

1.1 **Minnesota Department of Health**

1.2 **Proposed Permanent Rules Relating to Immunization of School Age Children and**
1.3 **Children in Child Care and School-Based Early Childhood Programs**

1.4 **4604.0200 DEFINITIONS.**

1.5 [For text of subps 1 and 2, see M.R.]

1.6 Subp. 2a. **Medically acceptable standards.** "Medically acceptable standards" means
1.7 immunization recommendations promulgated at the national level by the Centers for
1.8 Disease Control and Prevention Advisory Committee on Immunization Practices.

1.9 [For text of subps 3 and 4, see M.R.]

1.10 Subp. 4a. **School-based early childhood program.**

1.11 A. Under authority of Minnesota Statutes, section 121A.15, subdivision 12,
1.12 "school-based early childhood program" means a program that provides services to
1.13 children from birth to the start of kindergarten in a classroom setting. Whether in a school
1.14 building or not, the program meets at least once a week for six weeks or more during the
1.15 year with the purpose of providing instructional or other services to support children's
1.16 learning and development. It does not include drop-in playtime provided through a
1.17 school-based early childhood program in a school or classroom setting.

1.18 B. The definition in this subpart applies to parts 4604.0100, 4604.0300, 4604.0400,
1.19 4604.0500, 4604.0700, 4604.0900, and 4604.1000, and Minnesota Statutes, section
1.20 121A.15.

1.21 [For text of subps 5 and 6, see M.R.]

2.1 **4604.0410 REPORT.**

2.2 A. The school report required under Minnesota Statutes, section 121A.15, subdivision
2.3 8, must be filed with the commissioner of health within 90 days of the commencement
2.4 of each new school term.

2.5 B. The administrator or other person having general control and supervision of the
2.6 child care facility or school-based early childhood program shall file a report with the
2.7 commissioner of health on all persons enrolled in the child care facility by December
2.8 1 of each year.

2.9 **4604.0420 POLIO VACCINATION REQUIREMENT.**

2.10 Except as provided in Minnesota Statutes, section 121A.15, subdivision 3, paragraph
2.11 (c) or (d), and for children who have completed the polio vaccination series by September
2.12 1, 2013, to enroll or remain in a child care facility, a school-based early childhood
2.13 program, or an elementary or secondary school, beginning September 1, 2013, a child's
2.14 parent or legal guardian must submit documentation to the administrator or person having
2.15 general control and supervision of the facility, program, or school that the child has
2.16 received vaccination consistent with medically acceptable standards against poliomyelitis.

2.17 **4604.0430 TETANUS, DIPHTHERIA, AND PERTUSSIS VACCINATION**
2.18 **REQUIREMENT.**

2.19 Except as provided in Minnesota Statutes, section 121A.15, subdivision 3, paragraph
2.20 (c) or (d), and for children who have completed the tetanus, diphtheria, and pertussis
2.21 vaccinations by September 1, 2013, to enroll or remain in a child care facility or
2.22 school-based early childhood program or elementary school, beginning September 1,
2.23 2013, a child's parent or legal guardian must submit documentation to the administrator or
2.24 person having general control and supervision of the facility or program that the child has
2.25 received vaccination consistent with medically acceptable standards against diphtheria,
2.26 tetanus, and pertussis.

3.1 **4604.0600 CHANGES IN MEASLES, MUMPS, AND RUBELLA VACCINE**
3.2 **VACCINATION REQUIREMENTS; KINDERGARTEN THROUGH GRADE 12.**

3.3 **Subpart 1. Measles, mumps, and rubella at kindergarten.** Except as provided in
3.4 ~~subpart 2 or in~~ Minnesota Statutes, section 121A.15, subdivision 3, paragraph (c) or (d), a
3.5 ~~student enrolling in kindergarten during or after the 2004-2005 school year must submit~~

3.6 ~~documentation that the student received two doses of vaccine each for measles, mumps, and~~
3.7 ~~rubella or have an exemption statement according to Minnesota Statutes, section 121A.15,~~
3.8 ~~subdivision 3. The documentation must be submitted to the administrator or person having~~
3.9 ~~general control and supervision of the school. the following documentation is required:~~

3.10 A. beginning with the 2013-2014 school year, students in kindergarten through
3.11 grade 12 must have: (1) proof of receipt of vaccination consistent with medically
3.12 acceptable standards against measles, mumps, and rubella; (2) documentation of a history
3.13 of having had measles, mumps, and rubella; or (3) an exemption statement as specified in
3.14 Minnesota Statutes, section 121A.15, subdivision 3, paragraph (c) or (d), and produce the
3.15 documentation or exemption statement if required to do so; and

3.16 B. beginning with the 2013-2014 school year, a student entering kindergarten
3.17 or grade 7 must submit: (1) documentation of vaccination consistent with medically
3.18 acceptable standards against measles, mumps, and rubella; (2) documentation of a history
3.19 of having had measles, mumps, and rubella; or (3) an exemption statement as specified in
3.20 Minnesota Statutes, section 121A.15, subdivision 3, paragraph (c) or (d).

3.21 The documentation or exemption statement required by this subpart must be submitted to
3.22 the administrator or person having general control and supervision of the school.

3.23 Subp. 2. [See repealer.]

3.24 Subp. 3. [See repealer.]

4.1 **4604.0810 HEPATITIS B VACCINATION REQUIREMENT; KINDERGARTEN**
4.2 **THROUGH GRADE 12.**

4.3 A. Beginning with the 2013-2014 school year, students in kindergarten through
4.4 grade 12 must have proof of receipt of vaccination consistent with medically acceptable
4.5 standards against hepatitis B, or have an exemption statement as specified in Minnesota
4.6 Statutes, section 121A.15, subdivision 3, paragraph (c) or (d), and produce the
4.7 documentation or exemption statement if required to do so.

4.8 B. Beginning with the 2013-2014 school year, a student entering kindergarten or
4.9 grade 7 must submit documentation of vaccination consistent with medically acceptable
4.10 standards against hepatitis B, or submit an exemption statement as specified in Minnesota
4.11 Statutes, section 121A.15, subdivision 3, paragraph (c) or (d).

4.12 The documentation or exemption statement required by this subpart must be submitted to
4.13 the administrator or person having general control and supervision of the school.

4.14 **4604.0815 HEPATITIS B VACCINATION REQUIREMENT; OTHER.**

4.15 Beginning September 1, 2013, a child enrolling in child care or a school-based early
4.16 childhood program must submit documentation of vaccination consistent with medically
4.17 acceptable standards against hepatitis B, or submit an exemption statement as specified
4.18 in Minnesota Statutes, section 121A.15, subdivision 3, paragraph (c) or (d), to the
4.19 administrator or person having general control and supervision of the program.

4.20 **4604.0820 HEPATITIS A VACCINATION REQUIREMENT.**

4.21 Beginning September 1, 2013, a child enrolling in child care or a school-based early
4.22 childhood program must submit documentation of vaccination consistent with medically
4.23 acceptable standards against hepatitis A, or submit an exemption statement as specified
4.24 in Minnesota Statutes, section 121A.15, subdivision 3, paragraph (c) or (d), to the
4.25 administrator or person having general control and supervision of the program.

5.1 **4604.0900 NEW VARICELLA VACCINE VACCINATION REQUIREMENT.**

5.2 Subpart 1. Requirements for child care enrollees. Except for children who have
5.3 already been vaccinated with the varicella vaccine prior to September 1, 2013, beginning
5.4 September 1, 2004 2013, a child 18 15 months of age or older who is enrolled in a child
5.5 care facility in this state must submit:

5.6 A. documentation of receipt of the varicella vaccine consistent with medically
5.7 acceptable standards; submit;

5.8 B. documentation of a history of the varicella disease; or submit

5.9 C. an exemption statement ~~according to~~ as specified in Minnesota Statutes, section
5.10 121A.15, subdivision 3, paragraph (c) or (d).

5.11 The documentation or exemption statement required by this subpart must be submitted
5.12 to the administrator or ~~other~~ person having general control and supervision of the child
5.13 care facility.

5.14 Subp. 2. **Requirements for students.**

5.15 A. Beginning with the 2013-2014 school year, students in kindergarten through
5.16 grade 12 must have:

5.17 (1) proof of receipt of vaccination consistent with medically acceptable
5.18 standards against varicella;

5.19 (2) documentation of a history of having had varicella disease; or

5.20 (3) proof of an exemption statement as specified in Minnesota Statutes, section
5.21 121A.15, subdivision 3, paragraph (c) or (d).

5.22 B. Beginning with the 2004-2005 school year, a student entering kindergarten or
5.23 seventh grade must submit:

6.1 (1) documentation of receipt of the varicella vaccine consistent with medically
6.2 acceptable standards, ~~submit~~;

6.3 (2) documentation of a history of ~~the~~ varicella disease; ~~or submit~~

6.4 (3) an exemption statement ~~according to~~ as specified in Minnesota Statutes,
6.5 section 121A.15, subdivision 3, paragraph (c) or (d).

6.6 The documentation or exemption statement required by this subpart must be submitted to
6.7 the administrator or ~~other~~ person having general control and supervision of the school.

6.8 [For text of subp 3, see M.R.]

6.9 Subp. 4. **Documentation of disease history.** Documentation of a history of the
6.10 varicella disease under subparts 1 and 2 must include one of the following:

6.11 [For text of items A to C, see M.R.]

6.12 D. ~~on or before August 31, 2010, the signature of~~ if a child had varicella disease
6.13 before September 1, 2010, a statement documenting the child had varicella disease that is
6.14 signed by the child's parent or legal guardian and ~~must include~~ includes the year that the
6.15 child had the varicella disease. ~~This item expires September 1, 2010.~~

6.16 **4604.1010 TETANUS, DIPHTHERIA, AND PERTUSSIS VACCINATION**
6.17 **REQUIREMENT; GRADES 7 TO 12.**

6.18 A. Beginning September 1, 2013, a student entering grade 7 must submit
6.19 documentation of vaccination consistent with medically acceptable standards against
6.20 tetanus, diphtheria, and pertussis, or submit an exemption statement as specified in
6.21 Minnesota Statutes, section 121A.15, subdivision 3, paragraph (c) or (d).

6.22 B. Beginning with the 2013-2014 school year, students in grades 7 through 12 must
6.23 have proof of receipt of vaccination consistent with medically acceptable standards
6.24 against tetanus, diphtheria, and pertussis, or have an exemption statement as specified in
7.1 Minnesota Statutes, section 121A.15, subdivision 3, paragraph (c) or (d), and produce the
7.2 documentation or exemption statement if required to do so.

7.3 **4604.1020 MENINGOCOCCAL VACCINATION REQUIREMENT; GRADES**
7.4 **7 TO 12.**

7.5 A. Beginning September 1, 2013, a student entering grade 7 must submit
7.6 documentation of vaccination consistent with medically acceptable standards against
7.7 meningococcal disease, or submit an exemption statement as specified in Minnesota
7.8 Statutes, section 121A.15, subdivision 3, paragraph (c) or (d).

7.9 B. Beginning with the 2013-2014 school year, students in grades 7 through 12 must
7.10 have proof of receipt of vaccination consistent with medically acceptable standards against

- 7.11 meningococcal disease, or have an exemption statement as specified in Minnesota Statutes,
- 7.12 section 121A.15, subdivision 3, paragraph (c) or (d), and produce the documentation or
- 7.13 exemption statement if required to do so.