



# Understanding the Utah Immunization Rule for Students

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## **Module I**

### **Laws, Enrollments and Requirements**

# Laws, Admissions and Requirements About This Module

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**Purpose:** To define the law and immunization requirements pertaining to the Utah Immunization Rule for Students.

**Goal:** To improve administration and application of Utah early childhood program requirements.

**Objectives:**

- Describe the types of early childhood programs for which the Rule applies.
- Describe appropriate immunization documentation.
- Define “USIR.”
- Define “Conditional Enrollment.”
- Define “Extended Conditional Enrollment.”
- Define “History of Disease”.
- Describe the three types of exemptions allowed in early childhood programs.
- Describe the four-day grace period.
- Describe the conditions for which a child may be excluded.
- Describe the School Record of children’s immunization status.
- Define “immunization report”.

# Utah Statutory Code

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To get a better understanding of the law, let's first look at the difference between a rule and a statute.

- Statues are enacted by the Legislature and change only when the Legislature is in session.
- The Utah Department of Health is an authorized agency that can regulate or establish rules.
- [Utah Statutory Code, Title 53G, Chapter 9, Part 3](#), defines immunization requirements, including procedures for reporting statistical information and non-compliance.



# Utah Immunization Rule for Students

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- Administrative rules have **the binding effect of law**, and unlike statutes, can change throughout the year.
- Authorized agencies, such as the Utah Department of Health, do not have to go through the Legislature to change a rule.
- The Utah Immunization Rule for Students is an administrative rule under the [Utah Health Code, Section R396-100](#). It *implements* the requirements established under the Statutory Code.
- The Rule defines all vaccine requirements, admission requirements, exemptions to the Rule, official documents required, reporting requirements, exclusion procedures and penalties for non-compliance.





# Immunization Requirements Early Childhood Programs

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Children enrolled in early childhood programs (licensed child care center, nursery or preschool, child care facility, family home care, or Head Start Program) must be immunized appropriately for their age with the following immunizations:

- Hepatitis A
- Hepatitis B
- Pneumococcal
- Varicella (chickenpox)
- Polio
- Haemophilus influenza type b (Hib)
- DTaP (Diphtheria, Tetanus, and Pertussis)
- MMR (Measles, Mumps, Rubella)

\*Proof of immunity to disease(s) can be accepted in place of vaccination only if a document is presented to the early childhood program from a healthcare provider stating the child previously contracted the disease.

# Enrollment

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The Rule states that ALL children enrolled in an early childhood program MUST have an immunization record. Immunization records of children must show:

- information regarding each required vaccination that the child has received, including the date each vaccine was administered verified by a licensed healthcare provider, registered nurse, an authorized representative of a local health department, an authorized representative of the department, or a pharmacist;
- information regarding each disease against which the child has been immunized by previously contracting the disease (healthcare provider document required if the child has immunity against the disease for any required vaccination that the child has not received because the child previously contracted the disease); and





# Enrollment

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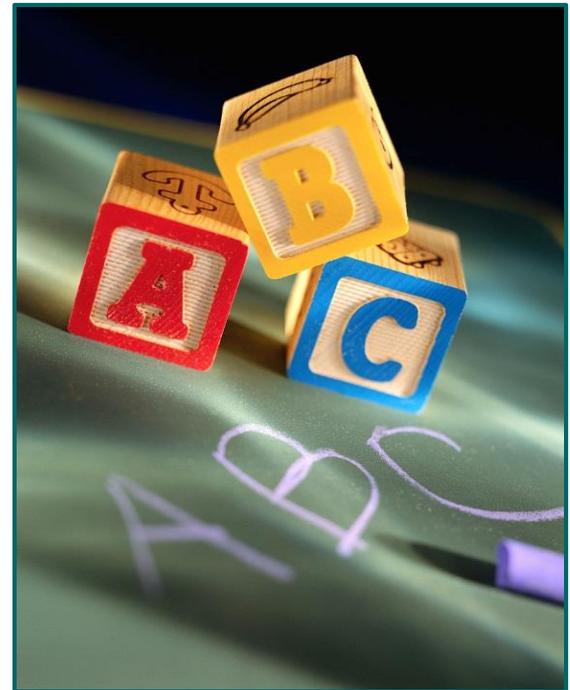
- a Utah vaccination exemption form identifying each required vaccination from which the child is exempt (for medical exemption, children must provide a completed vaccination exemption form AND a written statement signed by a licensed healthcare provider).

# Conditional Enrollment

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Conditional Enrollment: A child who has not provided an early childhood program with a complete immunization record at the time of enrollment may attend the early childhood program on a conditional enrollment.

- Conditional enrollment is a period where the child's immunization record is under review by the early childhood program or for 21 calendar days after the day the early childhood program provides a written notice to a child's legally responsible individual, in person or by mail.





# Conditional Enrollment

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- The notice describes the identified deficiencies or states that the early childhood program has not received an immunization record for the child and requests the required immunizations to be provided to the early childhood program within the conditional enrollment period to avoid exclusion.
- Children who do not comply at the end of the conditional enrollment period must be excluded from attending the early childhood program until they provide proper documentation of immunization records to early childhood program.
- A sample of conditional enrollment notice is available on our website at **[immunize.utah.gov](https://immunize.utah.gov)** or <https://immunize.utah.gov/information-for-the-public/immunization-recommendations/school-childcare-immunization-requirements/>.



# Extended Conditional Enrollment

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Extended Conditional Enrollment: At the end of the conditional enrollment period, an early childhood program administrator can grant an additional extension of the conditional enrollment in the following situations, if the extension is necessary to complete all required vaccination doses:

- when more time is medically recommended to complete all required vaccination doses; and
- administrator and a school nurse, a health official, or a health official designee agree that an additional extension will likely lead to compliance with early childhood program immunization record requirements during the additional extension period.



# History of Disease

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Any child who claims immunity against a disease for which vaccination is required because the child previously contracted the disease, must submit a document signed by a healthcare provider to the early childhood program as proof of immunity.

# Exemptions

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The Rule allows the following exemptions for early childhood program entry:

- *Medical*
  - *Religious*
  - *Personal*
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- Children claiming an exemption to the required vaccinations must have their legally responsible individual complete an online educational module (free of charge), or in-person consultation (fee of up to \$25) at a local health department, AND provide a copy of the completed form to the early childhood program official.
  - Completion of the online educational module or in-person consultation at a local health department must be completed for all types of exemptions.



# Claiming An Exemption

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- The legally responsible individual who claims the exemption for the child must take the online education module, free of charge at **[immunize.utah.gov](https://immunize.utah.gov)**, AND present a copy of the vaccination exemption form to the early childhood program.
- If the legally responsible individual who claims the exemption for the child declines to take the online education module, he/she can obtain a vaccination exemption form from a local health department and receive an in-person consultation. There is a fee of up to \$25 to cover the costs of providing an in-person consultation.



# Claiming An Exemption

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- For a **medical exemption** from required immunizations, the child's legally responsible individual must provide to the child's early childhood program a completed vaccination exemption form AND a written statement signed by a licensed healthcare provider stating that, due to the physical condition of the child, administration of the vaccine would endanger the student's life or health.



# Claiming An Exemption

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- A copy of the vaccination exemption form must be attached to the Utah School Immunization Record (USIR) and filed in the child's folder.
- A written statement from licensed healthcare provider must also be attached to the USIR if a medical exemption is claimed.





# Exemptions

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- Vaccination exemption forms provided to early childhood programs do not need to be renewed as long as the child is in an early childhood program - even if the child changes early childhood programs.
- However, if a child changes an early childhood program and is old enough to enroll in kindergarten or the child turns six years old, the child must renew his/her vaccination exemption form. In other words - children must renew their vaccination exemption forms for kindergarten entry.

# Utah School Immunization Record (USIR)

- All facilities are required by law to collect a history of past immunizations for each child enrolled.
- You can find the immunization record for each child through a statewide registry, student's former school, or legally responsible individual of the student. A complete immunization history often has to be pieced together from several sources.
- Collet information regarding each required vaccination that the child has received, including the date each vaccine was administered verified by a licensed healthcare provider, registered nurse, an authorized representative of a local health department, an authorized representative of the department, or a pharmacist.


**UTAH SCHOOL IMMUNIZATION RECORD**

This record is part of the student's permanent school record (cumulative folder) as defined in Section 53G-9-308 of the Utah Statutory Code and shall transfer with that school record upon request of the student's legally responsible individual. See back for instructions on how to fill out this form.

**Student Information**  
 Student Name \_\_\_\_\_ Gender  Male  Female Date of Birth \_\_\_\_\_  
 Name of Parent/Guardian \_\_\_\_\_  
 USIIS ID \_\_\_\_\_ PIN \_\_\_\_\_ Student ID Number \_\_\_\_\_

VACCINE	Record the month, day, & year for each vaccine dose was given.					Status	Due Date	Exemption
	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>	5 <sup>th</sup>			
DTaP, DTP, DT, Td, Tdap <small>(D-Diphtheria, T-Tetanus, P-Pertussis, a-acellular Polio)</small>								
Tdap								
Polio (IPV or OPV)								
Haemophilus influenzae type b (Hib)								
Pneumococcal								
Measles, Mumps, and Rubella (MMR) <small>1<sup>st</sup> dose must be received on or after the 1<sup>st</sup> birthday</small>								
Hepatitis B (HBV)								
Varicella (Chickenpox) <small>1<sup>st</sup> dose must be received on or after the 1<sup>st</sup> birthday</small>								
Hepatitis A (HAV) <small>1<sup>st</sup> dose must be received on or after the 1<sup>st</sup> birthday</small>								
Meningococcal Conjugate (ACWY)								

Immunization record received for this student is from:  A statewide registry  
 Student's former school  
 Legally responsible individual of the student

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Above signature is the signature of the school or health personnel who verified the Utah School Immunization Record (USIR) against the source record(s).

Utah Department of Health  
 Division of Disease Control & Prevention  
 Immunization Program  
[immunize.utah.gov](http://immunize.utah.gov)  
 (801)538-9450

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# USIR

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- Collect information regarding each disease against which the child has been immunized by previously contracting the disease (healthcare provider document required if the child has immunity against the disease for any required vaccination that the child has not received because the child previously contracted the disease).
- Collect a Utah vaccination exemption form identifying each required vaccination from which the child is exempt (for medical exemption, children must provide a completed vaccination exemption form AND a written statement signed by a licensed healthcare provider).
- After collecting immunization history from each child, transfer information from immunization history records to the Utah School Immunization Record (USIR), commonly called the "Pink Card,". Document all vaccines the child has received, including the month, date and year each vaccine was given. Document exemption and history of disease. Place the complete USIR in the child's file.

# USIR

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- USIR is the official immunization record to be used for all children who are enrolled in any early childhood program. For each child a USIR must be completed and included in the child's file.
- Attach any exemption form or proof of immunity statement to the USIR.
- Remember to check the interval between doses of each vaccine to ensure spacing between vaccine doses are correct.
- For detailed information about the interval between doses of each required vaccine and how to complete the USIR, review the Utah Immunization Guidebook at immunize.utah.gov or [https://immunize.utah.gov/wp-content/uploads/2020/01/Immunization\\_Guidebook.pdf](https://immunize.utah.gov/wp-content/uploads/2020/01/Immunization_Guidebook.pdf).



# Out-of-Compliance and Exclusion

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At the end of the conditional enrollment period, the early childhood program must exclude a child who does not comply with school immunization record requirements from attending an early childhood program until the child complies with the early childhood program immunization requirements, EXCEPT if a student has been granted:

- 1) an additional extension of the conditional enrollment period by an early childhood program administrator, for a time period medically recommended to complete all required vaccination doses; or
- 2) an additional extension of the conditional enrollment in cases of extenuating circumstances if a early childhood program administrator, a health official, or a health official designee agree that an additional extension will likely lead to compliance with early childhood program immunization record requirements during the additional extension period.



# Out-of-Compliance and Exclusion

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A child missing any of the following early childhood program immunization record requirements is considered out of compliance and must be excluded from the early childhood program:

- (a) the early childhood program has not received an immunization record (no immunization record) from the legally responsible individual of the child, the child's former early childhood program, or a statewide registry that shows the child has received each vaccination required by the department, or
- (b) the child did not receive each vaccination required by the department, or
- (c) for any required vaccination that the child did not receive and claimed immunity, the child did not submit a document signed by a healthcare provider to the early childhood program as proof of immunity (history of disease) against the disease for which the vaccination is required, or

# Out-of-Compliance and Exclusion

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(d) legally responsible individual of the child claimed the child had an exemption from one or more of the required vaccinations, but the child has not submitted an exemption form to early childhood program, or

(e) the child has received fewer than the required number of doses, and is one month past due for subsequent immunizations, or

(f) the child has received one or more doses at less than the minimum interval or less than the minimum age, or

(g) the child does not comply with the immunization requirements for military children under Section 53E-3-905.

(h) A sample of exclusion letter is available on our website at [immunize.utah.gov](https://immunize.utah.gov) or <https://immunize.utah.gov/information-for-the-public/immunization-recommendations/school-childcare-immunization-requirements/>.

# Four-Day Grace Period

Utah allows a *four-day grace period* for auditing or record review purposes only. This time frame allows the early childhood program authority reviewing the records to apply a four-day period for a student who received doses of any vaccine too early. The following conditions apply:

- The grace period shall not exceed four days,
- This grace period shall not be used to schedule vaccine doses that are due.

**i** **This means:** Vaccine doses given up to four days before the minimum interval or age can be counted as valid doses. Doses given five days or earlier should not be counted as valid doses and should be repeated. *The four-day "grace period" should not be applied to the 28-day interval between live vaccines not administered at the same visit.*



# Exclusion

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A local or state health representative may exclude (physically dismiss) a child who meets any of the following conditions:

- has claimed an exemption to one or more vaccines or is conditionally admitted and there is good cause to believe the child may be exposed to a vaccine preventable disease,
- has been exposed to a vaccine preventable disease as a result of early childhood program attendance,
- is conditionally admitted and has failed to obtain the vaccines required within the specified time period.



# Exclusion Notice

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A sample of an exclusion notice is available on the Utah Immunization Program website at [immunize.utah.gov](https://immunize.utah.gov) or <https://immunize.utah.gov/information-for-the-public/immunization-recommendations/school-childcare-immunization-requirements/>.





# School Record of Children's Immunization Status

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Each early childhood program must maintain a current list of all enrolled children, including:

- children the early childhood program has received a valid and complete immunization record;
- children who are exempt from receiving a required vaccine;
- children who are allowed to attend the early childhood program under conditional enrollment or extended conditional enrollment status; and
- each disease against which a child is not immunized.

# School Record of Children's Immunization Status

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Upon the request of an official from a local health department in the event of a disease outbreak, an early childhood program administrator must:

- (a) notify the legally responsible of any child who is not immune to the outbreak disease, providing information regarding steps the legally responsible individual may take to protect students;
- (b) identify each child who is not immune to the outbreak disease ; and
- (c) for a period determined by the local health department not to exceed the duration of the disease outbreak, do one of the following at the discretion of the early childhood program administrator after obtaining approval from the local health department:



# School Record of Children's Immunization Status

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- (i) provide a separate educational environment for non-immune children, that ensures the protection of the non immune children as well as the protection of the remainder of the children; or
- (ii) prevent each child who is not immune to the outbreak disease from attending early childhood program.

A name appearing on the list of all the enrolled children is subject to confidentiality requirements described in Section 26-1-17.5 and Section 53E-9-202.



# Immunization Reporting

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- State law requires that early childhood programs collect immunization information from each enrolled child and report immunization data annually. Data is collected to determine which childcare facilities are in compliance with state law and to determine how many children are adequately immunized.
- The immunization report is due on November 30 of each year.
- Each year, around October 1<sup>st</sup> an immunization report reminder letter and instruction sheet on how to complete the report is send out to all facilities. Facilities have until November 30<sup>th</sup> to complete the report.



# Administering the Utah Immunization Rule for Students

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- Vaccines are one of the most important public health tools available for preventing disease.
- As more and more vaccines are licensed, the more complicated the immunization schedule becomes. The schedule can be confusing for parents and early childhood program officials resulting in unnecessary exclusion of children.
- It is important that early childhood program officials use the utmost discretion and adhere to the guidelines in these modules when administering the Rule.
- If you are uncertain how to interpret or apply a rule, please contact the Utah Immunization Program at 801-538-9450 or email [immunize@utah.gov](mailto:immunize@utah.gov) for assistance.

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