



College/University Stakeholder Discussion FAQs Pertaining to August 2015 Board of Health Rulemaking June 24, 2015

1. What does the Colorado Board of Health (CBOH) School Immunization Rule state in regards to the time frame a student has to produce an immunization record or a record of immunity?

A student may be considered “in-process” as stated in 6 CCR 1009-2, Section I, Provision I(2): With regards to college or university students as defined in Section I Provision C and O, the student must present to the appropriate official of the school either (I) a signed written authorization requesting local health officials to administer required immunizations or (II) a plan for receipt of the required immunization or the next required immunization in a series within either 30 days or the medically approved minimum interval. If this does not occur, the college or university student will not be allowed to register for the current term or session. Such written authorizations and plans must be signed by one parent or guardian or the emancipated student or the student eighteen years of age or older.

2. Should women who are pregnant or breastfeeding and are unable to obtain the measles, mumps and rubella (MMR) vaccine be counted as personal exemptions, or should those be counted as a medical exemption that expires?

Because the MMR vaccine is a live vaccine, it is contraindicated for pregnancy so a medical exemption would be appropriate. Breastfeeding moms can receive an MMR vaccine and if they choose not to be vaccinated, they would sign a personal exemption. These exemptions would be included in the annual data collection survey submitted to CDPHE.

3. The proposed rule language about the meningococcal vaccine requirement for incoming housing students does not specify only applying to freshmen, is that still the case or is it any new housing student regardless of year?

The language in the statute refers to incoming freshmen or any student who the institution requires to complete and return a standard certificate of immunization. We recognize that there could be students in other classes who are new to the school and could be at risk for the disease if they are living in student housing. The minimum requirement is that incoming freshmen must be given the meningococcal disease and vaccine information and sign the waiver if they choose not to be vaccinated. Per statute, institutions have the latitude to require new students in other classes that are living in student housing to also meet this requirement. C.R.S. § 23-5-128(1)(b) defines a new student as: each incoming freshman student residing in student housing, as defined by the institution, or any student who the institution requires to complete and return a standard certificate indicating immunizations received by the student as a requirement for residing in student housing.



4. In the proposed rule language, it says that the meningococcal vaccine must have been given within the past 5 years or we need to have them sign a waiver or get the booster. Did that change when the recommendation came out for students to get the booster? We tell everyone to get it, but we haven't had them sign the waiver if they opt not to get a booster and it's been more than five years.

The proposed rules state that any new students residing in student housing, or the student's parent or guardian for student's under 18 years of age, who have not received a meningococcal vaccine in the last five years shall review the information on meningococcal disease and meningococcal vaccine. If the student or student's parent or guardian for student's under 18 years of age, decides not to receive the vaccine, then they will sign the waiver. We added in the qualifier "in the last 5 years" for two reasons: 1) to clarify and further narrow which students actually needed to review the information and 2) current data indicate that the protection provided by the initial meningococcal conjugate vaccine (MCV4) wanes within 5 years following vaccination. In 2010, the Advisory Committee on Immunization Practices (ACIP) recommended an MCV4 booster dose for sixteen to eighteen year olds to provide continuing protection during the peak years of vulnerability.

5. The rule still has wording that pertains to our university's governing board making the decision on which students are the appropriate groups to be required to abide by this law. Wouldn't it make more sense to have the student health professionals make that determination?

The term "governing board of the institution" is established in *C.R.S. § 25-4-901(II)*: College or university courses of study that are offered off-campus, or are offered to nontraditional adult students, as defined by the governing board of the institution, or are offered at colleges or universities that do not have residence hall facilities. Because of this, the CBOH is required to continue to use the term. Any change to this language must go through the legislative process and we will make note that this change has been requested.

6. In previous years, only 1 dose of rubella vaccine was required. Since students now have to have 2 MMRs, can we "grandfather in" those students who previously met the requirement?

In 2013, the CBOH rule 6 CCR 1009-2 incorporated the ACIP immunization schedule by reference for all school-required immunizations. Once new immunization requirements exist, grandfathering individuals who met a previous requirement is not accepted. For college and university students specifically, records are only reviewed once for new students. Therefore, in this population "grandfathering" would be unnecessary for any immunization requirement.

7. In a couple of sections it says that a nurse practitioner, physician, or nurse can sign records, but it doesn't list physician assistant, medical assistant, or certified nursing assistant which we often see on records since they are the ones signing at the doctor's office. Can those be added?

Per statute, only an Advanced Practice Nurse (APN), Medical Doctor (MD) or Doctor of Osteopathic Medicine (DO) can sign a medical exemption. In addition to an APN, MD, or DO, a Physician Assistant, Medical Assistant, or Certified Nursing Assistant can sign an immunization record to indicate that it is an up to date record.



8. Do we need to submit our Meningococcal Disease Information (either vaccine or disease acknowledgement form) to the State? To my knowledge we only had to complete the MMR and Exemption reports.

As stated in section 6 of the proposed rule, colleges and universities will report aggregate numbers for the following:

1. TOTAL NUMBER OF STUDENTS ENROLLED IN THE SCHOOL;
2. TOTAL NUMBER OF STUDENTS WHO ARE UP-TO-DATE WITH IMMUNIZATIONS AS REQUIRED IN THIS SECTION IX;
3. TOTAL NUMBER OF STUDENTS WHO HAVE A MEDICAL EXEMPTION FOR THE MMR VACCINE;
4. TOTAL NUMBER OF STUDENTS WHO HAVE A RELIGIOUS EXEMPTION FOR THE MMR VACCINE;
5. TOTAL NUMBER OF STUDENTS WHO HAVE A PERSONAL BELIEF EXEMPTION FOR THE MMR VACCINE;
6. TOTAL NUMBER OF IN-PROCESS STUDENTS;
7. TOTAL NUMBER OF STUDENTS WHO HAVE A SIGNED WAIVER FOR THE MENINGOCOCCAL VACCINE;
8. TOTAL NUMBER OF STUDENTS NOT UP-TO-DATE FOR THE MMR VACCINE, WITH NO EXEMPTION ON FILE, NO MENINGOCOCCAL VACCINE WAIVER ON FILE, AND NOT IN-PROCESS; AND
9. TOTAL NUMBER OF STUDENTS WITH NO IMMUNIZATION RECORDS.

9. When will these proposed rules take effect?

If amendments to the CBOH rule 6 CCR 1009-2 are approved on August 19, 2015 during the scheduled hearing, those rules will go to the Attorney General's office for final review. We expect that the proposals will be implemented in November 2015.

Other Clarifications Provided

- CU Boulder stated that they are having ALL students living in housing read and sign the Meningococcal Education/Waiver. This is allowable if the college or university prefers. For the purposes of collecting accurate immunization data during the annual immunization survey, we ask that those students who actually received the meningococcal vaccine are reported separately and not included in the total count of incoming students living in student housing.
- The requirements set by the CBOH are the minimum requirements and colleges/universities can add further requirements, where allowable.
- If the CBOH accepts the amendments to 6 CCR 1009-2, the Certificate of Immunization and the Immunization Survey will be updated to reflect those updates.

