

## 105 CMR: DEPARTMENT OF PUBLIC HEALTH

### 105 CMR 220.000: IMMUNIZATION OF STUDENTS BEFORE ADMISSION TO SCHOOL

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#### 220.100: Purpose

The purpose of 105 CMR 220.000 is to specify those immunizations required by the Department before admission to school. 105 CMR 220.000 specifies minimum requirements for immunization. 105 CMR 220.000 is not intended to serve as recommendations for the optimal care of children, which are contained in separate Department guidelines.

#### 220.200: Authority

105 CMR 220.000 is authorized by M.G.L. c. 111, §§ 5, 6 and 7, and c. 76, §§ 15, 15C and 15D.

#### 220.300: Scope

105 CMR 220.000 applies to all students attending elementary schools, high schools, postsecondary institutions of higher education, and certain pre-schools in the Commonwealth, including students from other states and countries.

#### 220.400: Definitions

For purposes of 105 CMR 220.000, the term:

Certificate of Immunization shall mean either:

- (a) a form or letter signed and dated by a physician, nurse practitioner, physician assistant or designee which specifies the month and year of administration and the type/name of the vaccine(s) administered to the student; or
- (b) a dated report from the Massachusetts Immunization Information System which specifies the month and year of administration and the type/name of the vaccine(s) administered to the student.

Preschool shall mean a program offered by a public school system on a regular basis, whether known as day care, pre-school or other term, which provides care and custody during all or part of the day, separate from parents, for pre-kindergarten children and which is not regulated by the Department of Early Education and Care.

Student shall mean any individual attending, or enrolled or registered to attend, a pre-school program as defined in 105 CMR 220.400, kindergarten through 12<sup>th</sup> grade in a public or private school, or a postsecondary institution, as defined in 105 CMR 220.600, provided the educational program is offered either on or off-site in Massachusetts. The term student shall also include any individual from another country attending or visiting classes or educational programs as part of a formal academic visitation or exchange program.

#### 220.500: Immunization Requirements for Preschool, Elementary, Middle and High School Students

(A) No student, as defined in 105 CMR 220.400, shall attend a preschool program without a certificate of immunization documenting that the child has been successfully immunized in accordance with current Department of Public Health (DPH) recommended schedules against diphtheria, tetanus, pertussis (whooping cough), poliomyelitis, measles, mumps, rubella, Haemophilus influenzae type b (Hib), hepatitis B, varicella and other communicable diseases as specified by the Department, in accordance with the recommendations of the Advisory

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Committee on Immunization Practices of the Centers for Disease Control, or any successor committee serving a comparable function.

(B) No student, as defined in 105 CMR 220.400, shall attend kindergarten through 12<sup>th</sup> grade without a certificate of immunization or a copy of a school immunization record that the student has received at least the following immunizations:

(1) five doses of diphtheria, tetanus, pertussis (DTP), or diphtheria, tetanus, acellular pertussis (DTaP) vaccines, unless the fourth dose has been administered after the fourth birthday, in which case only four doses are required;

(a) where pertussis vaccine is medically contraindicated, diphtheria-tetanus toxoid (DT) is to be substituted for DTP vaccine;

(b) where the student is seven or more years of age and requires additional immunizations to satisfy 105 CMR 220.500(B)(1), tetanus and diphtheria toxoids and acellular pertussis vaccine (Tdap) or tetanus and diphtheria toxoids (Td) shall be given in place of DTP, DTaP or DT according to the age-appropriate schedules established by the Department.

(2) beginning on September 1, 2011, a single dose of Tdap vaccine is required for students attending seventh grade (or in the case of an ungraded classroom, for students 12 years of age or older) if it has been more than five years since the last dose of DTaP, DT or Td, in accordance with guidelines established by the Department. If it has been less than five years since a student received his or her last dose of DTaP, DT or Td, Tdap is not required, but may be administered according to the judgment of a physician, nurse practitioner or physician assistant. Beginning September 1, 2017, this requirement shall apply to all students attending grades seven through 12 and all students 12 years of age or older in ungraded classrooms.

(3) four doses of trivalent polio vaccine (unless the third dose of an all oral polio vaccine (OPV) or all inactivated polio vaccine (IPV) series has been administered after the fourth birthday, in which case only three doses are required);

(4) beginning on September 1, 2011, two doses of live measles, mumps and rubella vaccine given at least four weeks apart beginning at or after 12 months of age are required for students attending kindergarten and grade seven (or in the case of an ungraded classroom, students 12 years of age or older). Beginning on September 1, 2017, this requirement shall apply to all students attending grades kindergarten through 12 and all students in ungraded classrooms;

(5) three doses of hepatitis B vaccine for students attending grades kindergarten through 12 and all students in ungraded classrooms; and

(6) beginning on September 1, 2011, two doses of varicella vaccine given at least four weeks apart beginning at or after 12 months of age are required for students attending kindergarten and grade seven (or in the case of an ungraded classroom, students 12 years of age or older). Beginning on September 1, 2017, this requirement shall apply to students attending grades kindergarten through 12 and all students in ungraded classrooms.

(C) The requirements in 105 CMR 220.500 (A) and (B) shall not apply:

(1) upon presentation of written documentation that the student meets the standards for medical or religious exemption set forth in M.G.L. c. 76, § 15;

(2) upon presentation of appropriate documentation, including a copy of a school immunization record, indicating receipt of the required immunizations;

(3) in the case of measles, mumps, rubella and hepatitis B, upon presentation of laboratory evidence of immunity; or

(4) in the case of varicella, upon presentation of laboratory evidence of immunity or a statement signed by a physician, nurse practitioner or physician assistant that the student has a history of chickenpox disease.

### 220.600: Immunization Requirements for Postsecondary Students

(A) No student, as specified in 105 CMR 220.400: Student and 220.600(B), shall attend a postsecondary institution without a certification of immunization, as specified in 105 CMR 220.600(C). For purposes of 105 CMR 220.600, "postsecondary institution" shall mean a college, university, institute or school accredited as a postsecondary institution by the New England Association of Schools and Colleges.

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- (B) The following students are subject to the requirements of 105 CMR 220.600(C):
- (1) full-time undergraduate and graduate students;
  - (2) part-time undergraduate and graduate students in a health science program who may be in contact with patients; and
  - (3) full or part-time student attending a postsecondary institution in Massachusetts while on a student or other visa, including a student attending or visiting classes or programs as part of a formal academic visitation or exchange program.
- (C) Each student subject to 105 CMR 220.600(B) must present a certificate of immunization that the student has received the following immunizations:
- (1) beginning on September 1, 2011, two doses of live measles, mumps and rubella vaccine given at least four weeks apart beginning at or after 12 months of age is required for all full-time freshmen and full- and part-time undergraduate and graduate students in a health science program who may be in contact with patients. Beginning on September 1, 2015, this requirement shall apply to all students subject to 105 CMR 220.600;
  - (2) beginning on September 1, 2011, a single dose of Tdap is required for all full-time freshmen and full- and part-time undergraduate and graduate students in a health science program who may be in contact with patients if it has been more than five years since the last dose of Td. If it has been less than five years since the last dose of Td, Tdap is not required, but may be administered according to the judgment of a physician, nurse practitioner or physician assistant. Beginning on September 1, 2015, this requirement shall apply to all students subject to 105 CMR 220.600;
  - (3) three doses of hepatitis B vaccine are required for all students subject to 105 CMR 220.600;
  - (4) beginning on September 1, 2011, two doses of varicella vaccine given at least four weeks apart beginning at or after 12 months of age is required for all full-time freshmen and full- and part-time undergraduate and graduate students in a health science program who may be in contact with patients. Beginning on September 1, 2015, this requirement shall apply to all students subject to 105 CMR 220.600.
- (D) The requirements of 105 CMR 220.600 shall not apply where:
- (1) the student provides written documentation that he or she meets the standards for medical or religious exemption set forth in M.G.L. c. 76, § 15C;
  - (2) the student provides appropriate documentation, including a copy of a school immunization record, indicating receipt of the required immunizations;
  - (3) in the case of measles, mumps and rubella, the student presents laboratory evidence of immunity. Those born in the United States before 1957 may be considered immune to measles, mumps and rubella, with the exception of all full- and part-time students in a health science program who may be in contact with patients;
  - (4) in the case of hepatitis B, the student presents laboratory evidence of immunity; or
  - (5) in the case of varicella, the student presents laboratory evidence of immunity; a statement signed by a physician, nurse practitioner, physician assistant or designee that the student has a reliable history of chickenpox disease; or a self reported history of disease verified by a physician, nurse practitioner, or physician assistant. Those born in the United States before 1980 may be considered immune to varicella, with the exception of all full- and part-time students in a health science program who may be in contact with patients.
- (E) Whenever possible, such immunizations are to be obtained prior to enrollment or registration. However, students subject to 105 CMR 220.600 may be enrolled or registered provided that the required immunizations are obtained within 30 days of registration and provided, further, that the postsecondary institution has policies and procedures for ascertaining which students have failed to obtain the necessary immunizations within 30 days, and for taking appropriate follow up action to ensure compliance with 105 CMR 220.000.

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220.700: Meningococcal Vaccine Requirement for Students at Secondary and Postsecondary Schools which Provide or License Housing

(A) No newly enrolled full-time student attending a secondary school or postsecondary institution who will be living in a dormitory or comparable congregate living arrangement licensed or approved by the secondary school or postsecondary institution may be registered without a certificate of immunization documenting that the student has received a dose of meningococcal polysaccharide vaccine within the last five years (or a dose of meningococcal conjugate vaccine at any time in the past). No student shall begin classes without this certificate, except as provided in 105 CMR 220.700(C).

(1) Secondary school shall mean a school or that part of a school that provides education for students in grades nine through 12.

(2) Postsecondary institution shall be as defined in 105 CMR 220.600.

(3) Student, for purposes of 105 CMR 220.700, shall mean:

(a) full-time student newly enrolled at a secondary school who will be living in a dormitory or comparable congregate living arrangement licensed or approved by the secondary school; and

(b) full-time undergraduate or graduate student newly enrolled in a degree granting program at a postsecondary institution who will be living in a dormitory or comparable congregate living arrangement licensed or approved by the postsecondary institution.

(B) Each secondary school and postsecondary institution, at the time of initial enrollment, shall provide each newly enrolled full-time student who will be living in a dormitory or comparable congregate living arrangement licensed or approved by that secondary school or postsecondary institution with detailed information on the risks associated with meningococcal disease and the availability and effectiveness of vaccines against the disease, if he or she is at least 18 years old, or to the student's parents or guardian, if the student is a minor.

(C) A student may register and begin classes without a certificate of immunization against meningococcal disease in the following situations:

(1) the student provides written certification from a physician, nurse practitioner or physician assistant who has personally examined the student that the student's health would be endangered by the immunization;

(2) the student states in writing, in the absence of an emergency or disease epidemic, that immunization would violate his or her religious beliefs; or

(3) the student, or the student's parents or guardian, if the student is a minor, signs a waiver approved by the Department of Public Health stating that the student has received information about the risks and dangers of meningococcal disease, has reviewed the information provided and has elected to decline the vaccine.

(D) Whenever possible, the required immunization is to be obtained prior to registration. However, a student subject to 105 CMR 220.700 may be registered without a certificate of immunization, provided that the student supplies a certificate of immunization within 30 days of registration and provided, further, that the secondary school or postsecondary institution has policies and procedures for ascertaining which students have failed to provide the required certification within 30 days and for taking appropriate follow up action to ensure compliance with 105 CMR 220.700.

**REGULATORY AUTHORITY**

105 CMR 220.000: M.G.L. c.76, §§ 15, 15C and 15D; c.111, §§ 5, 6 and 7.

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