



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department 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) or 34.05.330(1).

- 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 to the Advisory Committee on Immunization Practices from the 2013 publication to the 2016 publication.

Hearing location(s): Department of Health
Point Plaza East, Room 152
310 Israel Road, SE
Tumwater, WA 98501

Date: 06/07/16

Time: 1:30 PM

Submit written comments to:

Name: Ellie McMillan
Address: Washington State Department of Health
Office of the Secretary
PO Box 47830, Olympia, WA 98504-7830
e-mail: <http://www3.doh.wa.gov/policyreview/>
fax (360) 236-3590 by (date) 05/24/2016

Assistance for persons with disabilities: Contact

Ellie McMillan by 05/24/2016

TTY (800) 833-6388 or () 711

Date of intended adoption: 06/14/2016

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

This proposal updates the reference to the national immunization standards set by the Advisory Committee on Immunization Practices (ACIP) from the 2013 publication to the 2016 publication. Minimal, if any, impacts to stakeholders are anticipated. Updating the rule does not change any policies for schools or child care centers. Additionally, the 2016 ACIP standards for vaccination of diseases required by WAC 246-105-030 have not changed from 2013.

Reasons supporting proposal:

Review of the 2016 ACIP standards have determined that there are no changes that impact Washington State. However, this proposal is necessary to provide clarity and consistency for stakeholders by pointing the existing guidelines referenced in rule to the most current national immunization standards published by the ACIP.

Statutory authority for adoption:

RCW 28A.210.140

Statute being implemented:

RCW 28A.210.060

Is rule necessary because of a:

- | | | |
|-------------------------|------------------------------|--|
| Federal Law? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Federal Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| State Court Decision? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
- If yes, CITATION:

DATE 03/28/2016

NAME (type or print)

John Wiesman, DrPH, MPH

SIGNATURE

John Wiesman, DrPH, MPH

TITLE

Secretary of Health

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 28, 2016

TIME: 3:56 PM

WSR 16-08-017

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..... Ellie McMillan	310 Israel Rd SE, Tumwater, WA 98504-7830	(360) 236-3736
Implementation.... Michele Roberts	310 Israel Rd SE, Tumwater, WA 98504-7830	(360) 236-3568
Enforcement..... Michele Roberts	310 Israel Rd SE, Tumwater, WA 98504-7830	(360) 236-3568

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

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;

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 national immunization guidelines in the "Advisory Committee on Immunization Practices (ACIP) Recommended Immunization Schedule for Persons Aged 0 Through 18 Years, United States (~~2013~~) 2016"; as published in the *Morbidity and Mortality* (~~Week~~) Weekly Report (MMWR) (~~(2013;62(01):2-8)~~) 2016;65(04): 86-87.

(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 acting within his or her scope of practice; or

(c) Diagnosis or verification of a history of herpes zoster by a health care provider acting within his or her scope of practice; 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).