

Item # 28c

**City of Carson City
Agenda Report**

Date Submitted: 3/23/09

Agenda Date Requested: 04/02/08
Time Requested: 10 Minutes

To: Carson City Board of Health

From: Health Department

Subject Title: Action to approve, per Nevada Revised Statute 439.550, the adoption of updated immunization requirements for requiring the immunization of children in the public schools, private schools and child care facilities in Carson City.

Staff Summary: The Nevada Revised Statutes require that the County health officer establish and enforce time limits and schedules for the immunization of Carson City children. Since the Board's last action in December 2004, new vaccines have been introduced and schedules for some existing vaccines have changed slightly.

Type of Action Requested: (check one)
 Resolution Ordinance
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to approve, per Nevada Revised Statute 439.550, the adoption of the updated immunization requirements for requiring the immunization of children in the public schools, private schools and child care facilities in Carson City.

Explanation for Recommended Board Action: Each local health officer is charged with the strict and thorough enforcement of immunization practices for children. The majority of health authorities recognize and follow the guidelines created by the Advisory Committee on Immunization Practices (ACIP). The Committee develops written recommendations for the routine administration of vaccines to the pediatric and adult populations, along with schedules regarding the appropriate periodicity, dosage, and contraindications applicable to the vaccines. ACIP is the only entity in the federal government which makes such recommendations.

The overall goals of the ACIP are to provide advice which will assist the Department and the Nation in reducing the incidence of vaccine preventable diseases and to increase the safe usage of vaccines and related biological products.

Applicable Statue, Code, Policy, Rule or Regulation: Nevada Revised Statute 439.550

Fiscal Impact:N/A

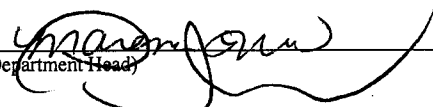

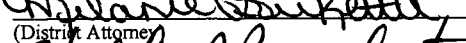
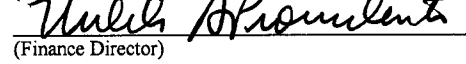
Explanation of Impact:N/A

Funding Source: N/A

Alternatives:

Supporting Material: December 2004 approved schedule, and
2009 updated school entry and daycare schedules, and
Nevada State Health Division - Technical Bulletin, and
Applicable NRS & NAC

Prepared By: Marena Works, MSN, MPH

Reviewed By: 
(Department Head)

(City Manager)

(District Attorney)

(Finance Director)

Date: 3/24/09
Date: 3/24/09
Date: 3-24-09
Date: 3-24-09

Board Action Taken:

Motion: _____ 1) _____ Aye/Nay
2) _____ _____

(Vote Recorded By)



Nevada State Health Division Technical Bulletin



Topic: Additional Vaccination Requirements for Nevada Public and Private Schools, Childcare Facilities, and Universities

Bureau/Program: Bureau of Community Health / Immunization Program

**Bulletin Number: BCH-08-01
Date: 1/28/08**

TO: All Healthcare Providers, Public Schools, Private Schools, Childcare Facilities and Universities

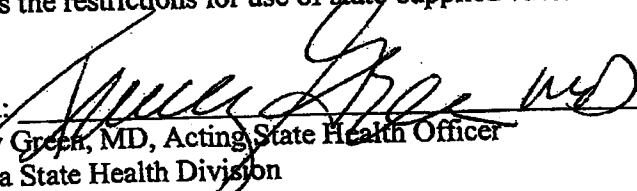
**Contact: Doug Banghart, State Immunization Program Manager,
(775) 684-5902**


Amendments to Nevada Administrative Code (NAC) 392.105, NAC 394.190, NAC 432A and NAC 441A.755 were adopted by the State Board of Health, on October 31, 2007.

1. A child enrolling in seventh grade in a public school or private school after June 30th, 2008 must receive an immunization against Bordetella pertussis. The child must receive at least one dose of a Bordetella pertussis-containing vaccine after age 10.
2. Children enrolled in a childcare facility, effective immediately, must have vaccination against hepatitis A, hepatitis B, varicella, and Streptococcus pneumoniae.
3. A student enrolled as a freshman of a Nevada university or college and is less than 23 years of age may not reside in an on-campus housing facility after September 1, 2008 without proof of immunity to Neisseria meningitidis. Vaccination against Neisseria meningitidis will satisfy this requirement.

The exact language of these vaccination requirements may be found at:
<http://leg.state.nv.us/register/2007Register/R099-07A.pdf>

Immunization providers enrolled in the Nevada Immunization Program may use state-supplied vaccine to immunize patients to meet these requirements. Refer to the latest Vaccine Use Parameters document which outlines the restrictions for use of state-supplied vaccine.

Signed:  Date: 2/12/08
Tracey Grech, MD, Acting State Health Officer
Nevada State Health Division

Signed:  Date: 2/12/08
Richard Whitley, Administrator
Nevada State Health Division



CURRENT

CARSON CITY, NEVADA
 CONSOLIDATED MUNICIPALITY AND STATE CAPITAL

**CARSON CITY GUIDE TO IMMUNIZATIONS REQUIRED FOR SCHOOL ENTRY
 (GRADES K-12)**

This is to be used as a quick reference for assessing the immunization status of children before they are allowed to attend school. Parents are required to present a record of their child's immunization status before the child can attend school and must continue to provide the school with updated information regarding immunizations received by their child. The record and updated information must include the date (minimum of month/year) each vaccine dose was received and the signature of person administering the vaccine.

School Entry Requirements (all immunizations must meet the minimum interval requirements for each vaccine)

Vaccine	Doses Required
Polio IPV or OPV	4 doses 4 th dose not required if a minimum of 3 doses were given and the 3 rd dose was after age 4 First dose not valid prior to 6 weeks of age and all doses must be separated by at least 4 weeks
Diphtheria, Tetanus, Pertussis DTaP, DTP, DT	5 doses of any combination for children 7 or under but a medical exemption must be on file for a child under age 7 who does not receive pertussis The 5 th dose not required if dose #4 was given on or after the 4 th birthday First dose not valid prior to 6 weeks of age; a minimum of 4 weeks must separate dose 1 & 2 and dose 2 & 3; a minimum of 4 months must separate dose 3 & 4 and a minimum of 6 months between dose 4 & 5
Tetanus Diphtheria Td (Adult formula: for use in children age 7 or older)	Td recommended at age 11-12 if 5 years have elapsed since the last DTP Required 10 years since last dose of any tetanus diphtheria combination Children 7 or older with no immunization record or an incomplete record must have a minimum of 3 doses of age appropriate tetanus combination. If the series is began at this time the minimum dosing is dose 1; minimum of 4 weeks dose 2; minimum of 6 months for dose 3
Measles, Mumps, Rubella MMR	2 doses: recommended dose 1 between 12-15 months and dose 2 after age 4, BUT dose 2 is accepted if it is given at least 4 weeks after dose 1 Dose one must be given on or after 1 st birthday. There is a 4 day grace period, however, if the first dose was given any earlier than 4 days before the 1 st birthday it will not be recognized as a valid dose One MMR is required if child has a recorded dose of measles only vaccine
Hepatitis B Required for students enrolling in Nevada schools after July, 2002	3 doses: dose 1; 1 month later dose 2; 6 months from 1 st dose 3 Extended time periods between series doses are acceptable and series does not need to be repeated Minimum dosing: dose 2 must be at least 4 weeks from dose 1; dose 3 must be at least 8 weeks from dose 2 and there must be at least 4 months between dose 1 and 3
Hepatitis A Required for students enrolling in Nevada schools after July, 2002	2 doses: dose 1; 6-12 months later dose 2 Extended time period between dose 1 and 2 acceptable and series does not need to be repeated Minimum dosing is 6 months between dose 1 & 2
Varicella Required for students new to Nevada after July, 2003	1 dose if under age 13 2 doses separated by at least 4 weeks if age 13 or over 1 st dose must be administered after 1 st birthday

*Children receiving DT must have a medical exemption to Pertussis vaccine on file

ENVIRONMENTAL HEALTH DEPARTMENT

3303 BUTTI WAY, BUILDING #1 • CARSON CITY, NEVADA 89701

Consumer Health
 (775) 887-2190
 Fax: (775) 887-2248

Environmental Control
 (775) 887-2190
 Fax: (775) 887-2248

City Welfare
 (775) 887-2110
 Fax: (775) 887-2248

Animal Services
 3770 Butti Way
 (775) 887-2171
 Fax: (775) 887-2128

CURRENT

Children Who Do Not Meet Requirements:

Children who do not meet these state requirements must be referred to their physician or public health clinic after being provided with a notice of doses required to be in compliance. See "Conditional Admission" requirements below.

Conditional Admission:

It is the responsibility of school staff to follow up on all students who have not received the required immunizations and ensure that the child does receive them. Children lacking one or more of the required vaccine doses may be admitted on the condition that they receive the remaining doses following the age-appropriate schedule for immunizations. If an immunization certificate verifying compliance with school requirements is not submitted to the school officers within 90 days of the conditional admission, the child must then be excluded from school until the immunization(s) is/are obtained.

EXEMPTIONS: (Nevada has no personal exemption)


RELIGIOUS EXEMPTION: Parent/Guardian must submit to the school Board of Trustees, a signed statement that immunizations are prohibited according to their religious beliefs.

MEDICAL EXEMPTION: A statement signed by a licensed physician is required for both the permanent and temporary medical exemptions. Statement should indicate whether the exemption is permanent or temporary and indicate the vaccine(s) to be excluded. A statement granting temporary exemption must indicate the date after which the doctor will re-evaluate the patient/vaccine(s) may safely be administered.

For More Information: Phone (775) 887-2195 Carson City Health Department or 283-1675 Carson City School District Chief Nurse

References: NRS 392.435; 392.105; 439.550; 392.437; 392.439; 392.443; CDC (Centers for Disease Control) document *Recommended Childhood and Adolescent Immunization Schedule*; CDC *Epidemiology and Prevention of Vaccine-Preventable Diseases*

THIS DOCUMENT HAS BEEN REVIEWED AND APPROVED BY THE COUNTY HEALTH OFFICER FOR COUNTY OF CARSON CITY, NEVADA.



CARL HEARD, MD
COUNTY HEALTH OFFICER
CARSON CITY, NEVADA



GUIDE TO IMMUNIZATION REQUIREMENTS IN CARSON CITY FOR CHILDARE AND ACCOMODATION FACILITIES

Nevada Revised Statutes NRS 432A.230 through NRS 432A.280; NRS 439.550 through NRS 439.580; Nevada Administrative Code NAC 432A.500; through NAC 432A.505.

REFERENCE

Use this guide to help you determine whether children seeking admission to your childcare or accomodation facility meet Carson City's immunization requirements.

INSTRUCTIONS

Unless excused because of religious belief or medical condition, a child may not be admitted to any childcare or accomodation facility within this state, including a facility licensed by a county or city, unless his parents or guardian submit to the operator of the facility a certificate stating that the child has been immunized and has received proper boosters for that immunization or is complying with the schedules established by regulation pursuant to NRS 439.550 for the diseases listed below.

IMMUNIZATION REQUIREMENTS

Vaccine	Routine Schedule (Exclusion Guidelines)	Minimum # of Doses Required	Minimum Interval Requirements
DTaP, DTP, (Diphtheria, Tetanus) Pertussis)	Dose 1: 2 mths Dose 2: 4 mths Dose 3: 6 mths Dose 4: 12-15 mths Dose 5: 4 yrs	5 (5th dose not necessary if 4th dose received after age 4 yrs)	At least 6 wks old at time of dose 1 4 wks between dose 1 & 2 4 wks between dose 2 & 3 4 mths between dose 3 & 4 6 mths between dose 4 & 5
DT (Diphtheria, Tetanus)	Dose 1: 2 mths Dose 2: 4 mths Dose 3: 6 mths Dose 4: 12 -15 mths (excluded at 15 mths)	1 (*see notes) on reverse side	At least 6 wks old at time of dose 1 4 wks between dose 1 & 2 4 wks between dose 2 & 3 8 wks between dose 3 & 4
Hib (Haemophilus Influenzae type b)	Dose 1: 12-23 mths Dose 2: 18-41 mths Dose 3: 6 mths Dose 4: 12 -15 mths (excluded at 15 mths)	2	6 mths between dose 1 & 2
HAV * (Hepatitis A)	Dose 1: Birth Dose 2: 1-2 mths Dose 3: 6-18 mths (excluded at 6 mths)	3	4 wks between dose 1 & 2 8 wks between dose 2 & 3 16 wks between dose 1 & 3 Must be at least 24 wks old at time of dose 3
HBV * (Hepatitis B)	Dose 1: 2 mths Dose 2: 4 mths Dose 3: 6 mths Dose 4: 12 -15 mths (excluded at 15 mths)	1 (*see notes) on reverse side	At least 6 wks old at time of dose 1 4 wks between dose 1 & 2 4 wks between dose 2 & 3 8 wks between dose 3 & 4
PCV-7 (Pneumococcal Conjugate Vaccine)	Dose 1: 2 mths Dose 2: 4 mths Dose 3: 6 mths Dose 4: 12 -15 mths (excluded at 15 mths)	2	4 wks between dose 1 & 2 2nd dose given before age 4 yrs is acceptable (provided 4 wks between doses)
MMR	Dose 1: 2 mths Dose 2: 4 mths Dose 3: 6 mths Dose 4: 12 -15 mths (excluded at 15 mths)	3 (4 th dose not needed if 3 rd dose given after age four and all doses same vaccine type)	At least 6 wks old at time of dose 1 4 wks between dose 1 & 2 4 wks between dose 2 & 3 4 wks between dose 3 & 4
IPV, OPV (Polio)	Dose 1: 12-15 mths (excluded at 15 mths) Dose 2: 4 yrs recommended	1 required or disease history	3 mths between doses for children less than 13 yrs 4 wks between doses for children age 13 yrs and older
VZV ** (Chickenpox)			



GUIDE TO IMMUNIZATION REQUIREMENTS IN CARSON CITY FOR CHILDARE AND ACCOMODATION FACILITIES

* Hib: Unvaccinated children 7 months of age and older may not require a full series of three or four doses. The number of doses depends on the child's current age. See table below

** PCV-7: Unvaccinated children 7 months of age and older do not require a full series of four doses. The number of doses depends on the child's current age. See table 2 and Table 3 below.

Table 1: Hib Dosing guidelines for unvaccinated infants or children with a lapse in vaccination:

Vaccine	Age at 1st Dose (months)	Primary Series	Booster
HbOC/PRP-T (HibTITER, ActHIB)	2-6	3 doses, 2 mths apart	12-15 mths*
	7-11	2 doses, 2 mths apart	12-15 mths*
	12-14	1 dose	2 mths later
	15-59	1 dose	*****
PRP-OMP (PedvaxHIB)	2-6	2 doses, 2 mths apart	12-15 mths*
	7-11	2 doses, 2 mths apart	12-15 mths*
	12-14	1 dose	2 mths later
	15-59	1 dose	*****

Table 2: PCV-7 Dosing guidelines for previously unvaccinated older infants or children \pm 7 mths of age:

Age at first dose	Total number of doses needed	Intervals
7-11 mths	3 doses	Two doses at least 4 wks apart: third dose after 12 mths of age and at least 2 mths after second dose
12-23 mths	2 doses	Two doses at least 2 mths apart
24-59 mths	1 dose	*****

Table 3: PCV-7 Dosing guidelines for infants and children with a lapse in vaccination:

Age at presentation	Previous PCV-7 Vaccination History	Recommended Regimen
7-11 mths	1 dose 2 doses	1 dose of PCV-7 at 7-11 mths, with a second dose \pm 2 mths later, at 12-15 mths Same regimen (a dose now and another one \pm 2 mths later at 12-15 mths)
12-23 mths	1 dose before age 12 mths 2 doses before age 12 mths	2 doses of PCV-7 \pm 2 mths apart 1 dose of PCV-7 \pm 2 mths after the most recent dose
24-59 mths	Any incomplete schedule	1 dose of ZPCV-7



GUIDE TO IMMUNIZATION REQUIREMENTS IN CARSON CITY FOR CHILDCARE AND ACCOMODATION FACILITIES

EXEMPTIONS
A child may be excused from the immunization requirements because of religious belief or medical condition. See NRS 432A.240, NRS 432A.250 for guidance concerning these exemptions.

ADDITIONAL REQUIREMENTS IMPOSED AFTER ENROLLMENT
If, after a child has been admitted to a childcare or accomodation facility, including a facility licensed by a county or city, additional immunization requirements are provided by law, the child's parents or guardian shall submit an additional certificate or certificates to the operator of the facility stating that such child has met the new immunization requirements.

CONDITIONAL ENROLLMENT
A child whose parent or guardian has not established a permanent residence in the county in which a childcare or accomodation facility is located and whose history of immunization cannot be immediately confirmed by a physician in this state or a local health officer, may enter the child care or accomodation facility conditionally if the parent or guardian:
(a) Agrees to submit within 15 days a certificate from a physician or local health officer that the child has received or is receiving the required immunizations; and
(b) Submits proof that he has not established a permanent residence in the county in which the facility is located.

OUTBREAKS AND UNPROTECTED CHILDREN
Whenever the State Board of Health or a local board of health determines that there is a dangerous contagious disease in a childcare or accomodation facility attended by a child for whom exemption from immunization is claimed pursuant to the provisions of NRS 432A.240 or 432A.250, the operator of the facility shall require either that the child be immunized or that he remain outside the facility environment and the local health officer be notified. Any parent or guardian who refuses to remove his child from the childcare or accomodation facility to which he has been admitted when retention in the facility is prohibited under the provisions of NRS 432A.230, 432A.260 or 432A.270 is guilty of a misdemeanor.

DOCUMENTATION
All children must present a certification stating that the child has been immunized and has received proper boosters for that immunization or is complying with the schedules established by regulation.

What is it? It is a certificate showing that the required vaccines and boosters were given, and it must bear the signature of a licensed physician or his designee or a registered nurse or his designee attesting that the certificate accurately reflects the child's record of immunization.

Who must present it? The certificate of immunization must be presented for all children entering a childcare or accomodation facility.

When must it be presented? The certificate of immunization must be presented within 15 days of admission to the childcare or accomodation facility.

What do childcare facilities do with it? The certificate of immunization must be included in the child's records on site.

ENFORCEMENT
Each local health officer is charged with the strict and thorough enforcement of the required immunization provisions in his jurisdiction, under the supervision and direction of the Health Division. Each local health officer, under the direction and supervision of the Health Division, shall enforce all provisions of law requiring the immunization of children in a childcare or accomodation facility in his jurisdiction. Each local health officer shall make reports to the Health Division of any violation coming to his notice by observation or upon complaint of any person or otherwise.

This document has been reviewed and approved by the County Health Officer for the County of Carson City, Nevada

Date: _____

John Bower, MD
County Health Officer
Carson City, Nevada



GUIDE TO IMMUNIZATION REQUIREMENTS IN CARSON CITY FOR GRADES K-12

Nevada Revised Statutes (NRS) 392.435 through NRS 392.448; NRS 394.192 through NRS 394.199; NRS 439.550 through NRS 439.580; Nevada Administrative Code NAC 392.105; NAC 394.250.

REFERENCE

Use this guide to help you determine whether children seeking admission to your school meet Carson City's immunization requirements.

INSTRUCTIONS

Unless excused because of religious belief or medical condition, a child may not be enrolled in a public school within this state unless his parents or guardian submit to the board of trustees of the school district in which the child resides or the governing body of the charter school in which the child has been accepted for enrollment a certificate stating that the child has been immunized and has received proper boosters for that immunization or is complying with the schedules established by regulation pursuant to NRS 439.550 for the diseases listed below.

IMMUNIZATION REQUIREMENTS

Vaccine	Recommended Intervals	Minimum # of Doses Required	Minimum Interval Requirements
DTaP, DTP, (Diphtheria, Tetanus)	Dose 1: 2 mths Dose 2: 4 mths	5 (5 th dose not necessary if 4 th dose received after age 4 years)	At least 6 wks old at time of dose 1 4 wks between dose 1 & 2
Pertussis)	Dose 3: 6 mths		4 wks between dose 2 & 3
DT	Dose 4: 12-15 mths		4 mths between dose 3 & 4
(Diphtheria, Tetanus)	Dose 5: 4 yrs		6 mths between dose 4 & 5
Tdap*** (Tetanus, diphtheria, pertussis)	Dose 1: 11 yrs of age	1 dose prior to 7th grade entry	Ten yrs of age
HAV *	Dose 1: 12-23 mths	2	6 mths between dose 1 & 2
(Hepatitis A)	Dose 2: 18-41 mths		4 wks between dose 1 & 2
HBV *	Dose 1: Birth	3	8 wks between dose 2 & 3
(Hepatitis B)	Dose 2: 1-2 mths Dose 3: 6-18 mths (some children will receive a total of 4 doses when combination vaccines are used)		16 wks between dose 1 & 3 Must be at least 24 wks old at time of dose 3
MMR	Dose 1: 12-15 mths Dose 2: 4 yrs	2	4 wks between dose 1 & 2 2 nd dose given before age 4 yrs is acceptable
IPV, OPV (Polio)	Dose 1: 2 mths Dose 2: 4 mths Dose 3: 6 mths Dose 4: 4 yrs	3 (4 th dose not needed if 3 rd dose given after age four and all doses same vaccine type)	At least 6 wks old at time of dose 1 4 wks between dose 1 & 2 4 wks between dose 2 & 3 4 wks between dose 3 & 4
VZV ** (Chickenpox)	Dose 1: 12-15 mths Dose 2: 4 yrs	1 required or disease history	3 mths between doses for children less than 13 yrs 4 wks between doses for children age 13 yrs and older

* Effective 7-1-02 for all students new to Nevada schools

** Effective 7-1-03 for all students new to Nevada schools without history of chickenpox disease

*** Effective 7-1-08 for all students entering 7th grade



GUIDE TO IMMUNIZATION REQUIREMENTS IN CARSON CITY FOR GRADES K-12

EXEMPTIONS	A child may be excused from the immunization requirements because of religious belief or medical condition. See NRS 392.437, NRS 392.439, NRS 394.193, and NRS 394.194 for guidance concerning these exemptions.
ADDITIONAL REQUIREMENTS IMPOSED AFTER ENROLLMENT	If, after a child has been enrolled in a public or private school and before registration for any subsequent school year additional immunization requirements are provided by law, the child's parents or guardian shall submit an additional certificate or certificates to the board of trustees or the governing body of the charter school in which the child is enrolled stating that the child has met the new immunization requirements.
CONDITIONAL ENROLLMENT	A child may enter school conditionally if the parent or guardian submits a certificate from a physician or local health officer that the child is receiving the required immunizations. If a certificate from the physician or local health officer showing that the child has been fully immunized is not submitted to the appropriate school officers within 90 school days, or its equivalent in a school district operating under an alternative schedule authorized pursuant to NRS 398.090, after the child was conditionally admitted, the child must be excluded from school and may not be readmitted until the requirements for immunization have been met. A child who is excluded from school pursuant to this section is a neglected child for the purposes of NRS 432.100 to 432.130, inclusive, and chapter 432B of NRS. If the requirements may be met with one visit to a physician or clinic, procedures for conditional enrollment do not apply.
OUTBREAKS AND UNPROTECTED CHILDREN	When it is determined that a dangerous contagious disease is present in a school attended by a child for whom exemption from immunization is claimed, NRS 392.446 and NRS 394.198 require the board of trustees of the school district, the governing body of the charter school, or the governing body of a private school to either require that the child be immunized or to require the child to remain outside of the school environment and the local health officer must be notified of the child's status. Any parent or guardian who refuses to remove his child from the school in which he is enrolled when retention in school is prohibited under the provisions of NRS 392.435, 392.443 or 392.446 is guilty of a misdemeanor.
DOCUMENTATION	All children must present a certification stating that the child has been immunized and has received proper boosters for that immunization or is complying with the schedules established by regulation. What is it? It is a certificate showing that the required vaccines and boosters were given, and it must bear the signature of a licensed physician or his designee or a registered nurse or his designee attesting that the certificate accurately reflects the child's record of immunization. Who must present it? The certificate of immunization must be presented for all children entering public or private school or transferring between school campuses. When must it be presented? The certificate of immunization must be presented before a child may attend school. What do schools do with it? The certificate of immunization must be included in the pupil's academic or cumulative record and transferred as part of that record upon request.
ENFORCEMENT	Each local health officer is charged with the strict and thorough enforcement of the required immunization provisions in his jurisdiction, under the supervision and direction of the Health Division. Each local health officer, under the direction and supervision of the Health Division, shall enforce all provisions of law requiring the immunization of children in the public schools and private schools in his jurisdiction. Each local health officer shall make reports to the Health Division of any violation coming to his notice by observation or upon complaint of any person or otherwise.

This document has been reviewed and approved by the County Health Officer for the County of Carson City, Nevada

Date: _____

John Bower, MD
County Health Officer
Carson City, Nevada

IMMUNIZATION OF CHILDREN ADMITTED TO PUBLIC SCHOOLS IN NEVADA
(CHAPTER 439 ADMINISTRATION OF PUBLIC HEALTH & CHAPTER 392 PUPILS)

NRS 392.435 Immunization of pupils: Certificate prerequisite to enrollment; conditional enrollment; effect of failure to immunize; report to Health Division; inclusion of certificate in pupil's record.

1. Unless excused because of religious belief or medical condition, a child may not be enrolled in a public school within this state unless his parents or guardian submit to the board of trustees of the school district in which the child resides or the governing body of the charter school in which the child has been accepted for enrollment a certificate stating that the child has been immunized and has received proper boosters for that immunization or is complying with the schedules established by regulation pursuant to NRS 439.550 for the following diseases:

- (a) Diphtheria;
- (b) Tetanus;
- (c) Pertussis if the child is under 6 years of age;
- (d) Poliomyelitis;
- (e) Rubella;
- (f) Rubeola; and
- (g) Such other diseases as the local board of health or the State Board of Health may determine.

2. The certificate must show that the required vaccines and boosters were given and must bear the signature of a licensed physician or his designee or a registered nurse or his designee, attesting that the certificate accurately reflects the child's record of immunization.

3. If the requirements of subsection 1 can be met with one visit to a physician or clinic, procedures for conditional enrollment do not apply.

4. A child may enter school conditionally if the parent or guardian submits a certificate from a physician or local health officer that the child is receiving the required immunizations. If a certificate from the physician or local health officer showing that the child has been fully immunized is not submitted to the appropriate school officers within 90 school days, or its equivalent in a school district operating under an alternative schedule authorized pursuant to NRS 388.090, after the child was conditionally admitted, the child must be excluded from school and may not be readmitted until the requirements for immunization have been met. A child who is excluded from school pursuant to this section is a neglected child for the purposes of NRS 432.100 to 432.130, inclusive, and chapter 432B of NRS.

5. Before December 31 of each year, each school district and the governing body of each charter school shall report to the Health Division of the Department of Human Resources, on a form furnished by the Division, the exact number of pupils who have completed the immunizations required by this section.

6. The certificate of immunization must be included in the pupil's academic or cumulative record and transferred as part of that record upon request.

(Added to NRS by 1971, 1040; A 1973, 267; 1975, 1324; 1979, 314; 1985, 1400; 1987, 1334; 1995, 807; 1997, 1876; 2003, 3218)

NAC 392.105 Mumps, hepatitis A, hepatitis B, varicella and Bordetella pertussis. (NRS 392.435, 439.200)

1. The State Board of Health hereby declares the diseases of:

- (a) Mumps;
- (b) Hepatitis A;
- (c) Hepatitis B;
- (d) Varicella; and
- (e) Bordetella pertussis if a child is 6 years of age or older,

to be communicable diseases.

2. Unless excused because of religious belief or medical condition, a child may not be enrolled in a public school in this State unless he has been immunized against the mumps.

3. Except as otherwise provided in subsection 5, unless excused because of religious belief or medical condition, a child may not be enrolled in a public school in this State:

- (a) After June 30, 2002, unless he has been immunized against hepatitis A and hepatitis B; and
- (b) After June 30, 2003, unless he has been immunized against varicella.

4. Unless excused because of religious belief or medical condition, a child may not be enrolled in grade 7 in a public school in this State after June 30, 2008, unless the child has been immunized against Bordetella pertussis. To satisfy the requirements of this subsection, a child must receive at least one dose of a vaccine against Bordetella pertussis after he obtained 10 years of age.

5. The provisions of:

- (a) Paragraph (a) of subsection 3 do not apply to a child who is enrolled in a public school in this State before July 1, 2002; and
- (b) Paragraph (b) of subsection 3 do not apply to a child who is enrolled in a public school in this State before July 1,

2003.

(Added to NAC by Bd. of Health, eff. 6-30-88; A by R075-01, 10-23-2001; R099-07, 10-31-2007)

NRS 439.550 Strict enforcement of chapter by local health officer.

1. Each local health officer is charged with the strict and thorough enforcement of the provisions of this chapter in his jurisdiction, under the supervision and direction of the Health Division.

2. Each local health officer, under the direction and supervision of the Health Division, shall enforce all provisions of law requiring the immunization of children in the public schools, private schools and child care facilities in his jurisdiction and, after consulting boards of trustees of school districts, private school officials and operators of child care facilities, shall adopt regulations for the enforcement of those provisions, including the establishment of time limits and schedules for the immunization of children at various grade levels.

3. Each local health officer shall make reports to the Health Division of any violation coming to his notice by observation or upon complaint of any person or otherwise.

[Part 22:199:1911; RL § 2973; NCL § 5256]—(NRS A 1963, 942; 1969, 1018; 1979, 317)

OTHER IMMUNIZATION STATUTES IN NEVADA
(CHAPTER 439 ADMINISTRATION OF PUBLIC HEALTH & CHAPTER 392 PUPILS)

NRS 392.437 Immunization of pupils: Exemption if prohibited by religious belief. A public school shall not refuse to enroll a child as a pupil because the child has not been immunized pursuant to NRS 392.435 if the parents or guardian of the child has submitted to the board of trustees of the school district or the governing body of a charter school in which the child has been accepted for enrollment a written statement indicating that their religious belief prohibits immunization of such child or ward.
(Added to NRS by 1971, 1040; A 1997, 1876)

NRS 392.439 Immunization of pupils: Exemption if prevented by medical condition. If the medical condition of a child will not permit him to be immunized to the extent required by NRS 392.435 and a written statement of this fact is signed by a licensed physician and by the parents or guardian of the child, the board of trustees of the school district or governing body of the charter school in which the child has been accepted for enrollment shall exempt the child from all or part of the provisions of NRS 392.435, as the case may be, for enrollment purposes.
(Added to NRS by 1971, 1040; A 1997, 1877)

NRS 392.443 Immunization of pupils: Additional requirements imposed after enrollment; additional certificate required. If, after a child has been enrolled in a public school and before registration for any subsequent school year additional immunization requirements are provided by law, the child's parents or guardian shall submit an additional certificate or certificates to the board of trustees or the governing body of the charter school in which the child is enrolled stating that the child has met the new immunization requirements.
(Added to NRS by 1971, 1041; A 1997, 1877)

NRS 392.446 Immunization of pupils: Protection of child exempt from immunization if dangerous disease exists in school. Whenever the State Board of Health or a local board of health determines that there is a dangerous contagious disease in a public school attended by a child for whom exemption from immunization is claimed pursuant to the provisions of NRS 392.437 or 392.439, the board of trustees of the school district or the governing body of the charter school in which the child is enrolled shall require either:

1. That the child be immunized; or
2. That he remain outside the school environment and the local health officer be notified.

(Added to NRS by 1979, 314; A 1997, 1877)

NRS 392.448 Immunization of pupils: Penalty for refusal to remove child from school when required by law. Any parent or guardian who refuses to remove his child from the public school in which he is enrolled when retention in school is prohibited under the provisions of NRS 392.435, 392.443 or 392.446 is guilty of a misdemeanor.
(Added to NRS by 1979, 314)

NRS 439.535 Clinic for immunization of children: Availability; immunity of personnel from criminal and civil liability.

1. Clinics for the immunization of children for the diseases enumerated in NRS 392.435, 394.192 and 432A.230 must be held by the county, city, town or district boards of health, as the case may be, not less than 1 month before the opening date of the school year in the respective counties, cities and towns within the State.

2. Qualified personnel of any clinic who administer vaccines or boosters pursuant to this section in good faith and without gross negligence are immune from civil and criminal liability.

(Added to NRS by 1979, 316)

NRS 439.560 Enforcement of chapter by public officers. All health officers, local boards of health, sheriffs, constables, policemen, marshals, all persons in charge of public buildings and institutions, and all other public officers and employees shall respect and enforce this chapter, all provisions of law requiring the immunization of children in public schools, private schools and child care facilities, and all lawful rules, orders and regulations adopted in pursuance thereof in every particular affecting their respective localities and duties.

[37:199:1911; added 1939, 297; 1931 NCL § 5268.03]—(NRS A 1979, 317)

NRS 439.565 Injunctions against violations.

1. Any person, corporation, firm, partnership, joint stock company, or any other association or organization which violates or proposes to violate this chapter, provisions of law requiring the immunization of children in public schools, private schools and child care facilities, any regulation of the State Board of Health or any regulation of a county, district or city board of health approved by the State Board of Health pursuant to this chapter may be enjoined by any court of competent jurisdiction.

2. Actions for injunction under this section may be prosecuted by the Attorney General, any district attorney in this state or any retained counsel of any local board of health in the name and upon the complaint of the State Board of Health or any local board of health, or upon the complaint of the State Health Officer or of any local health officer or his deputy.

(Added to NRS by 1973, 315; A 1979, 317)

NRS 439.570 Health authority may report violation to district attorney or Attorney General; initiation and prosecution of action.

1. When the health authority deems it necessary, he shall report cases of violation of any of the provisions of this chapter or of provisions of law requiring the immunization of children in public schools, private schools and child care facilities, to the district attorney of the county, with a statement of the facts and circumstances. When any such case is reported to him by the health authority, the district attorney shall forthwith initiate and promptly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of law.

2. Upon request of the Health Division, the Attorney General shall assist in the enforcement of the provisions of this chapter and provisions of law requiring the immunization of children in public schools, private schools and child care facilities.

[Part 22:199:1911; RL § 2973; NCL § 5256]—(NRS A 1963, 942; 1969, 1019; 1979, 317)

NRS 439.580 Penalties.

1. Any local health officer or his deputy who neglects or fails to enforce the provisions of this chapter in his jurisdiction, or neglects or refuses to perform any of the duties imposed upon him by this chapter or by the instructions and directions of the Health Division shall be punished by a fine of not more than \$250.

2. Each person who violates any of the provisions of this chapter or refuses or neglects to obey any lawful order, rule or regulation of the State Board of Health or violates any rule or regulation approved by the State Board of Health pursuant to NRS 439.350, 439.410 and 439.460 is guilty of a misdemeanor.

[Part 21:199:1911; RL § 2972; NCL § 5255] + [39:199:1911; added 1939, 297; 1931 NCL § 5268.05]—(NRS A 1963, 942; 1967, 577; 1969, 880; 1973, 314; 1979, 1469)

IMMUNIZATION OF CHILDREN ADMITTED TO PRIVATE SCHOOLS IN NEVADA
(CHAPTER 439 ADMINISTRATION OF PUBLIC HEALTH &
CHAPTER 394 PRIVATE EDUCATIONAL INSTITUTIONS AND ESTABLISHMENTS)

NRS 394.192 Immunization of pupils: Certificate prerequisite to enrollment; conditional enrollment; effect of failure to immunize; report to Health Division; inclusion of certificate in pupil's record.

1. Unless excused because of religious belief or medical condition, a child may not be enrolled in a private school within this state unless his parents or guardian submit to the governing body of the private school a certificate stating that the child has been immunized and has received proper boosters for that immunization or is complying with the schedules established by regulation pursuant to NRS 439.550 for the following diseases:

- (a) Diphtheria;
- (b) Tetanus;
- (c) Pertussis if the child is under 6 years of age;
- (d) Poliomyelitis;
- (e) Rubella;
- (f) Rubeola; and
- (g) Such other diseases as the local board of health or the State Board of Health may determine.

2. The certificate must show that the required vaccines and boosters were given and must bear a signature of a licensed physician or his designee or a registered nurse or his designee, attesting that the certificate accurately reflects the child's record of immunization.

3. If the requirements of subsection 1 can be met with one visit to a physician or clinic, procedures for conditional enrollment do not apply.

4. A child may enter school conditionally if the parent or guardian submits a certificate from a physician or local health officer that the child is receiving the required immunizations. If a certificate from the physician or local health officer showing that the child has been fully immunized is not submitted to the appropriate school officials within 90 school days after the child was conditionally admitted, the child must be excluded from school and may not be readmitted until the requirements for immunization have been met. A child who is excluded from school pursuant to this section is a neglected child for the purposes of NRS 432.100 to 432.130, inclusive, and chapter 432B of NRS.

5. Before December 31 of each year, each private school shall report to the Health Division of the Department of Human Resources, on a form furnished by the Division, the exact number of pupils who have completed the immunizations required by this section.

6. The certificate of immunization must be included in the pupil's academic or cumulative record and transferred as part of that record upon request.

(Added to NRS by 1971, 1041; A 1979, 316; 1985, 1401; 1987, 1335; 1995, 808)

NAC 394.250 Mumps, hepatitis A, hepatitis B, varicella and Bordetella pertussis. (NRS 394.192, 439.200)

1. The State Board of Health hereby declares the diseases of:

- (a) Mumps;
- (b) Hepatitis A;
- (c) Hepatitis B;
- (d) Varicella; and
- (e) Bordetella pertussis if a child is 6 years of age or older,

to be communicable diseases.

2. Unless excused because of religious belief or medical condition, a child may not be enrolled in a private school in this State unless he has been immunized against the mumps.

3. Except as otherwise provided in subsection 5, unless excused because of religious belief or medical condition, a child may not be enrolled in a private school in this State:

- (a) After June 30, 2002, unless he has been immunized against hepatitis A and hepatitis B; and
- (b) After June 30, 2003, unless he has been immunized against varicella.

4. Unless excused because of religious belief or medical condition, a child may not be enrolled in grade 7 in a private school in this State after June 30, 2008, unless the child has been immunized against Bordetella pertussis. To satisfy the requirements of this subsection, a child must receive at least one dose of a vaccine against Bordetella pertussis after he obtained 10 years of age.

5. The provisions of:

- (a) Paragraph (a) of subsection 3 do not apply to a child who is enrolled in a private school in this State before July 1, 2002; and
- (b) Paragraph (b) of subsection 3 do not apply to a child who is enrolled in a private school in this State before July 1, 2003.

(Added to NAC by Bd. of Health, eff. 6-30-88; A by R075-01, 10-23-2001; R099-07, 10-31-2007)—(Substituted in revision for NAC 394.190)

NRS 439.550 Strict enforcement of chapter by local health officer.

1. Each local health officer is charged with the strict and thorough enforcement of the provisions of this chapter in his jurisdiction, under the supervision and direction of the Health Division.

2. Each local health officer, under the direction and supervision of the Health Division, shall enforce all provisions of law requiring the immunization of children in the public schools, private schools and child care facilities in his jurisdiction and, after consulting boards of trustees of school districts, private school officials and operators of child care facilities, shall adopt regulations for the enforcement of those provisions, including the establishment of time limits and schedules for the immunization of children at various grade levels.

3. Each local health officer shall make reports to the Health Division of any violation coming to his notice by observation or upon complaint of any person or otherwise.

[Part 22:199:1911; RL § 2973; NCL § 5256]—(NRS A 1963, 942; 1969, 1018; 1979, 317)

OTHER IMMUNIZATION STATUTES IN NEVADA
(CHAPTER 439 ADMINISTRATION OF PUBLIC HEALTH &
CHAPTER 394 PRIVATE EDUCATIONAL INSTITUTIONS AND ESTABLISHMENTS)

NRS 394.193 Immunization of pupils: Exemption if prohibited by religious belief. A private school shall not refuse to enroll a child as a pupil because such child has not been immunized pursuant to NRS 394.192 if the parents or guardian of such child have submitted to the governing body a written statement indicating that their religious belief prohibits immunization of such child or ward.

(Added to NRS by 1971, 1041)

NRS 394.194 Immunization of pupils: Exemption if prevented by medical condition. If the medical condition of a child will not permit him to be immunized to the extent required by NRS 394.192, a written statement of this fact signed by a licensed physician and presented to the governing body by the parents or guardian of such child shall exempt such child from all or part of the provisions of NRS 394.192, as the case may be, for enrollment purposes.

(Added to NRS by 1971, 1041)

NRS 394.196 Immunization of pupils: Additional requirements imposed after enrollment; additional certificate required. If, after a child has been enrolled in a private school and before registration for any subsequent school year additional immunization requirements are provided by law, the child's parents or guardian shall submit an additional certificate or certificates to the governing body stating that such child has met the new immunization requirements.

(Added to NRS by 1971, 1041)

NRS 394.198 Immunization of pupils: Protection of child exempt from immunization if dangerous disease exists in school. Whenever the State Board of Health or a local board of health determines that there is a dangerous contagious disease in a private school attended by a child for whom exemption from immunization is claimed pursuant to the provisions of NRS 394.193 or 394.194, the governing body of such private school shall require either:

1. That the child be immunized; or
2. That he remain outside the school environment and the local health officer be notified.

(Added to NRS by 1979, 315)

NRS 394.199 Immunization of pupils: Penalty for refusal to remove child from school when required by law. Any parent or guardian who refuses to remove his child from the private school in which he is enrolled when retention in school is prohibited under the provisions of NRS 394.192, 394.196 or 394.198 is guilty of a misdemeanor.

(Added to NRS by 1979, 315)

NRS 439.560 Enforcement of chapter by public officers. All health officers, local boards of health, sheriffs, constables, policemen, marshals, all persons in charge of public buildings and institutions, and all other public officers and employees shall respect and enforce this chapter, all provisions of law requiring the immunization of children in public schools, private schools and child care facilities, and all lawful rules, orders and regulations adopted in pursuance thereof in every particular affecting their respective localities and duties.

[37:199:1911; added 1939, 297; 1931 NCL § 5268.03]—(NRS A 1979, 317)

NRS 439.565 Injunctions against violations.

1. Any person, corporation, firm, partnership, joint stock company, or any other association or organization which violates or proposes to violate this chapter, provisions of law requiring the immunization of children in public schools, private schools and child care facilities, any regulation of the State Board of Health or any regulation of a county, district or city board of health approved by the State Board of Health pursuant to this chapter may be enjoined by any court of competent jurisdiction.

2. Actions for injunction under this section may be prosecuted by the Attorney General, any district attorney in this state or any retained counsel of any local board of health in the name and upon the complaint of the State Board of Health or any local board of health, or upon the complaint of the State Health Officer or of any local health officer or his deputy.

(Added to NRS by 1973, 315; A 1979, 317)

NRS 439.570 Health authority may report violation to district attorney or Attorney General; initiation and prosecution of action.

1. When the health authority deems it necessary, he shall report cases of violation of any of the provisions of this chapter or of provisions of law requiring the immunization of children in public schools, private schools and child care facilities, to the district attorney of the county, with a statement of the facts and circumstances. When any such case is reported to him by the health authority, the district attorney shall forthwith initiate and promptly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of law.

2. Upon request of the Health Division, the Attorney General shall assist in the enforcement of the provisions of this chapter and provisions of law requiring the immunization of children in public schools, private schools and child care facilities.

[Part 22:199:1911; RL § 2973; NCL § 5256]—(NRS A 1963, 942; 1969, 1019; 1979, 317)

NRS 439.580 Penalties.

1. Any local health officer or his deputy who neglects or fails to enforce the provisions of this chapter in his jurisdiction, or neglects or refuses to perform any of the duties imposed upon him by this chapter or by the instructions and directions of the Health Division shall be punished by a fine of not more than \$250.

2. Each person who violates any of the provisions of this chapter or refuses or neglects to obey any lawful order, rule or regulation of the State Board of Health or violates any rule or regulation approved by the State Board of Health pursuant to NRS 439.350, 439.410 and 439.460 is guilty of a misdemeanor.

[Part 21:199:1911; RL § 2972; NCL § 5255] + [39:199:1911; added 1939, 297; 1931 NCL § 5268.05]—(NRS A 1963, 942; 1967, 577; 1969, 880; 1973, 314; 1979, 1469)

**IMMUNIZATION OF CHILDREN ADMITTED TO CHILD CARE FACILITIES IN NEVADA
(CHAPTER 439 ADMINISTRATION OF PUBLIC HEALTH & CHAPTER 432A SERVICES AND FACILITIES FOR
CARE OF CHILDREN)**

NRS 432A.230 Certificate of immunization prerequisite to admission to child care facility; conditional admission; report to Health Division.

1. Except as otherwise provided in subsection 3 and unless excused because of religious belief or medical condition, a child may not be admitted to any child care facility within this state, including a facility licensed by a county or city, unless his parents or guardian submit to the operator of the facility a certificate stating that the child has been immunized and has received proper boosters for that immunization or is complying with the schedules established by regulation pursuant to NRS 439.550 for the following diseases:

- (a) Diphtheria;
- (b) Tetanus;
- (c) Pertussis if the child is under 6 years of age;
- (d) Poliomyelitis;
- (e) Rubella;
- (f) Rubeola; and
- (g) Such other diseases as the local board of health or the State Board of Health may determine.

2. The certificate must show that the required vaccines and boosters were given and must bear the signature of a licensed physician or his designee or a registered nurse or his designee, attesting that the certificate accurately reflects the child's record of immunization.

3. A child whose parent or guardian has not established a permanent residence in the county in which a child care facility is located and whose history of immunization cannot be immediately confirmed by a physician in this state or a local health officer, may enter the child care facility conditionally if the parent or guardian:

- (a) Agrees to submit within 15 days a certificate from a physician or local health officer that the child has received or is receiving the required immunizations; and
- (b) Submits proof that he has not established a permanent residence in the county in which the facility is located.

4. If a certificate from the physician or local health officer showing that the child has received or is receiving the required immunizations is not submitted to the operator of the child care facility within 15 days after the child was conditionally admitted, the child must be excluded from the facility.

5. Before December 31 of each year, each child care facility shall report to the Health Division of the Department, on a form furnished by the Division, the exact number of children who have:

- (a) Been admitted conditionally to the child care facility; and
 - (b) Completed the immunizations required by this section.
- (Added to NRS by 1979, 318; A 1987, 1336; 1989, 1849; 1995, 809)

NRS 432A.235 Written documentation of immunization prerequisite to admission to accommodation facility; conditional admission; report to Health Division; maintenance of proof of immunization by business which operates more than one accommodation facility.

1. Except as otherwise provided in subsection 2 and unless excused because of religious belief or medical condition, a child may not be admitted to any accommodation facility within this State, including an accommodation facility licensed by a county or city, unless his parents or guardian submit to the operator of the accommodation facility written documentation stating that the child has been immunized and has received proper boosters for that immunization or is complying with the schedules established by regulation pursuant to NRS 439.550 for the diseases set forth in subsection 1 of NRS 432A.230. The written documentation required pursuant to this subsection must be:

- (a) A letter signed by a licensed physician stating that the child has been immunized and received boosters or is complying with the schedules;
- (b) A record from a public school or private school which establishes that a child is enrolled in the school and has satisfied the requirements for immunization for enrollment in the school pursuant to NRS 392.435 or 394.192; or
- (c) Any other documentation from a local health officer which proves that the child has been immunized and received boosters or is complying with the schedules.

2. A child whose parent or guardian has not established a permanent residence in the county in which an accommodation facility is located and whose history of immunization cannot be immediately confirmed by the written documentation required pursuant to subsection 1 may enter the accommodation facility conditionally if the parent or guardian:

- (a) Agrees to submit within 15 days the documentation required pursuant to subsection 1; and

- (b) Submits proof that he has not established a permanent residence in the county in which the facility is located.
3. If the documentation required pursuant to subsection 1 is not submitted to the operator of the accommodation facility within 15 days after the child was conditionally admitted, the child must be excluded from the facility.
4. Before December 31 of each year, each accommodation facility shall report to the Health Division of the Department, on a form furnished by the Division, the exact number of children who have:
- Been admitted conditionally to the accommodation facility; and
 - Completed the immunizations required by this section.
5. To the extent that the Board or an agency for the licensing of child care facilities established by a county or city requires a child care facility to maintain proof of immunization of a child admitted to the facility, the Board or agency shall authorize a business which operates more than one accommodation facility to maintain proof of immunization of a child admitted to any accommodation facility of the business at a single location of the business. The documentation must be accessible by each accommodation facility of the business.

(Added to NRS by 2005, 2090)

NAC 432A.500 Mumps. (NRS 432A.230, 439.200)

- The State Board of Health hereby declares the disease of mumps to be a communicable disease.
- Unless excused because of religious belief or medical condition, a child may not be enrolled in a child care facility in this State unless he has been immunized against the mumps.

(Added to NAC by Bd. of Health, eff. 6-30-88; A 8-1-91)

NAC 432A.501 Hepatitis A. (NRS 432A.230, 439.200)

- The State Board of Health hereby declares infection with hepatitis A to be a communicable disease.
- Unless excused because of religious belief or medical condition, a child may not be enrolled in a child care facility in this State unless he has been immunized against hepatitis A.

(Added to NAC by Bd. of Health by R099-07, eff. 10-31-2007)

NAC 432A.502 Hepatitis B. (NRS 432A.230, 439.200)

- The State Board of Health hereby declares infection with hepatitis B to be a communicable disease.
- Unless excused because of religious belief or medical condition, a child may not be enrolled in a child care facility in this State unless he has been immunized against hepatitis B.

(Added to NAC by Bd. of Health by R099-07, eff. 10-31-2007)

NAC 432A.503 Varicella. (NRS 432A.230, 439.200)

- The State Board of Health hereby declares infection with varicella to be a communicable disease.
- Unless excused because of religious belief or medical condition, a child may not be enrolled in a child care facility in this State unless he has been immunized against varicella.

(Added to NAC by Bd. of Health by R099-07, eff. 10-31-2007)

NAC 432A.504 Streptococcus pneumoniae. (NRS 432A.230, 439.200)

- The State Board of Health hereby declares infection with streptococcus pneumoniae to be a communicable disease.
- Unless excused because of religious belief or medical condition, a child may not be enrolled in a child care facility in this State unless he has been immunized against streptococcus pneumoniae.

(Added to NAC by Bd. of Health by R099-07, eff. 10-31-2007)

NAC 432A.505 Haemophilus influenzae type b. (NRS 432A.230, 439.200)

- The State Board of Health hereby declares infection with Haemophilus influenzae type b to be a communicable disease.
- Unless excused because of religious belief or medical condition, a child may not be enrolled in a child care facility in this State unless he has been immunized against Haemophilus influenzae type b.

(Added to NAC by Bd. of Health, eff. 8-1-91)

NRS 439.550 Strict enforcement of chapter by local health officer.

- Each local health officer is charged with the strict and thorough enforcement of the provisions of this chapter in his jurisdiction, under the supervision and direction of the Health Division.
- Each local health officer, under the direction and supervision of the Health Division, shall enforce all provisions of law requiring the immunization of children in the public schools, private schools and child care facilities in his jurisdiction and, after consulting boards of trustees of school districts, private school officials and operators of child care facilities, shall adopt regulations for the enforcement of those provisions, including the establishment of time limits and schedules for the immunization of children at various grade levels.

3. Each local health officer shall make reports to the Health Division of any violation coming to his notice by observation or upon complaint of any person or otherwise.

[Part 22:199:1911; RL § 2973; NCL § 5256]—(NRS A 1963, 942; 1969, 1018; 1979, 317)

NRS 432A.240 Exemption from immunization when contrary to religious belief. If the religious belief of a child's parents or guardian prohibits the immunization of the child as required by NRS 432A.230, a written statement of this fact signed by the parents or guardian and presented to the operator of the facility exempts the child from the provisions of that section for purposes of admission.

(Added to NRS by 1979, 319)

NRS 432A.250 Exemption from immunization because of medical condition. If the medical condition of a child will not permit him to be immunized to the extent required by NRS 432A.230, a written statement of this fact signed by a licensed physician and presented to the operator of the facility by the parents or guardian of such child exempts such child from all or part of the provisions of NRS 432A.230, as the case may be, for purposes of admission.

(Added to NRS by 1979, 319)

NRS 432A.260 Additional requirements for immunization imposed after admission; additional certificate required. If, after a child has been admitted to a child care facility, including a facility licensed by a county or city, additional immunization requirements are provided by law, the child's parents or guardian shall submit an additional certificate or certificates to the operator of the facility stating that such child has met the new immunization requirements.

(Added to NRS by 1979, 319)

NRS 432A.270 Protection of child exempt from immunization if dangerous disease exists in facility. Whenever the State Board of Health or a local board of health determines that there is a dangerous contagious disease in a child care facility attended by a child for whom exemption from immunization is claimed pursuant to the provisions of NRS 432A.240 or 432A.250, the operator of the facility shall require either:

1. That the child be immunized; or
2. That he remain outside the school environment and the local health officer be notified.

(Added to NRS by 1979, 319)

NRS 432A.280 Penalty for refusal to remove child from child care facility when required by law. Any parent or guardian who refuses to remove his child from the child care facility to which he has been admitted when retention in the facility is prohibited under the provisions of NRS 432A.230, 432A.260 or 432A.270 is guilty of a misdemeanor.

(Added to NRS by 1979, 319)

NRS 439.560 Enforcement of chapter by public officers. All health officers, local boards of health, sheriffs, constables, policemen, marshals, all persons in charge of public buildings and institutions, and all other public officers and employees shall respect and enforce this chapter, all provisions of law requiring the immunization of children in public schools, private schools and child care facilities, and all lawful rules, orders and regulations adopted in pursuance thereof in every particular affecting their respective localities and duties.

[37:199:1911; added 1939, 297; 1931 NCL § 5268.03]—(NRS A 1979, 317)

NRS 439.565 Injunctions against violations.

1. Any person, corporation, firm, partnership, joint stock company, or any other association or organization which violates or proposes to violate this chapter, provisions of law requiring the immunization of children in public schools, private schools and child care facilities, any regulation of the State Board of Health or any regulation of a county, district or city board of health approved by the State Board of Health pursuant to this chapter may be enjoined by any court of competent jurisdiction.

2. Actions for injunction under this section may be prosecuted by the Attorney General, any district attorney in this state or any retained counsel of any local board of health in the name and upon the complaint of the State Board of Health or any local board of health, or upon the complaint of the State Health Officer or of any local health officer or his deputy.

(Added to NRS by 1973, 315; A 1979, 317)

NRS 439.570 Health authority may report violation to district attorney or Attorney General; initiation and prosecution of action.

1. When the health authority deems it necessary, he shall report cases of violation of any of the provisions of this chapter or of provisions of law requiring the immunization of children in public schools, private schools and child care facilities, to the district attorney of the county, with a statement of the facts and circumstances. When any such case is reported to him by the health

authority, the district attorney shall forthwith initiate and promptly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of law.

2. Upon request of the Health Division, the Attorney General shall assist in the enforcement of the provisions of this chapter and provisions of law requiring the immunization of children in public schools, private schools and child care facilities.

[Part 22:199:1911; RL § 2973; NCL § 5256]—(NRS A 1963, 942; 1969, 1019; 1979, 317)

NRS 439.580 Penalties.

1. Any local health officer or his deputy who neglects or fails to enforce the provisions of this chapter in his jurisdiction, or neglects or refuses to perform any of the duties imposed upon him by this chapter or by the instructions and directions of the Health Division shall be punished by a fine of not more than \$250.

2. Each person who violates any of the provisions of this chapter or refuses or neglects to obey any lawful order, rule or regulation of the State Board of Health or violates any rule or regulation approved by the State Board of Health pursuant to NRS 439.350, 439.410 and 439.460 is guilty of a misdemeanor.

[Part 21:199:1911; RL § 2972; NCL § 5255] + [39:199:1911; added 1939, 297; 1931 NCL § 5268.05]—(NRS A 1963, 942; 1967, 577; 1969, 880; 1973, 314; 1979, 1469)

State University Immunization Requirements

NRS 441A.120 Regulations of State Board of Health. The Board shall adopt regulations governing the control of communicable diseases in this State, including regulations specifically relating to the control of such diseases in educational, medical and correctional institutions. The regulations must specify:

1. The diseases which are known to be communicable.
2. The communicable diseases which are known to be sexually transmitted.
3. The procedures for investigating and reporting cases or suspected cases of communicable diseases, including the time within which these actions must be taken.
4. For each communicable disease, the procedures for testing, treating, isolating and quarantining a person or group of persons who have been exposed to or have or are suspected of having the disease.
5. A method for ensuring that any testing, treatment, isolation or quarantine of a person or a group of persons pursuant to this chapter is carried out in the least restrictive manner or environment that is appropriate and acceptable under current medical and public health practices.

(Added to NRS by 1989, 294; A 2003, 2206)

NAC 441A.750 Records of immunization: Availability for inspection by health authority. (NRS 441A.120)
The record of immunization of a person required to be immunized by the provisions of this chapter must be made available for inspection by the health authority upon request.

(Added to NAC by Bd. of Health, eff. 1-24-92)

NAC 441A.755 University students: Proof of immunity to certain communicable diseases required; exceptions; exclusion from university. (NRS 441A.120)

1. Except as otherwise provided in subsection 10 or unless excused because of religious belief or medical condition, a person shall not attend a university until he submits to the university proof of immunity to tetanus, diphtheria, measles, mumps, rubella and any other disease specified by the State Board of Health. The Division shall establish the immunization schedule required for admission of the student.

2. Except as otherwise provided in subsection 10 or unless excused because of religious belief or medical condition, a person who:

- (a) Is less than 23 years of age; and
- (b) Is enrolled as a freshman;

shall not reside in on-campus housing after September 1, 2008, until he submits to the university proof of immunity to *Neisseria meningitidis*.

3. A student may enroll in the university conditionally if the student, or if the student is a minor, the parent or legal guardian of the student, submits a record of immunization stating that the student is in the process of obtaining the required immunizations, and that record shows that the student has made satisfactory progress toward obtaining those immunizations.

4. The university shall retain the proof of immunity on a computerized record or on a form provided by the Division.

5. The university shall not refuse to enroll a student because he has not been immunized if the student, or if the student is a minor, the parent or legal guardian of the student, has submitted to the university a written statement indicating that his religious belief prohibits immunizations. The university shall keep the statement on file.

6. If the medical condition of a student does not permit him to be immunized to the extent required, the student, or if the student is a minor, the parent or legal guardian of the student, must submit to the university a statement of that fact written by a licensed physician. The university shall keep the statement on file.

7. If additional requirements of immunity are imposed by law after a student has been enrolled in the university, the student, or if the student is a minor, the parent or legal guardian of the student, shall submit an additional proof of immunity to the university stating that the student has met the new requirements of immunity.

8. If the health authority determines that, at the university, there is a case having a communicable disease against which immunity is required for admission to the university, and a student who has not submitted proof of immunity to that disease is attending that university, the president of the university shall require that:

- (a) The student be immunized; or
- (b) The student be excluded from the university until allowed to return by the health authority.

9. A student shall not attend a university from which he is excluded until allowed to return by the health authority. The parent or legal guardian of a student, if the student is a minor, shall not allow the student to attend a university from which he is excluded until allowed to return by the health authority.

10. Any student who is enrolled in a program of distance education and who does not attend a class on campus is exempt from the requirements of this section.

11. As used in this section:

(a) "On-campus housing" means a dormitory or other student residence that is owned, operated by or located on the campus of a university.

(b) "Postsecondary educational institution" has the meaning ascribed to it in NRS 394.099.

(c) "University" means any university within the Nevada System of Higher Education or any private postsecondary educational institution that provides on-campus housing.

(Added to NAC by Bd. of Health, eff. 1-24-92; A 10-22-93; R079-06, 7-14-2006; R099-07, 10-31-2007)

NRS 439.265 Immunization Information System: Establishment and administration; duty to report information concerning immunization administered to child; contents and form of report; parent or guardian to be provided information concerning System; parent or guardian may decline inclusion of information in System; disclosure of information; regulations.

1. The Department shall establish an Immunization Information System to collect information concerning the immunization of children in this State. The Immunization Information System must be administered by the State Board of Health.

2. Except as otherwise provided in subsection 4, a person who administers any immunization to a child which is recommended and approved by the United States Public Health Service Advisory Committee on Immunization Practices, or its successor organization, on or after July 1, 2009, shall report information concerning the child and the immunization provided to the child to the Department for inclusion in the Immunization Information System. The information reported must include, without limitation:

(a) The immunization provided to the child;

(b) The name of the child;

(c) Demographic information concerning the child, including, without limitation, the age, gender and race of the child; and

(d) Any other information required by regulation of the State Board of Health, taking into consideration applicable requirements for information relating to the immunization of children of:

(1) The Centers for Disease Control and Prevention of the United States Department of Health and Human Services; and

(2) Any other governmental entity.

3. A person who reports information pursuant to subsection 2 may also report information concerning the history of the immunizations of the child if known to the Department for inclusion in the Immunization Information System.

4. The State Board of Health shall establish the form for reporting information to the Department for inclusion in the Immunization Information System and the form which the person administering the immunization must provide to the parent or guardian of the child receiving the immunization. The form provided to the parent or guardian must inform the parent or guardian about the Immunization Information System and must allow the parent or guardian to decline inclusion of the information concerning his child in the System.

5. The information in the Immunization Information System may only be disclosed to any person who administers immunizations to a child to determine the immunization status of the child and to the persons or governmental entities authorized pursuant to the regulations adopted by the State Board of Health.

6. The State Board of Health shall adopt regulations to carry out the provisions of this section.

(Added to NRS by 2007, 1515)