within 60 days of receiving your petition. For more information on the rule petition process, see Chapter 82-05 of the Washington Administrative Code (WAC) at http://apps.leg.wa.gov/wac/default.aspx?cite=82-05.

CONTACT INFORMATION *(please type or print)*

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COMPLETING AND SENDING PETITION FORM

- Check all of the boxes that apply.
- Provide relevant examples.
- Include suggested language for a rule, if possible.
- Attach additional pages, if needed.
- Send your petition to the agency with authority to adopt or administer the rule. Here is a list of agencies and their rules coordinators: http://www.leg.wa.gov/CodeReviser/Documents/RClist.htm.

INFORMATION ON RULE PETITION

Agency responsible for adopting or administering the rule: Washington State Board of Health

☐ **1. NEW RULE - I am requesting the agency to adopt a new rule.**

☐ The subject (or purpose) of this rule is: _____

☐ The rule is needed because: _____

☐ The new rule would affect the following people or groups: _____

☒ **2. AMEND RULE - I am requesting the agency to change an existing rule.**

List rule number (WAC), if known: WAC 246-105-030

☒ I am requesting the following change: Please see attached document.

☒ This change is needed because: Please see attached document.

☒ The effect of this rule change will be: Please see attached document.

☐ The rule is not clearly or simply stated: _____

☐ **3. REPEAL RULE - I am requesting the agency to eliminate an existing rule.**

List rule number (WAC), if known: _____

(Check one or more boxes)

☐ It does not do what it was intended to do.

☐ It is no longer needed because: _____

☐ It imposes unreasonable costs: _____

☐ The agency has no authority to make this rule: _____

☐ It is applied differently to public and private parties: _____

☐ It conflicts with another federal, state, or local law or rule. List conflicting law or rule, if known: _____

☐ It duplicates another federal, state or local law or rule. List duplicate law or rule, if known: _____

☐ Other (please explain): _____

I am requesting the following change:

This petition requests that WAC 246-105-030 be revised to include the human papillomavirus (HPV) as an additional disease requiring vaccination against or proof of acquired immunity prior to attending school or a child care center at the ages recommended by the procedures outlined in WAC 246-105.

Suggested revised wording of code:

WAC 246-105-030 Vaccine-preventable diseases children must be protected against for full immunization. In accordance with the conditions of this chapter, a child is required to be vaccinated against, or show proof of acquired immunity for, the following vaccine-preventable diseases before attending school or a child care center:

(1) Chickenpox (Varicella);
(2) Diphtheria;
(3) German measles (Rubella);
(4) Haemophilus influenzae type B disease;
(5) Hepatitis B;
(6) Measles (Rubeola);
(7) Mumps;
(8) Pneumococcal disease;
(9) Polio (Poliomyelitis);
(10) Tetanus; ((~~and~~))
(11) Whooping cough (Pertussis)((~~.~~)); and
(12) Human papillomavirus.

[Statutory Authority: RCW 28A.210.140 and 28A.210.090. WSR 14-06-037, § 246-105-030, filed 2/25/14, effective 3/28/14. Statutory Authority: RCW 28A.210.140. WSR 09-02-003, § 246-105-030, filed 12/26/08, effective 1/26/09.]

This change is needed because:

1. The state's obligation to protect the public's health and safety is compromised by not requiring vaccination against human papillomavirus.
    a. HPV infection is strongly associated with risk of cervical cancer [1].
    b. HPV is a "hidden epidemic" [2]. Around 79 million Americans are currently infected with HPV, with roughly 14 million people becoming newly infected each year[3], requiring a state response to be curbed [4].
    c. "Approximately 33,700 cancers are caused by HPV in the United States each year, including 12,900 oropharyngeal cancers among men and women, 10,800 cervical cancers among women, and 6,000 anal cancers among men and women… [Implementing an] HPV vaccination program for adolescents has the potential to prevent the majority of these cancers." [5]

    d. While less common, HPV transmission can occur among preadolescent children as a result of nonsexual horizontal transmission, acquired either perinatally or postnatally. Cases also occur due to sexual abuse [6].
2. An individual's decision to not vaccinate for HPV could place others' health in jeopardy;
    a. HPV vaccination rates remain low in Washington State. "In 2013, HPV vaccination coverage estimates [in Washington State] with one, two, and three doses (HPV1-3) for adolescents aged 11–12 years were 48.5%, 32.4%, and 18.3% among girls and 31.2%, 17.1%, and 8.1% among boys. The three-dose HPV vaccine coverage estimate increased to 40.1% among girls by age 18 but was unchanged for boys. Coverage estimates varied by age, sex, and county. One-third of eligible unvaccinated girls and two of five eligible boys aged 11–17 years had at least one missed opportunity to receive HPV1." [7]
    b. While negatively affecting all Washington State residents, HPV cancers disproportionally occur in:
        i. Women nationally [8]
        ii. African Americans nationally [8]
        iii. Native Americans in Washington State [9]
        iv. Cambodian Woman in Puget Sound region [10]
    c. Choosing to not vaccinate against the human papillomavirus perpetuates unequal health outcomes, specifically for the groups mentioned above.
3. The state's economic interests are threatened by the costs of care for vaccine preventable illness, related disability, or death, and by the cost of managing vaccine preventable disease outbreaks;
    a. HPV costs the U.S. economy $8.0 billion (2010 U.S. dollars) every year [11].
4. A similar requirement has already been implemented in Rhode Island, Virginia, and Washington D.C. [12]

The effect of this rule change will be:

- Almost eliminating multiple cancers from Washington State residents by creating a population network effect for immunization of HPV [5].
- Provide additional protection against transmission of HPV via nonsexual horizontal transmission and sexual abuse among adolescents.
- Providing additional protection for subgroups that report higher death rates from HPV caused cancers.
- Greatly reduces the likelihood of person-to-person transmission of the human papillomavirus [5].

Citations

1. Braaten, K.P. and M.R. Laufer, *Human papillomavirus (HPV), HPV-related disease, and the HPV vaccine.* Reviews in obstetrics and gynecology, 2008. **1**(1): p. 2.

2. Creel, L., *Human Papillomavirus: A Hidden Epidemic in the United States.* Population Reference Bureau, 2001.
3. Unknown. *HPV (Human Papilloma Virus)*. 2019 9/18/2018 [cited 2019 11/6/2019]; Available from: https://my.clevelandclinic.org/health/diseases/11901-hpv-human-papilloma-virus.
4. Keim-Malpass, J., et al., *Legislative activity related to the human papillomavirus (HPV) vaccine in the United States (2006–2015): a need for evidence-based policy.* Risk management and healthcare policy, 2017. **10**: p. 29.
5. Meites, E., et al., *Human papillomavirus vaccination for adults: updated recommendations of the Advisory Committee on Immunization Practices.* American Journal of Transplantation, 2019. **19**(11): p. 3202-3206.
6. Sinclair, K.A., et al., *Anogenital and respiratory tract human papillomavirus infections among children: age, gender, and potential transmission through sexual abuse.* Pediatrics, 2005. **116**(4): p. 815-825.
7. Oltean, H.N., et al., *Human papillomavirus vaccination in Washington State: Estimated coverage and missed opportunities, 2006–2013.* Public Health Reports, 2016. **131**(3): p. 474-482.
8. Unknown. *HPV-Associated Cancers Rates by Race and Ethnicity*. 2019 8/2/2019 [cited 2019 11/6/2019]; Available from: https://www.cdc.gov/cancer/hpv/statistics/race.htm.
9. Duvall, J. and D. Buchwald, *Human papillomavirus vaccine policies among American Indian tribes in Washington State.* Journal of pediatric and adolescent gynecology, 2012. **25**(2): p. 131-135.
10. Do, H., et al., *HPV vaccine knowledge and beliefs among Cambodian American parents and community leaders.* Asian Pacific journal of cancer prevention: APJCP, 2009. **10**(3): p. 339.
11. Chesson, H.W., et al., *Estimates of the annual direct medical costs of the prevention and treatment of disease associated with human papillomavirus in the United States.* Vaccine, 2012. **30**(42): p. 6016-6019.
12. Unknown. *HPV Vaccine: State Legislation and Statutes*. 2018; Available from: http://www.ncsl.org/research/health/hpv-vaccine-state-legislation-and-statutes.aspx.

HPV VACCINE:
Long-Lasting Cancer Protection

Vaccination prevents over 90% of cancers caused by HPV.

HPV stands for **human papillomavirus**.

HPV

It can be passed with **no signs or symptoms**.

HPV is so common that **nearly everyone gets it at some point**.

It dramatically **increases the risk of serious cancer**, in both men and women.[1]

In Washington:

55% of **teens** completed their HPV vaccination series in 2017.[2]

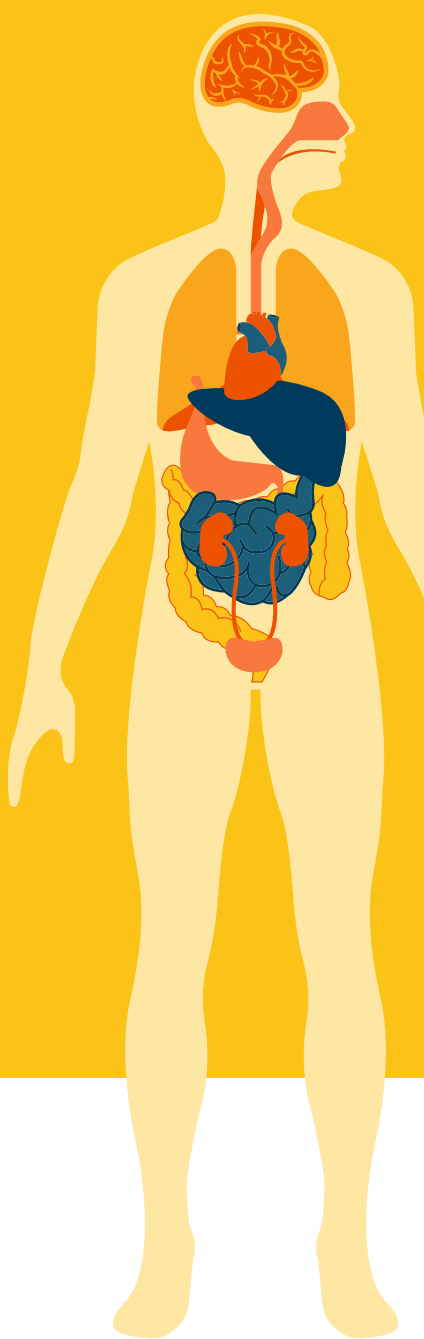
72% of **teens** got one dose of HPV vaccine in 2017.[2]

Most Common Cancers Caused by HPV[3]

233 new cases of cervical cancer are found each year

413 new cases of oropharyngeal* cancer are found each year.

**Oropharyngeal cancer is in the back of the throat, including the tonsils and base of the tongue*



The HPV vaccine offers future cancer protection for everyone.

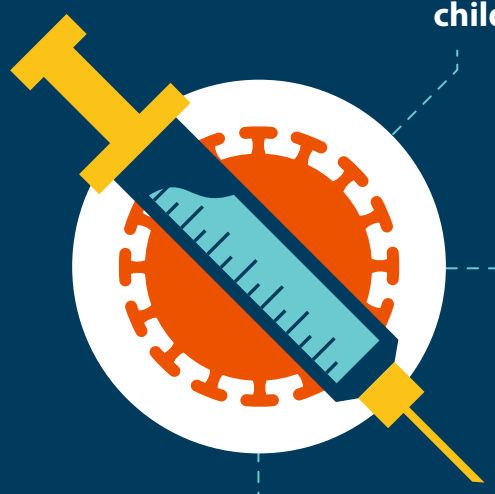
Preventable Cancers Caused by HPV:

- **OROPHARYNGEAL**
- **CERVICAL**
- VAGINAL
- VULVAR
- PENILE
- ANAL*

**Anal cancer also includes cancer of the rectum*

Earlier Vaccination is Better

Two doses of HPV vaccine are recommended for **children ages 11-12**.



However, the two-dose series can be started as early as age 9.[4]

Teens and young adults (15-26) can still receive vaccination, but will require **three doses**.[5]

Consult your healthcare provider for more information.

To learn more about the HPV vaccine and other immunization services in Washington, visit **www.doh.wa.gov/hpv**.

1. CDC. "6 Reasons to get HPV Vaccine for Your Child." Available at https://www.cdc.gov/hpv/infographics/vacc-six-reasons.html. Accessed 5-21-2018.
2. CDC. 2017 National Immunization Survey.
3. Washington State Cancer Registry 2011-15 (data released 2018). This is the average number of new cases per year during the time period.
4. CDC. "A New Schedule for HPV Vaccines." Available at https://www.cdc.gov/hpv/hcp/2-dose/clinician-faq.html. Accessed 6-29-2018
5. CDC. "Human Papillomavirus (HPV). Questions and Answers." Available at https://www.cdc.gov/hpv/parents/questions-answers.html. Accessed 5-21-2018.

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