

2024 Oregon Administrative Rules (OARs) – School Immunization Rules Revision Crosswalk

The purpose of this table is to help readers understand how the proposed changes to Division 50 (School Immunization Rules) of the Oregon Administrative Rules (OARs) compare with the current OARs. The current OARs are in the left column and the corresponding proposed changes are in the right.

New text: Markedly new text is in red.

Removed text: Text that was not carried over from the current OARs to the proposed OARs does not appear in the right column and is labeled in italics.

Moved text: Many of the OARs were re-arranged. To reduce confusion, the table follows the order of the proposed OARs.

Current Text	Proposed Text
<p>333-050-0010 Definitions Used in the Immunization Rules</p> <p>As used in OAR 333-050-0010 through 333-050-0140:</p>	<p>333-050-0210 Definitions Used in the Immunization Rules</p> <p>As used in OAR 333-050-0210 through 333-050-0410:</p>
	<p>(1) “Administrator” has the meaning given that term in ORS 433.235.</p>
	<p>(2) “ALERT Immunization Information System” means the system defined and described in OAR chapter 333, division 49.</p>
<p>333-050-0030 Visitors, Part-Time Students, and Residents</p> <p>(1) Any child visiting or attending a school or facility on five or more different days in a given school year or residing on the premises of a school or facility regardless of whether the child attends classes or receives child care, at any age or grade through grade 12, shall be subject to the requirements of either a new enterer or</p>	<p>(3) “Attend” or “attending” means:</p> <p>(a) Enrolled with a school or children’s facility and being physically present for any reason at the school or facility.</p> <p>(b) Residing on the premises of a children’s facility or school on five or more days in a given school year.</p> <p>(c) For home-schooled, private, or special education students or students in other non-traditional educational settings subject to these rules:</p>

Current Text	Proposed Text
<p>transferring child as appropriate. Such residents and visitors for the purposes of these rules are in attendance.</p> <p>(2) Home-schooled, private, or special education students or students in other non-traditional educational settings are subject to these rules if they:</p> <p>(a) Meet with an instructor in a school building for any amount of time on a regular or irregular basis, but at least five times per school year; or</p> <p>(b) Participate in sports or other activities through a school-sponsored program at least five times per school year.</p> <p>(3) Students in residential, correctional, or treatment programs that receive educational instruction are subject to these rules.</p>	<p>(A) Meeting with an instructor in a school building five or more days during a school year; or</p> <p>(B) Participating in sports, field trips or other activities through a school-sponsored program five or more times per school year.</p>
<p>333-050-0010 Definitions Used in the Immunization Rules</p> <p>(1) "Certificate of Immunization Status" means a form provided or approved by the Public Health Division on which to enter the child's immunization record.</p>	<p>(4) "Certificate of Immunization Status" means a form prescribed by the Public Health Division (Division) or other documentation approved by the Division in accordance with OAR 333-050-0300.</p>
	<p>(5) "Child" means:</p> <p>(a) An individual of any age up to the age of 18; or</p> <p>(b) An individual of any age in any grade through 12th grade.</p>
<p>333-050-0020 Purpose and Intent</p>	<p>(6) "Children's facility" or "facility":</p>

Current Text	Proposed Text
<p>(3) All children’s facilities are required to comply with these rules, including but not limited to certified child care centers, certified family child care homes, child care centers exempt from certification, Head Start programs, preschools and Early Intervention/Early Childhood Special Education child care programs.</p>	<p>(a) Has the meaning given that term in ORS 433.235, and includes but is not limited to certified child care centers, certified family child care homes, child care centers exempt from certification, Head Start programs, preschools and Early Intervention/Early Childhood Special Education programs. (b) Does not mean facilities or programs that the Public Health Division has exempted under OAR 333-050-0220.</p>
<p>333-050-0010 Definitions Used in the Immunization Rules</p> <p>(2) "Complete" means a category assigned to any child whose record indicates that the child is fully immunized or has immunity documentation as specified by OAR 333-050-0050(2) or (6).</p>	<p>(7) "Complete" means a category assigned to a child whose record indicates the child is fully immunized as required in OAR 333-050-0240 or has immunity documentation for vaccines for which the child is not fully immunized as specified in 333-050-0260.</p>
<p>(3) "Contraindication" means either a child or a household member's physical condition or disease that renders a particular vaccine improper or undesirable in accordance with the current recommendations of the Advisory Committee on Immunization Practices, Department of Health and Human Services, Centers for Disease Control and Prevention, and the American Academy of Pediatrics.</p>	<p>(8) "Contraindication or precaution" means a medical diagnosis of a physical condition or disease that renders a particular vaccine improper or undesirable for a child in accordance with the current recommendations of the Advisory Committee on Immunization Practices, U.S. Department of Health and Human Services, U.S. Centers for Disease Control and Prevention, and the American Academy of Pediatrics.</p>
<p>(4) <i>"County Immunization Status Report" means a report submitted by the local health department (or school or facility if there is no local health department) to the Public Health Division to report annually the number of children as specified, in the area served, and the number susceptible to the vaccine preventable diseases covered by these rules.</i></p>	<p><i>Removed from proposed definitions. Information submitted by the local health department is described in proposed OAR 333-050-0380(2).</i></p>

Current Text	Proposed Text
<p>333-050-0020 Purpose and Intent</p> <p>(7) Nothing in these rules is intended to prevent a person from using or accepting an electronic form, using or accepting an electronic signature as that is defined in ORS 84.004, or using, accepting, transmitting or storing documents electronically.</p>	<p>(9) "Electronic signature" has the meaning given that term in ORS 84.004.</p>
<p>333-050-0010 Definitions Used in the Immunization Rules</p> <p>(5) "Evidence of Immunization" means an appropriately signed and dated statement indicating the month, day and year each dose of each vaccine was received.</p>	<p>(10) "Evidence of immunization" means a record indicating the month, day and year each dose of a vaccine was received that complies with the requirements in OAR 333-050-0240.</p>
<p>(6) "Exclude" or "Exclusion" means not being allowed to attend a school or facility pursuant to an Exclusion Order from the local health department based on non-compliance with the requirements of ORS 433.267(1), and these rules.</p>	<p>(11) "Exclude" or "Exclusion" means not being allowed to attend a school or facility pursuant to an immunization order from the local health department based on non-compliance with the requirements of ORS 433.255, 433.260, or 433.267(1), and these rules.</p>
<p>(10) "Exemption" means either a documented medical or nonmedical exemption.</p>	<p>(12) "Exemption" means either a documented medical or nonmedical exemption.</p>
<p>(11) "Health Care Practitioner" means a practitioner of the healing arts who has within the scope of the practitioner's license, the authority to order immunizations, to include: M.D., D.O., N.D., nurse practitioners, and physician assistants, or a registered nurse working under the direction of an M.D., D.O., N.D. or nurse practitioner.</p>	<p>(13) "Health care practitioner " means: (a) A practitioner of the healing arts who has within the scope of the practitioner's license, the authority to order immunizations, including but not limited to individuals licensed to practice by the Oregon Medical Board, Oregon Board of Naturopathic Medicine, and nurse practitioners licensed by the Oregon State Board of Nursing, or the equivalent licensing board in other states; and</p>

Current Text	Proposed Text
	(b) For purposes of OAR 333-050-0270(2) includes registered nurses and physician associates.
(12) "Immunity Documentation" means a written statement signed by a physician or an authorized representative of the local health department that the child should be exempted from receiving specified immunizations due to a disease history based on a health care practitioner's diagnosis or the results of an immune titer.	(14) "Immunity documentation" means documentation that meets the requirements in OAR 333-050-0260 from a health care practitioner with authority to diagnose disease, or from a representative of the local health department, or a clinical laboratory, that indicates a child has had a particular disease or a titer showing immunity to a particular disease and therefore does not need a particular immunization.
<p>333-050-0050 Immunization Requirements</p> <p>(1) For purposes of this rule, immunization against the following diseases means receipt of any vaccine licensed by the United States Food and Drug Administration (or the foreign equivalent) for the prevention of that disease.</p>	(15) "Immunization" means a vaccine authorized, approved or licensed by the United States Food and Drug Administration (or the foreign equivalent) for the prevention of a particular disease.
<p>333-050-0080 Exclusion</p> <p>(1) The date of exclusion shall be the third Wednesday in February.</p>	(16) "Immunization Day" means the fourth Wednesday in February, unless a different date is identified by the Public Health Division, in accordance with OAR 333-050-0310.
<p>333-050-0010 Definitions Used in the Immunization Rules</p> <p>(7) "Exclusion Order for Incomplete Immunization or Insufficient Information" means a form provided or approved by the Public Health Division for local health department and Public Health Division use in excluding a child who, based on the child's record, is</p>	(17) "Immunization order" mean an order issued by the local health department prohibiting a child from attending a school or children's facility because the school or children's facility does not have documentation required by ORS 433.267(1) or (2) and these rules.

Current Text	Proposed Text
<p>in non-compliance with the vaccine requirements of OAR 333-050-0050(2) or who has insufficient information on his or her record to determine whether the child is in compliance. Forms submitted for approval must contain the substantive content of the Public Health Division form.</p> <p>(8) "Exclusion Order for No Record" means a form provided or approved by the Public Health Division for local health department, Public Health Division and school or facility use in excluding a child with no record. Forms submitted for approval must contain the substantive content of the Public Health Division form.</p>	
<p>(13) "Incomplete" means a category assigned to any child whose record indicates, on or before the date the Primary Review Summary form is due at the local health department, that the child:</p> <p>(a) Is not fully immunized as required in OAR 333-050-0050(2); and</p> <p>(b) Does not have a completed exemption or immunity documentation for a vaccine for which the child is not fully immunized.</p>	<p>(18) "Incomplete" means a category assigned to any child whose record indicates that the child:</p> <p>(a) Is not fully immunized as required in OAR 333-050-0240; and</p> <p>(b) Does not have a completed exemption or immunity documentation for a vaccine for which the child is not fully immunized.</p>
<p>(14) "Insufficient" means a category assigned to any child whose record does not have enough information to make a proper determination about the child's immunization status, including unsigned records, vaccine dates before day of birth, dates out of sequence, and missing doses in the middle of a vaccine series. This category does not apply to signed but undated records.</p>	<p>(19) "Insufficient" means a category assigned to any child whose record does not have enough information to make a proper determination about the child's immunization status or has information that is clearly in error.</p>

Current Text	Proposed Text
(15) "Local Health Department" means the District or County Board of Health, Public Health Officer, Public Health Administrator or local public health agency having jurisdiction within the area.	(20) "Local health department" has the meaning given that term in ORS 431.003, or if the local health authority has transferred its authority to the Oregon Health Authority (Authority) under ORS 431.382, means the entity identified by the Authority to conduct the activities required by a local health department under these rules.
(16) "Main Office" means a central administrative location at the school or children's facility where immunization rates are made available to parents.	(21) "Main office" means a central administrative location at the school or children's facility where immunization rates are made available to parents.
(17) "Medical Exemption" means a document signed by a physician or an authorized representative of the local health department stating that the child should be exempted from receiving specified immunizations based on a medical diagnosis resulting from a specific medical contraindication.	(22) "Medical exemption" means a child temporarily or permanently should not receive a specified immunization based on a medical diagnosis resulting from a specific medical contraindication or precaution, depending on the duration of the contraindication or precaution.
<p>333-050-0050 Immunization Requirements</p> <p>(7) (b) Exemption for one or more immunizations shall be established by a diagnosis based on a specific medical contraindication certified in a letter from the physician or an authorized representative of the local health department. The vaccines, medical diagnosis, practitioner's name, address and phone number must be documented and attached to the record.</p>	<p>(23) "Medical exemption form" means a document prescribed by the Oregon Health Authority and completed by a physician for the purpose of claiming a medical exemption that includes at a minimum, the following:</p> <ul style="list-style-type: none"> (a) Child's name. (b) Child's birth date. (c) Child's medical condition that contraindicates vaccine. (d) List of vaccines contraindicated. (e) The duration of the contraindication or approximate time until the child's condition resolves, if applicable. (f) Physician's name. (g) Physician's signature. (h) Physician's license number. (g) Physician's contact information including the phone number.

Current Text	Proposed Text
<p>333-050-0010 Definitions Used in the Immunization Rules</p> <p>(18) "New Enterer" means a child who meets one of the following criteria:</p> <ul style="list-style-type: none"> (a) Infants or preschoolers attending an Oregon facility; (b) Infants or preschoolers attending a drop-in facility on five or more different days within one year; (c) Children initially attending a school at the entry level (prekindergarten, kindergarten or the first grade, whichever is the entry level); (d) Children from a home-school setting initially attending a school or facility at any grade (preschool through 12th grade); or (e) Children initially attending a school or facility after entering the United States from a foreign country at any grade (preschool through 12th grade). 	<p>(24) "Newly entering child" has the meaning given that term in ORS 433.267.</p>
<p>(19) <i>"Non-Compliance" means failure to comply with any requirement of ORS 433.267(1) or these rules.</i></p>	<p><i>Removed from proposed definitions. Non-compliance is discussed in proposed OAR 333-050-0350.</i></p>
<p>(20) "Nonmedical Exemption" means a document, on a form prescribed by the Public Health Division, signed by the parent stating that the parent is declining one or more immunizations on behalf of the child, and including documentation of completion of the vaccine educational module or a signature from a health care practitioner verifying discussion of risks and benefits of immunization.</p>	<p>(25) "Nonmedical exemption" means the declination by a parent of one or more immunizations on behalf of the child for non-medical reasons.</p>
	<p>(26) "Parent" has the meaning given that term in ORS 433.235.</p>
	<p>(27) "Physician" has the meaning given that term in ORS 433.235.</p>

Current Text	Proposed Text
<p>(21) "Post-Secondary Education Institution" means: (a) A state institution of higher education under the jurisdiction of the State Board of Higher Education; (b) A community college operated under ORS Chapter 341; (c) A school or division of Oregon Health and Science University; or (d) An Oregon-based, generally accredited, private institution of higher education, where: (A) Oregon-based, generally accredited includes any post-secondary institution described in OAR 583-030-0005(2) or classified as exempt under ORS 348.604; and (B) Private institution refers to any non-public post-secondary education institution.</p>	<p>(28) "Post-secondary education institution" means: (a) A state institution of higher education under the jurisdiction of the Higher Education Coordinating Commission; (b) A community college operated under ORS chapter 341; (c) A school or division of Oregon Health and Science University; or (d) A school located in Oregon described in OAR 583-030-0005(2) or classified as exempt under ORS 348.604.</p>
<p>(22) <i>"Primary Review Summary" means a form provided or approved by the Public Health Division to schools and facilities for enclosure with records forwarded to the local health department for secondary review and follow up. Forms submitted for approval must contain the substantive content of the Public Health Division form.</i></p>	<p><i>Removed from proposed definitions. This form is called the Immunization Report throughout the proposed text.</i></p>
<p>(23) "Primary Review Table" means a document provided by the Public Health Division for the judgment of compliance or non-compliance with the required immunizations.</p>	<p><i>Removed from proposed definitions. The Primary Review Table is discussed in proposed OAR 333-050-0240.</i></p>
<p>(24) "Public Health Division" means the Oregon Health Authority, Public Health Division.</p>	<p>(29) "Public Health Division" means the Oregon Health Authority, Public Health Division.</p>
<p>(25) "Record" means a statement relating to compliance with the requirements of ORS 433.267(1)(a) through (c) and these rules.</p>	<p>(30) "Record" means a document described in ORS 433.267(1)(a) through (c).</p>
<p>(26) <i>"Restrictable Disease" means a communicable disease for which the local health department or administrator has the authority</i></p>	<p><i>Removed from proposed definitions. Restrictable diseases are described in OAR chapter 333, division 19.</i></p>

Current Text	Proposed Text
<p><i>to exclude a child as described in OAR 333-019-0010 through 333-019-0014.</i></p> <p>333-050-0100 Follow Up</p> <p><i>(3) Information on disease restrictions for schools and facilities can be found in OAR 333-019-0010 and 333-019-0014. When a child must be excluded from attendance at a school or children’s facility in accordance with OAR 333-019-0010(3), the parent of the susceptible child must be notified verbally or in writing by the local health department, school or children’s facility administrator or designee when the child is to be excluded and for how long the exclusion will occur.</i></p>	
<p>333-050-0020 Purpose and Intent</p> <p>(5) All schools are required to comply with these rules, including but not limited to public schools, private schools, charter schools, and alternative education programs. Any program that provides educational instruction designed to lead to a high school diploma or transfer into a regular high school program must also comply with these rules.</p>	<p>(31) “School”:</p> <p>(a) Has the meaning given that term in ORS 433.235, and includes but is not limited to public schools, private schools, charter schools, alternative education programs, any program that provides educational instruction designed to lead toward a high school diploma, and residential, correctional, or treatment program settings that provide K-12 educational instruction to children who are residents.</p> <p>(b) Does not mean institutions or programs that the Public Health Division has exempted under OAR 333-050-0220.</p>
<p>333-050-0010 Definitions Used in the Immunization Rules</p>	<p>(32) "School year" means an academic year as adopted by the school or school district (usually September through June).</p>

Current Text	Proposed Text
(27) "School Year" means an academic year as adopted by the school or school district (usually September through June).	
(28) "Susceptible" means being at risk of contracting one of the diseases covered by these rules, by virtue of being in one or more of the following categories: (a) Not being complete on the immunizations required by these rules; (b) Possessing a medical exemption from any of the vaccines required by these rules due to a specific medical diagnosis based on a specific medical contraindication; or (c) Possessing a nonmedical exemption for any of the vaccines required by these rules.	(33) "Susceptible" has the meaning given that term in OAR 333-019-0010.
(29) "These Rules" means OAR 333-050-0010 through 333-050-0140.	(34) "These rules" means OAR 333-050-0210 through 333-050-0410.
(30) "Transferring Child" means a child moving from: (a) One facility to another facility, only when records are requested in advance of attendance from a previous facility; (b) One school in this state to another school in this state when the move is not the result of a normal progression of grade level; or (c) A school in another state to a school in this state.	(35) "Transferring child" has the meaning given that term in ORS 433.267.
(31) "Up-to-Date" means not complete, currently on schedule and not subject to exclusion, based on the immunization schedule for spacing doses, as prescribed in OAR 333-050-0120. 333-050-0040 Statements (Records) Required	(36) "Up-to-date" means not complete with required immunizations but currently on schedule and not subject to exclusion, based on the immunization schedule for spacing doses, as prescribed in the Primary Review Table described in OAR 333-050-0240(1).

Current Text	Proposed Text
<p>(9) A child may attend a school or facility under ORS 433.267(1) if the child is up-to-date and remains up-to-date and in compliance with immunization schedules for spacing between doses presented in OAR 333-050-0120.</p>	
<p>333-050-0010 Definitions Used in the Immunization Rules</p> <p>(32) "Vaccine Educational Module" means a resource approved by the Public Health Division to fulfill the requirement of receiving information about the risks and benefits of immunization in order to claim a nonmedical exemption.</p>	<p>(37) "Vaccine educational module" means an education module approved by the Public Health Division to fulfill the requirement in ORS 433.267(1)(c)(B)(ii) to claim a nonmedical exemption.</p>
<p>333-050-0010 Definitions Used in the Immunization Rules</p> <p>(9) "Exempted Children's Facilities" are those that:</p> <ul style="list-style-type: none"> (a) Are primarily for supervised training in a specific subject, including, but not limited to, dancing, drama, or music; (b) Are primarily an incident of group athletic or social activities sponsored by or under the supervision of an organized club or hobby group; (c) Are operated at a facility where children may only attend on a limited basis not exceeding four different days per year; or (d) Are operated on an occasional basis by a person, sponsor, or organization not ordinarily engaged in providing child care. <p>333-050-0020 Purpose and Intent</p>	<p>333-050-0220 Exempt Children's Facility and Schools</p> <p>The following schools and children's facilities are exempt from the requirements in these rules:</p> <ul style="list-style-type: none"> (1) Schools and facilities whose primary purpose is to supervise the training of children in a specific subject including but not limited to, dancing, drama, or music. (2) Schools and facilities whose primary purpose is related to children's group athletic or social activities sponsored by or under the supervision of an organized club or hobby group. (3) Schools and facilities operated at a location where children may only attend on a limited basis not more than four different days per year.

Current Text	Proposed Text
<p>(4) The only exception is for family child care homes, either registered or exempt from registration, providing child care, six weeks of age to kindergarten entry, in a residential or nonresidential setting. These programs are exempt from all requirements except an up-to-date Certificate of Immunization Status form on each child in attendance.</p>	<p>(4) Schools and facilities operated on an occasional basis by a person, sponsor, or organization not ordinarily engaged in providing child care.</p> <p>(5) Registered family child care homes, as defined in OAR 414-205-0010 (22).</p>
<p>333-050-0040 Statements (Records) Required</p> <p>(2) If age appropriate, required for the child's grade level, and the child has not claimed an exemption or immunity documentation, a minimum of one dose each of the following vaccines must be received for new enterers prior to attendance: Polio, Measles, Mumps, Rubella, Hepatitis B, Hepatitis A, Varicella, Haemophilus influenzae Type b vaccine and Diphtheria/Tetanus/Pertussis containing vaccine. (See Primary Review Table); [Table not included. See ED. NOTE.]</p> <p>333-050-0020 Purpose and Intent</p> <p>(1) The purpose of these rules is to implement ORS 433.235 through 433.284, which require evidence of immunization, a medical or nonmedical exemption, or immunity documentation for each child as a condition of attendance in any school or facility, and</p>	<p>333-050-0230 Immunization Requirements to Attend a Children's Facility or School</p> <p>(1) Prior to attending any children's facility or school in Oregon, the parent of a newly entering child must submit to the administrator:</p> <p>(a) Documentation of a minimum of one dose of each vaccine required for the child's age and grade as identified in OAR 333-050-0240 through 333-050-0250;</p> <p>(b) A medical or nonmedical exemption from vaccinations in accordance with OAR 333-050-0270; or</p> <p>(c) Immunity documentation, in accordance with OAR 333-050-050-0260.</p>

Current Text	Proposed Text
<p>which require exclusion from school or facility attendance until such requirements are met.</p> <p>(2) The intent of the school and facility immunization statutes and these rules is to require that:</p> <p>(a) A new enterer provide a signed and dated Certificate of Immunization Status form documenting evidence of immunization, documentation of medical or nonmedical exemption, or immunity documentation.</p>	
<p>(1) (b) A transferring child provide evidence of immunization, immunity documentation or an exemption:</p> <p>(A) Within 30 days of initial attendance if records will be requested from a school in the United States;</p> <p>(B) Prior to initial attendance, as specified in OAR 333-050-0020(2)(a), if records will not be requested from a school in the United States;</p> <p>(C) Prior to initial attendance, as specified in OAR 333-050-0020(2)(a), if the child is transferring from one facility to another;</p> <p>(c) A child currently attending not be allowed to continue in attendance without complete or up-to-date evidence of immunization, immunity documentation, or an exemption.</p> <p>333-050-0040 Statements (Records) Required</p> <p>(6) When a transferring student enters an Oregon school, the receiving school will attempt to obtain immunization records from the previous school. If immunization records are not immediately</p>	<p>(2) If a transfer record does not arrive from a previous school within 30 days, the parent of a transferring child must submit to the administrator:</p> <p>(a) Documentation of required immunizations as identified in OAR 333-050-0240 through 333-050-0250;</p> <p>(b) A medical or nonmedical exemption from vaccinations in accordance with OAR 333-050-0270; or</p> <p>(c) Immunity documentation, in accordance with OAR 333-050-050-0260.</p>

Current Text	Proposed Text
<p>available, the receiving school may, according to school policy, allow the student to enroll conditionally. If immunization records are not received, the school will include the student on the Primary Review Summary report.</p> <p>(7) If the student transfers to a new school district, except when the move is due to the normal progression of grade levels, such as to a junior high or senior high from a feeder school, the receiving school shall ensure that the transferred records are on a signed Certificate of Immunization Status form or another Public Health Division-approved form. The original transferred records that are not on an approved form shall be attached to a Certificate of Immunization Status form and the form shall be marked with a reference to the attached records, signed, and dated by the person transcribing the information on the form.</p> <p>(8) The records relating to the immunization status of children in schools shall be transferred to the receiving schools pursuant to ORS 326.575(2) within 30 days.</p>	
<p>333-050-0030 Visitors, Part-Time Students, and Residents</p> <p>(4) For facilities providing drop-in child care, a child may attend on up to four different days without a Certificate of Immunization Status on file. Before allowing attendance on the fifth visit, a Certificate of Immunization Status must be provided showing at least one dose of each required vaccine or an appropriately signed exemption.</p>	<p>(3) For children’s facilities providing drop-in child care, the parent of a newly entering child must submit to the administrator the same information required in section (1) of this rule prior to the child attending on the fifth visit.</p>
<p>333-050-0040 Statements (Records) Required</p>	<p><i>Removed from proposed text.</i></p>

Current Text	Proposed Text
<p><i>(9) When a new enterer is admitted in error to a school or facility without an immunization history, immunity documentation or appropriately signed exemption, the school or facility may contact the local health department to request that an Exclusion Order for No Record be issued, or include the student on the Primary Review Summary report.</i></p>	
<p>333-050-0020 Purpose and Intent</p> <p><i>(6) Nothing prohibits a school, children's facility, or post-secondary educational institution from adopting additional or more stringent requirements than the statutes or rules as long as:</i></p> <p><i>(a) Medical and nonmedical exemptions and immunity documentation are included;</i></p> <p><i>(b) The requirements are in compliance with the recommendations of the Advisory Committee on Immunization Practices, Department of Health and Human Services, Centers for Disease Control and Prevention; and</i></p> <p><i>(c) Public schools are required to allow transferring students at least 30 days to provide an immunization record.</i></p>	<p><i>Removed from proposed text. Establishment of more stringent requirements is discussed in ORS 433.284.</i></p>
<p><i>(7) Nothing in these rules is intended to prevent a person from using or accepting an electronic form, using or accepting an electronic signature as that is defined in ORS 84.004, or using, accepting, transmitting or storing documents electronically.</i></p>	<p><i>(4) Nothing in this rule is intended to prevent a person from using or accepting an electronic document, using or accepting an electronic signature, or using, accepting, transmitting or storing documents electronically.</i></p>
<p>333-050-0120 Immunizations Schedules for Spacing of Doses</p>	<p>333-050-0240 Immunization Requirements</p>

Current Text	Proposed Text
<p>See Primary Review Table for the judgment of compliance or non-compliance with the required immunizations. [ED. NOTE: To view tables referenced in rule text, click here to view rule.]</p>	<p>(1) The following are required immunizations for children attending a school or children’s facility, along with the required number of doses for the child’s age or grade as described in the Primary Review Table [https://www.oregon.gov/oha/OH/PREVENTION_WELLNESS/VACCINES/IMMUNIZATION/GETTINGIMMUNIZED/Documents/SchPrimRevTbl.pdf], incorporated by reference, unless a child has immunity documentation for certain diseases listed in OAR 333-050-0260, or a child has a medical or nonmedical exemption.</p>
<p>333-050-0050 Immunization Requirements</p> <p>(2) For purposes of ORS 433.267(1), immunizations are required as follows (see Primary Review Table to determine the number of required doses for a child’s age or grade):</p> <p>(a) Diphtheria/Tetanus/Pertussis containing vaccine (DTaP) — Five doses must be received unless:</p> <p>(A) The fourth dose was given at, within four days prior to or after the fourth birthday, in which case the child is complete with four doses; or</p> <p>(B) The third dose of Diphtheria/Tetanus containing vaccine was received at, within four days prior to or after the seventh birthday, in which case the child is complete with three doses.</p> <p>(b) Polio — Four doses must be received unless:</p>	<p>(a) Diphtheria/Tetanus/Pertussis containing vaccine (DTaP) — Five doses unless:</p> <p>(A) The fourth dose was given on or after the fourth birthday, then only four doses are required. The fourth dose given within four days prior to the fourth birthday is acceptable; or</p> <p>(B) The third dose was given on or after the seventh birthday, then only three doses are required. The third dose given within four days prior to the seventh birthday is acceptable.</p> <p>(b) Tetanus/Diphtheria/Pertussis booster (Tdap) — One dose given on or after the seventh birthday. A dose given within four days prior to the seventh birthday is acceptable,</p> <p>(c) Polio — Four doses unless:</p> <p>(A) The third dose was given on or after the fourth birthday, then only three doses are required. The third dose given within four days prior to the fourth birthday is acceptable; or</p> <p>(B) The child is 18 years of age or older. Polio vaccination at or after the 18th birthday is not required.</p>

Current Text	Proposed Text
<p>(A) The third dose was given at, within four days prior to or after the fourth birthday, in which case the child is complete with three doses of polio vaccine; or</p> <p>(B) The student is 18 years of age or older. Polio vaccination at or after the 18th birthday is not required.</p> <p>(c) Measles — Two doses must be received at or after 12 months of age. Vaccine doses given four days or fewer before 12 months of age are acceptable. The second dose must be received at least 24 days after first dose.</p> <p>(d) Rubella — One dose must be received at or after 12 months of age. Vaccine doses given four days or fewer before 12 months of age are acceptable.</p> <p>(e) Mumps — One dose must be received at or after 12 months of age. Vaccine doses given four days or fewer before 12 months of age are acceptable.</p> <p>(f) Haemophilus influenzae Type b (Hib) — Up to four doses depending on the child's current age and when previous doses were administered.</p> <p>(g) Hepatitis B — Up to three doses must be received. If the first dose was received at or after 11 years of age and the second dose is received at least four months after dose one, the child is complete with two doses. Vaccine doses given four days or fewer before the 11th birthday are acceptable. If the first dose was received at or after 18 years of age, the student is complete with two doses.</p> <p>(h) Varicella — Up to two doses must be received, depending on the child's age when the first dose was administered. The first dose</p>	<p>(d) Varicella — One dose given on or after the first birthday. A dose given within four days prior to the first birthday is acceptable, unless:</p> <p>(A) The first dose was received at or after 13 years of age, in which case, two doses are required.</p> <p>(B) If a second dose is required, the second dose must be received at least 24 days after first dose.</p> <p>(e) Measles — Two doses given on or after the first birthday. A dose given within four days prior to the first birthday is acceptable. The second dose must be received at least 24 days after first dose.</p> <p>(f) Mumps — One dose is required, given on or after the first birthday. A dose given within four days prior to the first birthday is acceptable.</p> <p>(g) Rubella — One dose given on or after the first birthday. A dose given within four days prior to the first birthday is acceptable.</p> <p>(h) Hepatitis B — Three doses unless:</p> <p>(A) The first dose was given on or after the 11th birthday, and the second dose was given at least four months after the first dose, in which case only two doses are required. The first dose given within four days prior to the 11th birthday is acceptable; or</p> <p>(B) The first dose was received at or after 18 years of age, in which case the student is complete with two doses.</p> <p>(i) Hepatitis A — Two doses given on or after the first birthday. A dose given within four days prior to the first birthday is acceptable.</p> <p>(j) Haemophilus influenzae Type b (Hib) — Up to four doses depending on the child's current age and when previous doses were administered.</p>

Current Text	Proposed Text
<p>must be received at or after 12 months of age. Vaccine doses given four days or fewer before 12 months of age are acceptable. Second dose, if required, must be received at least 24 days after first dose.</p> <p>(i) Hepatitis A — Two doses must be received at or after 12 months of age. Vaccine doses given four days or fewer before 12 months of age are acceptable. Beginning school year 2008–2009, the requirement for Hepatitis A vaccine will be phased in by grade. (See Primary Review Table, OAR 333-050-0120.)</p> <p>(j) Tetanus/Diphtheria/Pertussis booster (Tdap) — One dose must be received at or after seven years of age, unless the last Diphtheria/Tetanus containing vaccine was given less than five years ago.</p>	
<p>(3) Interrupted series: If there is a lapse of time between doses longer than that recommended by the standard described in OAR 333-050-0120, the schedule should not be restarted. Immunization may resume with the next dose in the series.</p>	<p>(2) If there is a lapse of time between doses longer than that recommended by the standard described in the Primary Review Table in section (1) of this rule, the dose still counts for purposes of compliance with these rules.</p>
<p>(11) In situations where a child's vaccine history presents an unusual problem not covered by these rules, the local health department may use its judgment to make a final determination of the child's immunization status.</p>	<p>(3) In situations where a child's immunization history makes it difficult to determine whether the child has received all of the required immunizations, the administrator must request that the local health department make a final determination of the child's immunization status.</p>
<p>333-050-0040 Statements (Records) Required</p> <p>(1) The statement initially documenting evidence of immunization, immunity or exemption under ORS 433.267(1)(a) through (c) must</p>	<p>333-050-0250 Documentation of Immunizations</p> <p>(1) Documentation of immunization must be on:</p>

Current Text	Proposed Text
<p>be on a Certificate of Immunization Status form or a form approved by the Public Health Division and include one or more of the following:</p> <p>(a) Evidence of immunization signed by the parent, health care practitioner or an authorized representative of the local health department;</p>	<p>(a) A Certificate of Immunization Status form with the required signatures, along with evidence of immunization; or (b) A record from the ALERT Immunization Information System with evidence of immunization.</p>
<p><i>(3)(b) Pre-signed Certificate of Immunization Status forms without vaccine dates are not allowed.</i></p>	<p><i>Removed from proposed text.</i></p>
<p>(3)(c) If a Certificate of Immunization Status form is signed but not dated, the person who receives the form at the school or facility may date the form with the date it was received.</p>	<p>(2) A person at a school or facility who receives a Certificate of Immunization Status form that is signed but not dated, may date the form with the date it was received.</p>
<p>(3) Evidence of immunization shall include the month, day and year of each dose of each vaccine received and must be appropriately signed and dated to indicate verification by the signer.</p> <p>(a) If evidence of immunization includes the month and year, but the day of the dose is not provided, the administrator shall attempt to get the day of immunization from the parent, the ALERT Immunization Information System or another source. If no day is obtainable, the administrator may use the last day of the month to assess the immunization status for the child.</p>	<p>(3) If a school or facility receives evidence of immunization that includes the month and year, but not the day the dose was received, the administrator must attempt to get the missing information from the parent, the ALERT Immunization Information System or another source. If no day of dose information is obtained the administrator may use the last day of the month to assess the immunization status for the child.</p>
<p>(4) The school or facility may choose to complete or update a Certificate of Immunization Status form, by transcribing dates from, attaching and referencing on the form, one or more of the following records listed in subsections (a) through (f) of this section.</p> <p>(a) A health care practitioner documented immunization record;</p> <p>(b) An unsigned record on health care practitioner or clinic letterhead;</p>	<p>(4) If the parent of a child does not submit all the documentation required in this rule, the children’s facility or school may choose to complete or update a Certificate of Immunization Status form, using one or more of the following records and attaching the respective record to the Certificate of Immunization Status form:</p> <p>(a) A health care practitioner documented immunization record.</p>

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<p>(c) An unsigned record printout from the statewide immunization information system, ALERT IIS. ALERT IIS records may be placed in the student's file without transcription onto a Certificate of Immunization Status as long as the printout represents a complete or up-to-date immunization history. If the ALERT IIS record is an update to the Certificate of Immunization Status, it may be attached to the original certificate without transcription;</p> <p>(d) An unsigned record printout from a computer system approved by the Public Health Division as specified in OAR 333-050-0060(5). Record printouts for Public Health Division-approved computer systems may be placed in the student's file without transcription onto a Certificate of Immunization Status as long as the printout represents a complete or up-to-date immunization history, and includes a history of chickenpox disease if present;</p> <p>(e) A written statement signed and dated by the parent; or</p> <p>(f) A statement electronically mailed by the parent.</p> <p>(5) The Certificate of Immunization Status form must be signed and dated by the person transcribing the information.</p>	<p>(b) A record with the immunization information that clearly identifies it as having been created by the health care practitioner or a health system, such as but not limited to:</p> <p>(A) A print-out from an electronic medical record.</p> <p>(B) A print-out from the ALERT Immunization Information System.</p> <p>(C) A print-out from another state's immunization information system.</p> <p>(c) A print-out from a children's facility's or school's computer system if approved by the Public Health Division (Division) in accordance with OAR 333-050-0300.</p> <p>(d) A written immunization record signed and dated by the parent and provided by the facility or school.</p> <p>(e) An immunization record sent electronically by the parent to the facility or school.</p> <p>(5) If an individual at a children's facility or school completes the Certificate of Immunization Status form as permitted under section (4) of this rule, it must be signed and dated by that individual.</p>
<p>(10) When a child is determined by the facility, school or school district to be homeless and does not have a completed Certificate of Immunization Status on file with the school, the student will be allowed to enroll conditionally.</p> <p>(a) If immunization records are not received the school will include the student on the Primary Review Summary report or contact the local health department to request that an Exclusion Order for No Record be issued with an exclusion date of not less than 30 days after initial attendance.</p>	<p>(6) When a child is determined by the facility, school or school district to be houseless and does not have a completed Certificate of Immunization Status on file with the school, the student shall be allowed to enroll conditionally.</p> <p>(a) The enrolling school shall immediately refer the parent or guardian of the student to the school district houseless student liaison who shall assist in obtaining necessary immunizations or screenings, or immunization or other required health records.</p>

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<p>(b) School staff shall make every effort to help the family compile an immunization record for the student, including requesting a record from a previous school, ALERT IIS or a previous medical provider.</p>	<p>(b) The enrolling school staff shall make every effort to help the family compile an immunization record for the student, including requesting a record from a previous school, ALERT Immunization Information System or a previous medical provider.</p> <p>(c) If after completion of the steps described in subsection (a) and (b) of this section and review of the student's individual circumstances, immunization records are not received, the enrolling school shall include the student on the Immunization Report, and the local health department shall proceed as described in OAR 333-050-0290 and 333-050-0310.</p>
<p>(14) When a child reaches the age of medical consent in Oregon, 15 years of age, the child may sign his or her own Certificate of Immunization Status and complete the process for obtaining a nonmedical exemption.</p>	<p>(7) For children 15 years of age or older, a school may accept a Certificate of Immunization Status form signed by the child.</p>
<p>333-050-0020 Purpose and Intent</p> <p>(7) Nothing in these rules is intended to prevent a person from using or accepting an electronic form, using or accepting an electronic signature as that is defined in ORS 84.004, or using, accepting, transmitting or storing documents electronically.</p>	<p>(8) Nothing in this rule is intended to prevent a person from using or accepting an electronic document, using or accepting an electronic signature, or using, accepting, transmitting or storing documents electronically.</p>
<p>333-050-0040 Statements (Records) Required</p> <p>(1) The statement initially documenting evidence of immunization, immunity or exemption under ORS 433.267(1)(a) through (c) must be on a Certificate of Immunization Status form or a form approved</p>	<p>333-050-0260 Immunity Documentation</p> <p>(1) If a child has immunity documentation to any of the diseases in this rule such documentation satisfies the immunization</p>

Current Text	Proposed Text
<p>by the Public Health Division and include one or more of the following:</p> <p>(c) A written statement of immunity documentation approved by an authorized representative of the local health department;</p> <p>(e) A written statement of disease history (immunity documentation) for varicella signed by a <i>parent</i>, physician or authorized representative of the local health department.</p> <p>333-050-0050 Immunization Requirements</p> <p>(6) The following immunity documentation satisfies the immunization requirements for the specified vaccines:</p> <p>(a) Immunity documentation for Measles, Mumps or Rubella vaccination due to a disease history may be certified by a physician or an authorized representative of the local health department for a child who has immunity based on a health care practitioner's diagnosis;</p> <p>(b) Immunity documentation for Measles, Mumps or Rubella vaccination due to a documented immune titer may be certified by a physician or an authorized representative of the local health department;</p> <p>(c) Immunity documentation for Hib vaccination may be certified by a physician or authorized representative of the local health department for a child who experienced invasive Haemophilus influenzae Type b disease at 24 months of age or older;</p>	<p>requirements for these rules. Immunity documentation must be included with the Certificate of Immunization Status form.</p> <p>(a) Measles, Mumps or Rubella due to a disease history.</p> <p>(b) Measles, Mumps or Rubella due to a documented immune titer.</p> <p>(c) Invasive Haemophilus Influenza Type b disease at 24 months of age or older.</p> <p>(d) Varicella due to documented immunity titer or disease history.</p> <p>(e) Hepatitis B based on laboratory confirmation of immunity or confirmation of carrier status.</p> <p>(f) Hepatitis A based on laboratory confirmation of immunity.</p>

Current Text	Proposed Text
<p>(d) Immunity documentation for Varicella vaccine may be signed by the parent for history of varicella. The date of the disease is not required. This immunity documentation will be automatically authorized by the local health department.</p> <p>(e) Immunity documentation for Varicella based on laboratory confirmation of immunity may be certified by a physician or authorized representative of the local health department;</p> <p>(f) Immunity documentation for Hepatitis B vaccination based on laboratory confirmation of immunity or confirmation of carrier status may be certified by a physician or authorized representative of the local health department; and</p> <p>(g) Immunity documentation for Hepatitis A vaccination based on laboratory confirmation of immunity may be certified by a physician or authorized representative of the local health department.</p>	
<p>(8) Exemptions and immunity documentation submitted to the school or facility must be in English.</p>	<p><i>Removed from proposed text.</i></p>
<p>333-050-0020 Purpose and Intent</p> <p>(7) Nothing in these rules is intended to prevent a person from using or accepting an electronic form, using or accepting an electronic signature as that is defined in ORS 84.004, or using, accepting, transmitting or storing documents electronically.</p>	<p>(2) Nothing in this rule is intended to prevent a person from using or accepting an electronic document, using or accepting an electronic signature, or using, accepting, transmitting or storing documents electronically.</p>
<p>333-050-0040 Statements (Records) Required</p>	<p>333-050-0270 Record of Immunization Exemptions</p> <p>(1) Medical Exemptions.</p>

Current Text	Proposed Text
<p>(1) The statement initially documenting evidence of immunization, immunity or exemption under ORS 433.267(1)(a) through (c) must be on a Certificate of Immunization Status form or a form approved by the Public Health Division and include one or more of the following:</p> <p>(b) A written statement of medical exemption signed by a physician or authorized representative of the local health department and approved by an authorized representative of the local health department;</p>	<p>(a) A parent may claim a medical exemption from an immunization for a child for one or more of the vaccines required in these rules.</p> <p>(b) A parent claiming a medical exemption on or after August 1, 2025, must submit a medical exemption form to the administrator.</p> <p>(c) The administrator must submit all medical exemption forms to the local health department. The local health department must review the forms to ensure all the fields are complete and to verify that the documentation includes a contraindication or precaution in accordance with the current recommendations of the Advisory Committee on Immunization Practices.</p> <p>(d) If the medical exemption form does not contain a contraindication or precaution in accordance with the current recommendations of the Advisory Committee on Immunization Practices, or lacks the information stated in OAR 333-050-0210(21), the local health department must inform the school or facility that the medical exemption form lacks the required elements for a nonmedical exemption, and the school or facility must inform the parent. A medical exemption form may be resubmitted with all of the required elements for reevaluation.</p> <p>(e) The local health department must categorize a medical exemption as temporary or permanent based on the duration that the contraindication or precaution is expected to last.</p>
<p>333-050-0050 Immunization Requirements</p>	<p><i>Removed from proposed text.</i></p>

Current Text	Proposed Text
<p><i>(7) Children possessing the following medical exemptions are susceptible to the diseases for which they are exempt from vaccination:</i></p> <p><i>(a) Exemption for Measles, Mumps, Rubella or Varicella vaccination may be certified by a physician or an authorized representative of the local health department for a post-pubertal female when she is currently pregnant or there is a significant risk of her becoming pregnant within one month; and</i></p> <p><i>(b) Exemption for one or more immunizations shall be established by a diagnosis based on a specific medical contraindication certified in a letter from the physician or an authorized representative of the local health department. The vaccines, medical diagnosis, practitioner's name, address and phone number must be documented and attached to the record.</i></p>	
<p>333-050-0040 Statements (Records) Required</p> <p>(1) The statement initially documenting evidence of immunization, immunity or exemption under ORS 433.267(1)(a) through (c) must be on a Certificate of Immunization Status form or a form approved by the Public Health Division and include one or more of the following:</p> <p>(d) A written statement of nonmedical exemption signed by the parent, including documentation of completion of a vaccine educational module approved by the Public Health Division or signature of a health care practitioner verifying that the risks and benefits of immunizations have been discussed with the parent; or</p>	<p>(2) Nonmedical Exemptions.</p> <p>(a) A parent may claim a nonmedical exemption from an immunization for a child for one or more of the vaccines required in these rules.</p> <p>(b) A parent claiming a nonmedical exemption must complete and submit a Certificate of Immunization Status form to the administrator in accordance with these rules, and must submit:</p>

Current Text	Proposed Text
<p>333-050-0050 Immunization Requirements</p> <p>(12) A nonmedical exemption from immunization requirement is allowed for one or more of the vaccines. Parents claiming a nonmedical exemption must select which vaccines a child is being exempted from by checking the appropriate boxes on the Certificate of Immunization Status and submit the Certificate of Immunization status and the documentation specified in OAR 333-050-0040(12)(a)(C) or 333-050-0040(12)(b)(B) to the school or facility.</p> <p>(c) Parents claiming a nonmedical exemption must provide documentation of completion of a vaccine educational module or a signed document from a health care practitioner to the administrator.</p> <p>(d) The administrator must keep a copy of the documentation of nonmedical exemption with the child’s Certificate of Immunization Status.</p>	
<p>333-050-0040 Statements (Records) Required</p> <p>(13) The evidence of nonmedical exemption from a health care practitioner or the viewing of the educational module must:</p> <p>(a) Have occurred within 12 months of the parent signing of the nonmedical exemption; and</p>	<p>(A) Documentation that the parent has completed a vaccine educational module approved by the Public Health Division within the previous 12 months; or</p>
<p>(12) Evidence of nonmedical exemption must include documentation that the parent has completed a vaccine educational</p>	<p>(B) Documentation that the parent has discussed with a health care practitioner within the previous 12 months the risks and benefits of</p>

Current Text	Proposed Text
<p>module approved by the Public Health Division or signature from a health care practitioner verifying that risks and benefits of immunization have been discussed with the parent. Information provided must be consistent with information published by the Centers for Disease Control and Prevention, including epidemiology, the prevention of disease through use of vaccination, and the safety and efficacy of vaccines.</p> <p>(b) A health care practitioner may discuss with the parent the risks and benefits of immunization and provide documentation for the parent to claim a nonmedical exemption.</p> <p>(A) The information provided by the health care practitioner must contain the substantive content of Internet based vaccine educational module made available by the Public Health Division. The content may be adjusted to meet individual parents' concerns.</p> <p>(B) The health care practitioner will provide documentation to parents on a form prescribed by the Public Health Division that the practitioner has provided vaccine information to the parent.</p>	<p>immunization that is consistent with information published by the U.S. Centers for Disease Control and Prevention and consistent with the contents of the vaccine educational module approved by the Public Health Division and contains the signature of the health care practitioner, on a form prescribed by the Oregon Health Authority.</p>
<p>(12)(a)(C) An official certification receipt to provide documentation of completion of the vaccine educational module must be in a form approved by the Public Health Division, Immunization Program.</p>	<p>(c) Documentation of completion of the vaccine educational module must be on a form prescribed by the Public Health Division, Immunization Program.</p>
<p>(13) The evidence of nonmedical exemption from a health care practitioner or the viewing of the educational module must:</p> <p>(b) Specify the vaccines about which information about the benefits and risks has been provided and for which a nonmedical exemption may be claimed for the child.</p>	<p>(d) Documentation of nonmedical exemption must specify the vaccines about which information about the benefits and risks has been provided and for which a nonmedical exemption may be claimed for the child.</p>

Current Text	Proposed Text
<p>(14) When a child reaches the age of medical consent in Oregon, 15 years of age, the child may sign his or her own Certificate of Immunization Status and complete the process for obtaining a nonmedical exemption.</p>	<p>(e) For children 15 years of age or older, a school may accept a documentation of nonmedical exemption completed and signed by the child.</p>
<p>333-050-0020 Purpose and Intent</p> <p>(7) Nothing in these rules is intended to prevent a person from using or accepting an electronic form, using or accepting an electronic signature as that is defined in ORS 84.004, or using, accepting, transmitting or storing documents electronically.</p>	<p>(3) Nothing in this rule is intended to prevent a person from using or accepting an electronic document, using or accepting an electronic signature, or using, accepting, transmitting or storing documents electronically.</p>
<p>333-050-0060 Primary Review of Records</p> <p>(1) At least annually the administrator will conduct a primary review of each child's record to determine the appropriate category of each child. This review shall be completed no later than 35 calendar days prior to the third Wednesday in February unless otherwise approved in writing first by the local health department and then by the Public Health Division.</p> <p>(2) The administrator shall categorize all children as follows:</p> <p>(a) "Complete or Up-to-Date";</p> <p>(b) "Nonmedical Exemption": This category applies to any child whose incomplete immunizations are covered by a nonmedical exemption;</p> <p>(c) "Permanent Medical Exemption": This category applies to any child who is susceptible as evidenced by a medical exemption</p>	<p>333-050-0280 Primary Review of Records</p> <p>(1) At least annually the administrator must conduct a primary review of the immunization records for each child within that children's facility or school to determine the immunization status of each child. This review shall be completed no later than 42 calendar days prior to the fourth Wednesday in February unless otherwise requested by the local health department and approved by the Public Health Division.</p> <p>(2) The administrator must categorize each child's record as follows:</p> <p>(a) Complete or Up-to-date.</p> <p>(b) Nonmedical exemption.</p> <p>(c) Permanent medical exemption.</p> <p>(d) Temporary medical exemption.</p>

Current Text	Proposed Text
<p>statement on file as specified by OAR 333-050-0050(6), whose medical exemption statement has been reviewed by the local health department and has been determined to be based on a contraindication that is permanent;</p> <p>(d) "Temporary Medical Exemption": This category applies to any child who is susceptible as evidenced by a medical exemption statement on file as specified by OAR 333-050-0050(7), whose medical exemption statement has not been reviewed by the local health department, or whose medical exemption is not permanent;</p> <p>(e) "Incomplete/Insufficient";</p> <p>(f) "No Record": This category applies to any child with no record on file at the school or facility. This category also applies to any child with a nonmedical exemption signed on or after August 1, 2008 with no vaccines selected for nonmedical exemption and with no vaccine dates;</p> <p>(g) "Children not to be counted": School age children also attending a facility should be counted by the school. Children enrolled in a school but physically attending another school should be counted by the school they physically attend. Children attending a preschool or Head Start program and another facility should be counted by the preschool or Head Start program. Children physically attending more than one child care facility or school should be counted by the facility or school where they attend the most hours.</p> <p>(3) Thirty-five calendar days prior to the third Wednesday in February, unless otherwise approved in writing first by the local health department and then by the Public Health Division, the</p>	<p>(e) Incomplete/insufficient.</p> <p>(f) No record.</p> <p>(g) Children not to be counted. School age children also attending a facility should be counted by the school. Children enrolled in a school but physically attending another school should be counted by the school they physically attend. Children physically attending more than one facility or school should be counted by the facility or school where they attend the most hours.</p> <p>(3) An administrator must provide to the local health department, the following documents for secondary review, at least 42 calendar days prior to the fourth Wednesday in February, unless otherwise requested by the local health department and approved by the Public Health Division:</p> <p>(a) Copies of records categorized as "incomplete/insufficient" organized alphabetically by the child's last name.</p> <p>(b) Copies of records categorized as medical exemption, except those records that have been certified by the local health department as having a permanent medical exemption or immunity documentation and are otherwise complete with no further review required; and</p> <p>(c) A completed Immunization Report form that includes an alphabetical list for each category and includes children with no record, an incomplete record, or a temporary medical exemption. The form must include each child's name, current grade level, parent names and current mailing address. A printout from the facility's or the school's computer system that has been approved in accordance with OAR 333-050-0300 is acceptable.</p>

Current Text	Proposed Text
<p>administrator shall provide to the local health department for secondary review:</p> <p>(a) Organized alphabetically within category, copies of records or a computer printout of the records for all children with incomplete immunizations or insufficient information;</p> <p>(b) Copies of records of children with a medical exemption, except those records that have been certified by the local health department as having a permanent medical exemption or immunity documentation and are otherwise complete with no further review required.</p> <p>(c) A completed Primary Review Summary form that includes an alphabetical list for each category and includes children with no record. The form must include each child's name, current grade level, parent names and current mailing address. A computer-generated list from a system currently approved by the Public Health Division may be submitted in lieu of the Primary Review Summary form.</p> <p>(4) The administrator shall review the completed Primary Review Summary form for mathematical accuracy and correct any errors before forwarding the completed Primary Review Summary form to the local health department.</p> <p>(5) All copies of records provided to the local health department for secondary review must contain at least the following: The child's name, date of birth, and evidence of immunization or exemption. A copy of the records or a computer printout of the records must be used in place of the original record.</p>	<p>(4) The administrator shall review the completed Immunization Report form or printout to ensure accuracy and correct any errors before submitting it to the local health department.</p> <p>(5) All copies of records provided by the administrator to the local health department must contain at least the child's name, the child's date of birth, and the child's evidence of immunization or exemption. An administrator should not provide original documents to the local health department.</p>

Current Text	Proposed Text
<p>333-050-0100 Follow Up</p> <p><i>(1) In the event that the local health department receives records that are original documents from a school or facility, the local health department shall return such records to the administrator.</i></p> <p>333-050-0070 Secondary Review of Records</p> <p><i>(5) In the event that any of the above records are original documents, the local health department shall return such records to the administrator.</i></p>	<p><i>Removed from proposed text. Proposed OAR 333-050-0280 states to send copies and not originals.</i></p>
<p>333-050-0060 Primary Review of Records</p> <p>(6) Additional review cycles for incomplete or insufficient records with specific time-frames are allowable if:</p> <p>(a) Mutually agreed upon by the affected local health department and school or facility.</p> <p>(b) Additional exclusion cycles may be required at the direction of the local health department or the Public Health Division. Exclusion dates shall be no less than 14 calendar days from the date that the Exclusion Orders are mailed.</p> <p>(7) It is the responsibility of the administrator to see that primary review of immunization records is accomplished according to these rules. All or part of the actual review may be delegated by mutual</p>	<p>(6) Additional review cycles for incomplete or insufficient records with specific timeframes are allowable if:</p> <p>(a) Mutually agreed upon by the affected local health department and affected school or facility.</p> <p>(b) If required at the direction of the affected local health department or the Public Health Division.</p> <p>(7) An administrator is ultimately responsible for complying with this rule, but can delegate to others the functions of gathering the records and completing the necessary forms.</p>

Current Text	Proposed Text
<p>agreement of parties affected to a third party subject to this requirement.</p>	
<p>333-050-0070 Secondary Review of Records</p> <p>(1) The local health department shall conduct a secondary review of those records received from the administrator. The review shall begin 35 calendar days prior to the third Wednesday in February, unless otherwise approved by the Public Health Division.</p> <p>(2) In conducting secondary review of the records, the local health department shall review the Primary Review Summary for mathematical accuracy. Any errors should be corrected by contacting the affected school or facility. The local health department shall review each child's record that was received for appropriate medical or nonmedical exemptions and then use the Primary Review Table to determine each child's current immunization status for each of the required vaccines.</p> <p>(3) The local health department shall indicate on the Primary Review Summary form those children whose records are judged to be:</p> <p>(a) Complete/Up-to-date; or</p> <p>(b) Medically exempt, and whether temporary or permanent.</p> <p>(4) The local health department shall indicate on the Primary Review Summary form the specific vaccines that the exclusion order will need to be issued for children whose records are judged to be:</p> <p>(a) Incomplete/Insufficient; or</p>	<p>333-050-0290 Secondary Review of Records</p> <p>(1) The local health department shall conduct a secondary review of records received from the administrator pursuant to OAR 333-050-0280.</p> <p>(2) In conducting secondary review of the records, the local health department shall review the Immunization Report for accuracy. The local health department shall review each child's record that was received for appropriate medical or nonmedical exemptions and then use the Primary Review Table described in OAR 333-050-0240(1) to determine each child's current immunization status for each of the required vaccines.</p> <p>(3) After reviewing the records the local health department shall:</p> <p>(a) Indicate on the Immunization Report form those children whose records are judged to be:</p> <p>(A) Complete/up-to-date; and</p> <p>(B) Medically exempt.</p> <p>(b) For any child with an “incomplete/insufficient” record or no immunization record, indicate on the Immunization Report form the specific vaccines that the child is missing.</p> <p>(c) Retain copies of the records of children to be excluded for at least one year.</p> <p>(d) Provide the Immunization Report form with the department’s secondary review information to the administrator.</p>

Current Text	Proposed Text
<p>(b) No record. (6) The local health department shall submit an updated copy of the Primary Review Summary form to the administrator.</p> <p>333-050-0080 Exclusion</p> <p>(2) For all orders issued, one copy of the Exclusion Order shall be sent to the administrator and the local health department shall retain one copy. The local health department shall also retain copies of the records of children to be excluded until notification from the school or facility that such children are in compliance, or for one year.</p>	
<p>333-050-0070 Secondary Review of Records</p> <p><i>(9) It is the responsibility of the local health department to see that secondary review of immunization records is accomplished according to these rules. All or part of the actual review may be delegated by mutual agreement of parties affected to a third party subject to this requirement.</i></p>	<p><i>Removed from proposed text.</i></p>
<p>333-050-0060 Primary Review of Records</p> <p>(5) (a) Computer printouts and the results from computer-generated immunization assessments (computer outputs) must have the prior</p>	<p>333-050-0300 Children’s Facility or School Immunization Tracking Systems</p> <p>(1) A school or children’s facility may use a computer system that contains immunization information for children that accurately</p>

Current Text	Proposed Text
<p>approval of the Public Health Division. To receive approval to be used for the primary review report in January, computer printouts and computer outputs must be received by the Public Health Division no later than the last working day of November in the year prior to the year in which the primary review reports are due.</p> <p>(b) The Public Health Division will review computer printouts and computer outputs for essential data elements, the sequence of data elements, and specific test results as calculated by the computerized system.</p> <p>(c) Provisional approval will be given to a computer tracking system after correct assessment has been confirmed for test data and essential data elements in required reports. Computer tracking systems with provisional approval will be reviewed after use during the annual review and exclusion cycle. Final approval will be given after any programming errors identified during the cycle have been corrected by the tracking system and additional reports have been approved by the Public Health Division.</p> <p>(d) The Public Health Division also reserves the right to withdraw computer system approval.</p> <p><i>(e) When ORS 433.235 through 433.284 or these rules are amended, computer systems must be updated within 120 calendar days. The Public Health Division will then allow 60 calendar days for review, needed changes and final approval. Computer outputs that are not in compliance will not be authorized for use during the annual review and exclusion cycle.</i></p>	<p>calculates compliance with these rules and may use a printout from this system in lieu of filling out the Immunization Report form, if approved by the Public Health Division (Division).</p> <p>(2) In order to obtain Division approval, a children’s facility or school must submit a request in accordance with section (3) of this rule and have its system tested by the Division to ensure it contains all the required elements and can correctly determine a child’s immunization status, in accordance with the categories described in OAR 333-050-0280 and 333-050-0330.</p> <p>(3) Instructions for submitting a request for approval under this rule along with the information needed by the Division in order to test the system will be posted on the Division’s website, at [https://www.oregon.gov/oha/PH/PREVENTIONWELLNESS/VACCINESIMMUNIZATION/GETTINGIMMUNIZED/Documents/SchCompSysReq.pdf.] A request to test a computer system in time for the primary records review required under OAR 333-050-0280 must be received by the Division no later than the last working day of November.</p> <p>(4) Within a reasonable period of time of receiving a request for approval, the Division will review computer printouts and computer outputs for essential data elements, the sequence of data elements, specific test results as calculated by the computerized system, and accuracy of the compilation of data elements included on the Immunization Report form, in order to determine whether it can approve the request.</p> <p>(5) The Division may withdraw system approval at any time if it determines the system is not correctly determining a child’s</p>

Current Text	Proposed Text
	immunization status or is not accurately completing the Immunization Report forms.
<p>333-050-0060 Primary Review of Records</p> <p><i>(e) When ORS 433.235 through 433.284 or these rules are amended, computer systems must be updated within 120 calendar days. The Public Health Division will then allow 60 calendar days for review, needed changes and final approval. Computer outputs that are not in compliance will not be authorized for use during the annual review and exclusion cycle.</i></p>	<p><i>Removed from proposed text.</i></p>
<p>333-050-0080 Exclusion</p> <p>(1) The date of exclusion shall be the third Wednesday in February. (a) If additional exclusion cycles are conducted, the exclusion dates shall be set at <i>no less than 14 calendar days</i> from the date that the Exclusion Orders are mailed. (b) Exclusion occurs when records have not been received or updated by the starting time of the school or facility on the specified exclusion day. (2) The local health department shall use an Exclusion Order for Incomplete Immunization or Insufficient Information or an Exclusion Order for No Record depending upon the reason the child is found to be in non-compliance with ORS 433.267(1) and these rules: (a) At least 14 days before the exclusion day, the local health department shall mail by first class mail an appropriately completed</p>	<p>333-050-0310 Child Exclusion from School and Children’s Facility Attendance</p> <p><i>(1) The local health department shall issue a signed immunization order for each child who is not in compliance with ORS 433.267(1) and these rules no later than three weeks prior to the Immunization Day specified in section (3) of this rule unless otherwise specified in this rule.</i> (a) Immunization orders must be mailed by the local health department by first class to the mailing address of record for the child, as provided by the school or children’s facility, unless that information is known to be incorrect, in which case the local health department shall use reasonable efforts to obtain a valid mailing address.</p>

Current Text	Proposed Text
<p>and signed order of exclusion to the parent of each child determined to be out of compliance with these rules.</p> <p>(c) In the event that the local health department has knowledge that the address of the parent provided on the Primary Review Summary form is incorrect, the local health department shall use all reasonable means to notify the parent, including inquiries to the school or facility administrator, to establish the appropriate mailing address and sending home from the school a copy of the Exclusion Order with the child.</p> <p>(d) For all orders issued, one copy of the Exclusion Order shall be sent to the administrator and the local health department shall retain one copy. The local health department shall also retain copies of the records of children to be excluded until notification from the school or facility that such children are in compliance, or for one year.</p> <p>333-050-0070 Secondary Review of Records</p> <p>(7) The local health department shall initiate exclusion procedures for those children whose records are judged to have insufficient information or incomplete immunizations, or who have no record, in accordance with OAR 333-050-0080.</p>	<p>(b) If a valid mailing address cannot be obtained, the local health department must make arrangements to send a copy of the immunization order home with the child and shall use reasonable efforts to ensure the child’s parent receives the immunization order, including sending it via electronic mail.</p> <p>(2) The local health department must provide a copy of each immunization order to the administrator.</p>
<p>333-050-0080 Exclusion</p>	<p>(3) Starting on Immunization Day, the administrator shall prohibit any child who was issued an immunization order from attending the school or facility until the child has submitted records that indicate</p>

Current Text	Proposed Text
<p>(3) On the specified date of exclusion, the administrator shall exclude from school or facility attendance all children so ordered by the local health department until the requirements specified by the local health department are verified by the administrator in accordance with section (9) of this rule.</p> <p>(4) The local health department shall maintain copies of immunization records of children excluded and shall maintain contact with administrators regarding the status of such children.</p> <p>(5) If children whose records are not updated on the specified exclusion day arrive at their school or facility, the administrator shall make every effort to contact their parent by phone. The administrator shall place excluded children in a space away from the other children until their parent arrives to pick them up or until they are returned home by regular school district transportation.</p> <p>(7) Children who have been issued an Exclusion Order are not entitled to begin or continue in attendance in any school or facility in Oregon while the Exclusion Order is still in effect. Administrators who receive or are otherwise made aware of the records of a child from another school or facility containing an Exclusion Order that has not been cancelled shall notify the parent and immediately exclude the child until the requirements specified on the Exclusion Order are met and verified by the administrator.</p>	<p>compliance with these rules, and the records have been verified by the administrator in accordance with section (10) of this rule.</p> <p>(4) If children whose records are not updated on the specified Immunization Day arrive at their school or facility, the administrator shall make every effort to contact their parent by phone. The administrator shall place excluded children in a space away from the other children until their parent arrives to pick them up or until they are returned home by regular school district transportation.</p> <p>(5) An immunization order applies to a child's attendance at any school or children's facility in Oregon.</p>
<p>333-050-0100 Follow Up</p>	<p>(6) Immunization orders may be issued on a day other than Immunization Day if during a validation survey it is discovered that a child is out of compliance with the immunization requirements in ORS 433.267(1) and these rules.</p>

Current Text	Proposed Text
<p>(6) The local health department may issue Exclusion Orders as needed for compliance with these rules during the validation survey process.</p> <p>333-050-0070 Secondary Review of Records</p> <p>(8) Additional secondary review cycles with specific time frames are allowable for incomplete or insufficient records as mutually agreed upon in writing by the affected local health department and school or facility. Exclusion dates shall be no less than 14 calendar days from the date that the Exclusion Orders were mailed.</p>	<p>(7) Immunization orders may be issued on a day other than Immunization Day if agreed upon by the school or facility, local health department and the Public Health Division.</p> <p>(8) Additional exclusion cycles may be required at the direction of the local health department or the Public Health Division. An exclusion date shall be no less than 14 calendar days from the date that the immunization order is mailed.</p> <p>(9) The Public Health Division may issue an order changing the date for Immunization Day in part or all of the state, due to a local or state emergency, or due to the determination of vaccine shortage under ORS 433.040.</p>
<p>333-050-0080 Exclusion</p> <p>(9) Compliance:</p> <p>(a) For children excluded for insufficient information or incomplete immunizations, compliance will be achieved by submitting to the administrator one of the statements allowed in OAR 333-050-0040(1);</p> <p>(b) For children excluded for no record, compliance will be achieved by submitting to the administrator evidence of immunizations that includes at least one dose of each vaccine required for that grade or age, a medical or nonmedical exemption or immunity documentation.</p> <p>(c) When the administrator verifies that the required information has been provided or that an appropriate immunity documentation or</p>	<p>(10) Post exclusion compliance.</p> <p>(a) A child who has been issued an immunization order may come into compliance and return to attending a school or children’s facility by submitting the information identified in the immunization order, or otherwise providing evidence of compliance with ORS 433.267(1) and these rules, to the administrator.</p> <p>(b) When the administrator verifies that the required information has been provided and the child is in compliance with ORS 433.267(1) and these rules the child must be permitted to attend school or a children’s facility.</p>

Current Text	Proposed Text
<p>medical or nonmedical exemption has been provided, the child shall be in compliance with ORS 433.267(1) and these rules and qualified for school or facility attendance.</p>	
<p>333-050-0050 Immunization Requirements</p> <p>(10) If evidence is presented to the local health department that an Exclusion Order was issued in error <i>because a vaccine was given within the four-day grace period recommended by the Advisory Committee on Immunization Practices as published in the General Recommendations on Immunization</i>, the local health department shall rescind the Exclusion Order. The local health department shall notify the child's school or facility when an Exclusion Order is rescinded.</p>	<p>(11) If evidence is presented to the local health department that an immunization order was issued in error the local health department shall rescind the immunization order and immediately notify the child's school or children's facility, who shall immediately notify the parent that the child is in compliance.</p>
<p>333-050-0080 Exclusion</p> <p>(8) Students in treatment facilities or court-mandated residential correctional facilities, including but not limited to Oregon Youth Authority closed custody sites, are not subject to exclusion. The administrator of such treatment or residential correctional facilities must comply with all other provisions of these rules, including submission of the required reports as specified by these rules. The administrator must ensure that students have complete or up-to-date immunization records, a medical or nonmedical exemption or immunity documentation for all vaccines required for the student's grade.</p>	<p>(12) Treatment facilities or court-mandated residential correctional facilities that are operating a school, including but not limited to Oregon Youth Authority closed custody sites are not required to exclude children from school based on non-compliance with ORS 433.267(1) and these rules. The administrator must ensure that students have complete or up-to-date immunization records, a medical or nonmedical exemption or immunity documentation for all vaccines required for the student's grade.</p>

Current Text	Proposed Text
<p>333-050-0080 Exclusion</p> <p><i>(2) (b) If a student is listed by the school as the "person responsible," the Exclusion Order will be sent to the student.</i></p> <p><i>(6) If the excluded children do not meet the requirements specified by the local health department in accordance with section (9) of this rule and do not return to school within four school days, it is the responsibility of the public school administrator, as proper authority, to notify the attendance supervisor of the unexcused absence. The attendance supervisor is required to proceed as required in ORS 339.080 and 339.090.</i></p>	<p><i>Removed from proposed text. Attendance is discussed in ORS chapter 339.</i></p>
<p>333-050-0090 Review of Exclusion Orders</p> <p>(1) If a parent believes an Exclusion Order is in error, the parent shall contact the local health department and request that the local health department review and re-check the information to determine the accuracy of the Exclusion Order.</p> <p>(2) A local health department shall review and re-check a child's immunization records upon receipt of a request by a parent.</p> <p>(3) If the Exclusion Order is found by the local health department to be in error, or if compliance is achieved pursuant to OAR 333-050-0080(9), the Exclusion Order shall be rescinded.</p>	<p>333-050-0320 Requests to Review Immunization Orders</p> <p>(1) If a parent believes an immunization order is in error, the parent must contact the local health department and request that the local health department review and re-check the information to determine the accuracy of the immunization order.</p> <p>(2) A local health department must review and re-check a child's immunization records upon receipt of a request by a parent.</p> <p>(3) If the local health department finds an immunization order was issued in error the immunization order must be rescinded in accordance with OAR 333-050-0310.</p>
<p>333-050-0080 Exclusion</p>	<p>333-050-0330 Updating Immunization Report Forms; Local Health Department Review</p>

Current Text	Proposed Text
<p>(10) Twelve calendar days after the mandatory exclusion date, the administrator shall ensure that:</p> <p>(a) The Primary Review Summary form returned from the local health department is updated by appropriately marking the current status of each child as specified (including children listed as having no record);</p> <p>(b) The mathematics on the Primary Review Summary form are accurate including the number of children in the full school or children’s facility, kindergarten and seventh grade with:</p> <p>(A) The specified number of doses of each vaccine or all the doses required for the child’s grade;</p> <p>(B) Nonmedical exemptions for each vaccine;</p> <p>(C) Nonmedical exemptions from each source, whether documentation from a health care practitioner or vaccine educational module;</p> <p>(D) Nonmedical exemptions;</p> <p>(E) Medical exemptions; and</p> <p>(F) No record.</p> <p>(c) A copy of the revised Primary Review Summary form is submitted to the local health department on that day. The administrator shall maintain a file copy of the updated Primary Review Summary form.</p> <p>(11) The local health department shall review the updated Primary Review Summary form for mathematical accuracy. Any errors should be corrected by contacting the affected school or facility.</p>	<p>(1) No later than 12 calendar days after the mandatory exclusion date, the administrator shall ensure that:</p> <p>(a) The Immunization Report form returned from the local health department is updated by appropriately marking the current status of each child as specified (including children listed as having no record).</p> <p>(b) The information on the Immunization Report form is accurate including the number of children in attendance at the school or children’s facility, kindergarten, seventh grade, and any grades kindergarten through 12 with:</p> <p>(A) The specified number of doses of each vaccine or all the doses required for the child’s grade;</p> <p>(B) Nonmedical exemptions for each vaccine, the total number of nonmedical exemptions, and how many nonmedical exemptions for all required vaccines;</p> <p>(C) Nonmedical exemptions from each source, whether documentation from a health care practitioner or vaccine educational module;</p> <p>(D) Medical exemptions; and</p> <p>(E) No record.</p> <p>(c) A copy of the revised Immunization Report form is submitted to the local health department. The administrator shall maintain a copy of the updated Immunization Report form submitted to the local health department.</p> <p>(2) The local health department shall review the updated Immunization Report form for accuracy.</p>

Current Text	Proposed Text
<p>333-050-0050 Immunization Requirements</p> <p>(4) A child shall not be excluded from school for failing to receive a required vaccine if the State Health Officer has determined that there is a vaccine shortage and that is the reason the child has not received the vaccine. Any vaccine that has been waived due to a vaccine shortage will be required at the next review cycle, once the shortage has been lifted. The Public Health Division shall notify local health departments, schools and facilities of any shortages that affect their procedures under these rules.</p> <p>(5) The local public health officer, after consultation with the Public Health Division, may allow a child to attend a school or facility without meeting the minimum immunization requirements in case of temporary local vaccine shortage.</p> <p>(a) The local health department shall provide a letter signed by the local health officer to the parent of the affected student detailing which vaccines the student is being exempted from. The letter must state that the student will receive an Exclusion Order if the student's record is not updated with the missing doses prior to the next exclusion cycle.</p> <p>(b) A copy of the letter must be attached to the student's Certificate of Immunization Status on file at the school or facility.</p> <p>(c) A photocopied form letter signed by the local health officer may be used by the local health department when the shortage is expected to affect more than one child.</p>	<p>333-050-0340 Vaccine Shortages</p> <p>(1) A child shall not be excluded from a children's facility or school for failing to receive a required vaccine if the State Public Health Officer has determined that there is a vaccine shortage under ORS 433.040 and that is the reason the child has not received the vaccine. Any vaccine that has been waived due to a vaccine shortage will be required at the next review cycle, once the shortage has been lifted. The Public Health Division shall notify local health departments, schools and facilities of any shortages that affect their procedures under these rules.</p> <p>(2) During a local vaccine shortage, a local public health officer, after consultation with the Public Health Division, may allow a child to attend a school or facility without meeting the minimum immunization requirements in case of temporary local vaccine shortage.</p> <p>(a) If a child is exempted from a vaccine based on a local vaccine shortage, the local health department shall provide a letter signed by the local health officer to the parent of any affected student detailing which vaccines the student is being exempted from. The letter must state that the student will receive an immunization order if the student's record is not updated with the missing doses prior to the next exclusion cycle, unless the vaccine shortage continues.</p> <p>(b) A copy of the letter must also be provided to the children's facility or school and the administrator must include it with the child's immunization records on file at the school or facility.</p>

Current Text	Proposed Text
<p>(d) If the vaccine is still unavailable at the next exclusion cycle, the local health department, with the agreement of the Public Health Division, will not issue Exclusion Orders for the unavailable vaccine.</p>	
<p>333-050-0130 Second Dose Measles in Post Secondary Educational Institution</p> <p>(7) A student shall not be excluded from a post-secondary institution for failing to receive a required vaccine if the State Health Officer has determined that there is a vaccine shortage and that is the reason the student has not received the vaccine. Any vaccine that has been waived due to a vaccine shortage will be required at the next term or semester, once the shortage has been lifted.</p> <p>(8) The local public health officer, after consultation with the Public Health Division, may allow a student to attend an educational institution without meeting the minimum immunization requirements in case of temporary local vaccine shortage.</p> <p>(a) The local health department shall provide a letter signed by the local health officer to the affected student stating that the vaccine requirement is being postponed. The letter must give guidance to the post-secondary institution about when vaccine is expected to be available.</p> <p>(b) A photocopied form letter signed by the local health officer may be used by the local health department when the shortage is expected to affect more than one student.</p>	<p>(3) A student shall not be excluded from a post-secondary or community college institution for failing to receive a required vaccine if the State Public Health Officer has determined that there is a vaccine shortage and that is the reason the student has not received the vaccine. Any vaccine that has been waived due to a vaccine shortage will be required at the next term or semester, once the shortage has been lifted.</p> <p>(4) The local public health officer, after consultation with the Public Health Division, may allow a student to attend an educational institution without meeting the minimum immunization requirements in case of temporary local vaccine shortage.</p> <p>(a) The local health department shall provide a letter signed by the local health officer to the affected student stating that the vaccine requirement is being postponed. The letter must give guidance to the post-secondary institution about when vaccine is expected to be available.</p> <p>(b) A photocopied form letter signed by the local health officer may be used by the local health department when the shortage is expected to affect more than one student.</p>

Current Text	Proposed Text
<p>333-050-0140 Second Dose Measles in Community Colleges</p> <p>(6) A student shall not be excluded from a community college for failing to receive a required vaccine if the State Health Officer has determined that there is a vaccine shortage and that is the reason the student has not received the vaccine. Any vaccine that has been waived due to a vaccine shortage will be required at the next term or semester, once the shortage has been lifted.</p> <p>(7) The local public health officer, after consultation with the Public Health Division, may allow a student to attend an educational institution without meeting the minimum immunization requirements in case of temporary local vaccine shortage.</p> <p>(a) The local health department shall provide a letter signed by the local health officer to the affected student stating that the vaccine requirement is being postponed. The letter must give guidance to the community college about when vaccine is expected to be available.</p> <p>(b) A photocopied form letter signed by the local health officer may be used by the local health department when the shortage is expected to affect more than one student.</p>	
<p>333-050-0095 School/Facility Compliance</p>	<p>333-050-0350 School/Facility Compliance and Civil Penalties</p>

Current Text	Proposed Text
<p>(1) In the event that a school or facility fails to comply with these rules, the local health department shall make a verbal, documented contact with the non-compliant school or facility that covers:</p> <p>(a) The specific requirements of the state's immunization law and rules; and</p> <p>(b) Establishes a four-working-day time frame for the school or facility administrator to comply.</p> <p>(2) If the school or facility still fails to comply, the local health department shall notify the Public Health Division of the name and address of the school or facility.</p> <p>(3) The local health department shall send to the Public Health Division, via mail, electronic mail or facsimile, documentation of contacts made with the non-compliant school or facility.</p> <p>(4) Within five working days of notification by the local health department, the Public Health Division shall send a certified letter to the non-compliant school or facility that:</p> <p>(a) Notifies the school or facility that it is out of compliance and how it is out of compliance with the immunization law and rules;</p> <p>(b) Establishes seven calendar days to comply before the matter is referred to the Attorney General's office; and</p> <p>(c) Notifies the school or facility that a civil penalty may be imposed if the school or facility does not comply within seven calendar days.</p> <p>(5) The Public Health Division shall send copies of the letter to the Child Care Division of the Employment Department, the Department of Education and/or the school district superintendent as appropriate.</p>	<p>(1) If a school or facility fails to comply with these rules, the local health department shall notify that school or facility in writing, by electronic mail or letter, informing them of the following:</p> <p>(a) The specific rules the school or facility is not complying with.</p> <p>(b) What the school or facility needs to do to come into compliance.</p> <p>(c) The date by which compliance is required, with a four working day time frame.</p> <p>(2) The local health department will make a minimum of one attempt of verbal contact prior to the date established for compliance and document this attempt.</p> <p>(3) If the school or facility fails to meet the timeframe established for compliance, the local health department shall notify the Public Health Division (Division) of the name and address of the school or facility and provide the Division with written documentation to the school or facility, and any other supporting documentation.</p> <p>(4) After receiving a notification by a local health department, the Public Health Division shall send a certified letter ("Letter") to the non-compliant school or facility that:</p> <p>(a) Notifies the school or facility that it is out of compliance and how it is out of compliance with the immunization laws, including a citation to the applicable statutes and rules.</p> <p>(b) Describes what is required to come into compliance.</p> <p>(c) Establishes a compliance deadline.</p> <p>(d) Informs the school or facility that a civil penalty may be imposed if the school or facility does not meet the compliance deadline.</p> <p>(5) The Public Health Division shall send copies of the Letter to the local health department, the school administrator or school district's</p>

Current Text	Proposed Text
<p>(6) The Public Health Division shall notify the local health department of the new due date for compliance.</p> <p>(7) If the school or facility does not comply by the new due date, the local health department shall notify the Public Health Division.</p> <p>(8) The Public Health Division may impose a civil penalty on a school or facility that does not comply with the immunization law or rules after a notification of non-compliance. Civil penalties will be imposed as follows:</p> <p>(a) One day late in complying: \$100;</p> <p>(b) Two days late in complying: \$200;</p> <p>(c) Three days late in complying: \$300;</p> <p>(d) Four days late in complying: \$400;</p> <p>(e) Five days or more late in complying: \$500 per day until there is compliance.</p> <p>(9) A notice of imposition of civil penalties shall comply with ORS 183.745.</p> <p>(10) The Public Health Division shall forward all documentation of contacts to the Attorney General's office for action if the school or facility does not comply by the new date.</p>	<p>superintendent, and the Department of Early Learning and Care, as applicable,</p> <p>(6) Schools or facilities that fail to comply with these rules may be subject to civil penalties not to exceed \$500 per day per violation.</p> <p>(7) A notice of imposition of civil penalties shall comply with ORS 183.745.</p>
<p>333-050-0100 Follow Up</p> <p>(2) The administrator shall be responsible for updating records each time the parents, health care practitioner, or an authorized representative of the local health department provides evidence of immunization or exemption for each child.</p>	<p>333-050-0360 Updating Records</p> <p>(1) The administrator is responsible for updating records each time a child's parent, health care practitioner, or an authorized representative of the local health department provides evidence of immunization or exemption.</p>

Current Text	Proposed Text
<p>(4) The administrator shall maintain a system to track and report susceptible persons. The local health department may request that the list of persons susceptible to a disease be sorted by classroom, grade, or school. The administrator will provide the list within one calendar day of the local health department's request in order to facilitate appropriate disease control measures.</p>	<p>(2) The administrator shall maintain a system to track and report susceptible persons. The local health department may request that the list of persons susceptible to a disease be sorted by classroom, grade, or school. The administrator will provide the list within one calendar day of the local health department's request to facilitate appropriate disease control measures.</p>
<p>333-050-0040 Statements (Records) Required</p> <p><i>(11) Where a child attends both a facility and a school, the school is responsible for reporting and for enforcing these rules in accordance with the school and facility vaccine requirements. However, because of the need for outbreak control when school is not in session, the facility administrator will be responsible for requesting that the parent also provide an up-to-date Certificate of Immunization Status to the facility. If the parent does not comply, the facility administrator shall inform the parent that in the event of a case of vaccine preventable disease the child may be excluded until it is determined that the child is not susceptible or the local health authority has determined that the risk of exposure within the school or facility has passed.</i></p>	<p><i>Removed from proposed text.</i></p>
<p>333-050-0100 Follow Up</p> <p>(5) The local health department or the Public Health Division may conduct school or facility record validation surveys to ensure compliance with ORS 433.235 through 433.280 and these rules.</p>	<p>333-050-0370 Validation Surveys</p> <p>(1) The local health department or the Public Health Division may conduct school or facility record validation surveys to ensure compliance with ORS 433.235 through 433.280 and these rules.</p>

Current Text	Proposed Text
<p>(6) The local health department may issue Exclusion Orders as needed for compliance with these rules during the validation survey process.</p> <p>(7) The Public Health Division may issue Exclusion Orders when the Public Health Division is the recognized Public Health Authority in the county.</p>	<p>(2) If the local health department or Public Health Division finds children who are not in compliance with ORS 433.267(1) or these rules the local health department may issue immunization orders in the manner provided in OAR 333-050-0310.</p>
<p>333-050-0110 Annual Reporting Requirements</p> <p>(1) The local health department shall submit a County Immunization Status Report to the Public Health Division annually no later than 23 calendar days after the third Wednesday in February.</p> <p>(2) On or before the last day of April, the Public Health Division shall publicize a summary of the immunization status of children in schools, children’s facilities, kindergarten and seventh grade attending schools and facilities for each local public health jurisdiction.</p> <p>(3) On or before May 15, the local health department shall make available immunization rates to each school and children’s facility in the area served by the local health department, by disease, of children in the local area:</p> <p>(a) Compiled from school reports for kindergarten through 12th grade combined; and</p> <p>(b) Calculated from ALERT IIS for children 19 months up to kindergarten age.</p>	<p>333-050-0380 Annual Reporting Requirements</p> <p>(1) For purposes of this rule, “local area” is defined as the jurisdiction of the local health department.</p> <p>(2) The local health department shall submit the numbers from each school and children’s facility’s Immunization Report to the Public Health Division no later than 23 calendar days after the fourth Wednesday in February.</p> <p>(3) On or before April 30th of each year, the Public Health Division shall publicize a summary of the immunization status of children attending schools and facilities for each county.</p> <p>(4) On or before May 15th of every year the local health department shall make available to each school and children’s facility in the area served by the local health department, the following:</p> <p>(a) The immunization rates of children in the local area compiled from school reports for kindergarten through 12th grade categorized by disease; and</p>

Current Text	Proposed Text
<p>(4) The local health department may request assistance from the Oregon Health Authority in calculating the rates described in section (3) of this rule.</p> <p>(5) The administrator of the school or children’s facility must make available a summary of the immunization status, for the school or children’s facility and local area, by 30 days after the first day of school and by 30 days after the third Wednesday in February.</p> <p>(a) The summary of immunization status for the school or children’s facility must include:</p> <p>(A) The percentage of children with all the doses required for each child’s age or grade, by vaccine, for the school or children’s facility and for the local area;</p> <p>(B) The percentage of children with nonmedical exemptions by vaccine for the school or children’s facility;</p> <p>(C) The percentage of children with no record for the school or children’s facility;</p> <p>(D) The percentage of children with medical exemptions for one or more vaccine for the school or children’s facility;</p> <p>(E) The number of children for whom documentation of immunization status is required at the school or children’s facility;</p> <p>(F) The number of enrolled children for whom documentation of immunization status is not required at the school or children’s facility;</p> <p>(G) The number of children 18 months of age and younger in attendance at the school or children’s facility who are not required to have completed the full series of vaccines required before kindergarten because of their age.</p>	<p>(b) The immunization rates of children in the local area calculated from the ALERT Immunization Information System for children 19 months up to kindergarten age categorized by disease.</p> <p>(5) The administrator of the school or children’s facility must make available a summary of the immunization status, for the administrator’s school or children’s facility and a summary of the immunization status of children attending schools and facilities in the local area within 30 days after the first day of school and within 30 days after the fourth Wednesday in February, in accordance with section (6) of this rule. For facilities, both summaries must be made available within 30 days after the first day of school based on the school calendar in the local area.</p> <p>(6) A summary of immunization status for the school or children’s facility must include:</p> <p>(a) The percentage of children who are up to date on their immunizations by vaccine;</p> <p>(b) The percentage of children with nonmedical exemptions, by vaccine;</p> <p>(c) The percentage of children with no record;</p> <p>(d) The percentage of children with medical exemptions;</p> <p>(e) The total number of children;</p> <p>(f) The total number of enrolled children for whom documentation of immunization status is not required; and</p> <p>(g) The number of children 18 months of age and younger in attendance who are not required to have completed the full series of vaccines required before kindergarten because of their age.</p>

Current Text	Proposed Text
<p>(c) Children’s facilities shall make rates available based on the school calendar in the local area.</p> <p>(d) Rates may include immunization data collected in the previous school year.</p> <p>(6) Schools and children’s facilities for which immunization records are required for fewer than 10 children in attendance 18 months of age up to kindergarten are exempt from the requirements of OAR 333-050-0110(5) for these children. These sites must still comply with the reporting requirements specified in OAR 333-050-0060 and 333-050-0080.</p> <p>(7) Schools and children’s facilities for which immunization records for a vaccine are required for fewer than 10 students in attendance in kindergarten grade and older are exempt from the requirements of OAR 333-050-0110(5) for that vaccine for these students. These sites must still comply with the reporting requirements specified in OAR 333-050-0060 and 333-050-0080.</p>	<p>(7) Immunization rates shared by children’s facilities and schools may include immunization data collected in the previous school year.</p> <p>(8) Children’s facilities shall make rates available based on the school calendar in the local area.</p> <p>(9) Schools and children’s facilities for which immunization records are required for fewer than 10 children in attendance, 18 months of age up to kindergarten, are exempt from the requirements of section (5) of this rule for these children.</p> <p>(10) Schools and children’s facilities for which immunization records for a vaccine are required for fewer than 10 students in attendance, in kindergarten and above, are exempt from the reporting requirements of section (5) of this rule for that vaccine.</p>
<p>333-050-0110 Annual Reporting Requirements</p> <p><i>(b) Rates must be made available:</i> <i>(A) In the main office;</i> <i>(B) On the school or children’s facility website, if available. Rates may be posted on a social media website, such as Facebook, if this is the primary website for the school or children’s facility. Public school rates must also be made available on the district website. If individual school webpages are linked to a district website, a central</i></p>	<p><i>Removed from proposed text. The information about making rates available is described in ORS 433.269(3)(a).</i></p>

Current Text	Proposed Text
<p><i>district webpage containing the required information for each school may be used to comply with this requirement; and</i></p> <p><i>(C) By sending to a parent of each child for whom documentation of immunization status is required at the school or children’s facility, in electronic or paper format, in a clear and easy to understand manner.</i></p>	
<p>333-050-0130 Second Dose Measles in Post Secondary Educational Institution</p> <p>(1) Each post-secondary education institution, except a community college and a private, proprietary vocational school, shall require that each entering full-time student born on or after January 1, 1957, has two doses of measles vaccine prior to the student's second quarter or semester of enrollment on an Oregon campus, using procedures developed by the institution.</p> <p>(2) For students subject to section (1) of this rule who are attending the institution pursuant to a non-immigrant visa, documentation of measles vaccination must be provided prior to the student attending classes. If the student's first dose of measles vaccine was received less than 30 days prior to attendance, the student has until the beginning of the second term or semester to provide documentation of the second dose.</p> <p>(3) The following records may be accepted as adequate proof of two doses of measles vaccine:</p> <p>(a) Written documentation by student, health care practitioner, or an authorized representative of the local health department of the</p>	<p>333-050-0390 Second Dose Measles in Post Secondary Educational Institutions</p> <p>(1) Each post-secondary education institution, except for a community college, shall require, subject to section (4) of this rule, that each entering full-time student born on or after January 1, 1957, has two doses of measles vaccine prior to the student's second quarter or semester of enrollment on an Oregon campus.</p> <p>(2) Students attending classes fully virtually who do not come on campus are not subject to the requirements of this rule.</p> <p>(3) For students attending an institution subject to section (1) of this rule pursuant to a non-immigrant visa, documentation of measles vaccination must be provided prior to the student attending classes. If the student's first dose of measles vaccine was received less than 30 days prior to attendance, the student has until the beginning of the second term or semester to provide documentation of the second dose.</p> <p>(4) The following records are acceptable proof of two doses of measles vaccine:</p>

Current Text	Proposed Text
<p>month, day and year of each dose, within four days prior to, on or after the first birthday, with a minimum of 24 days between the first and second dose;</p> <p>(b) For students born prior to 1984, no available date for the first dose but written documentation by student, health care practitioner, or an authorized representative of the local health department of the month, day and year of the second dose in or after December, 1989;</p>	<p>(a) Written documentation by the student, a health care practitioner, or an authorized representative of the local health department of the month, day and year of each dose. Two doses are required, given on or after the first birthday. A dose given within four days prior to the first birthday is acceptable. The second dose must be received at least 24 days after first dose.</p> <p>(b) For students born prior to 1984, if there is no available date for the first dose, written documentation by the student, a health care practitioner, or an authorized representative of the local health department of the month, day and year of the second dose as long as the second dose was after December 31, 1989.</p>
<p><i>(3)(c) An unsigned record printout from the statewide immunization information system, ALERT IIS; or</i></p> <p><i>(d) An unsigned record printout from a computer system approved by the Public Health Division as specified in OAR 333-050-0060(5).</i></p> <p><i>(4) Each post-secondary education institution under the jurisdiction of the law shall include a medical and nonmedical exemption and immunity documentation. Signing for a nonmedical exemption requires documentation of a signature of a health care practitioner that the practitioner has reviewed with the student the risks and benefits of immunization or a certificate verifying that the student has completed a vaccine educational module approved by the Public Health Division.</i></p> <p>(5) Each post-secondary educational institution under the jurisdiction of the law shall develop procedures to implement and maintain this requirement.</p>	<p>(5) Each post-secondary educational institution subject to these rules shall develop procedures to implement and maintain the records required by this rule and ORS 433.282 and 433.284.</p>

Current Text	Proposed Text
<p>(6) The Public Health Division may conduct validation surveys to ensure compliance.</p>	<p>(6) The Public Health Division may conduct validation surveys to ensure compliance.</p>
<p>333-050-0140 Second Dose Measles in Community Colleges</p> <p>(1) Each community college shall require that students involved in clinical experiences in allied health programs, practicum experiences in education and child care programs and membership on intercollegiate sports teams have two doses of measles vaccine prior to each student's participation. The requirement shall apply only to those students born on or after January 1, 1957, using procedures developed by the institutions.</p> <p>(2) The following records may be accepted as adequate proof of two doses of measles vaccine:</p> <p>(a) Written documentation by student, health care practitioner, or an authorized representative of the local health department of the month, day and year of each dose, within four days prior to, on or after the first birthday, with a minimum of 24 days between first dose and second dose;</p> <p>(b) For students born prior to 1984, no available date for the first dose but written documentation by student, health care practitioner, or an authorized representative of the local health department of the month, day and year of the second dose in or after December, 1989;</p>	<p>333-050-0400 Second Dose Measles in Community Colleges</p> <p>(1) Each community college shall require, subject to section (3) of this rule, that students born on or after January 1, 1957, involved in the following, have two doses of measles vaccine prior to each student's participation in the following:</p> <p>(a) Clinical experiences in allied health programs. (b) Practicum experiences in education and child care programs. (c) Intercollegiate sports.</p> <p>(2) Community colleges shall develop procedures to implement and maintain the records required by this rule.</p> <p>(3) The following records are acceptable proof of two doses of measles vaccine:</p> <p>(a) Written documentation by the student, a health care practitioner, or an authorized representative of the local health department of the month, day and year of each dose. Two doses are required, given on or after the first birthday. A dose given within four days prior to the first birthday is acceptable. The second dose must be received at least 24 days after first dose.</p> <p>(b) For students born prior to 1984, if there is no available date for the first dose, written documentation by the student, a health care practitioner, or an authorized representative of the local health department of the month, day and year of the second dose as long as the second dose was after December 31, 1989.</p>

Current Text	Proposed Text
<p>(2)(c) <i>An unsigned record printout from the statewide immunization information system, ALERT IIS; or</i></p> <p>(d) <i>An unsigned record printout from a computer system approved by the Public Health Division as specified in OAR 333-050-0060(5).</i></p> <p>(3) <i>Each community college under the jurisdiction of the law shall include a medical and nonmedical exemption and immunity documentation. Signing for a nonmedical exemption requires documentation of a signature of a health care practitioner that the practitioner has reviewed with the student the risks and benefits of immunization or a certificate verifying that the student has completed a vaccine educational module approved by the Public Health Division.</i></p> <p>(4) Each community college shall develop procedures to implement and maintain this requirement.</p>	<p>(4) Each community college subject to these rules shall develop procedures to implement and maintain the records required by this rule and ORS 433.283 and 433.284.</p>
<p>(5) The Public Health Division may conduct validation surveys to ensure compliance.</p>	<p>(5) The Public Health Division may conduct validation surveys to ensure compliance.</p>
<p>333-050-0040 Statements (Records) Required</p> <p>(12)(a) The Public Health Division will make available to parents a no-cost internet based vaccine educational module.</p> <p>(A) Criteria for the vaccine educational module must include:</p> <p>(i) Information consistent with information published by the Centers for Disease Control and Prevention;</p> <p>(ii) Information about the benefits and risks of each vaccine for which a parent is claiming a nonmedical exemption;</p>	<p>333-050-0410 Vaccine Education Module</p> <p>(1) The Public Health Division will make available to parents a no-cost internet-based vaccine educational module that includes:</p> <p>(a) Information consistent with information published by the U.S. Centers for Disease Control and Prevention;</p> <p>(b) Information about the benefits and risks of each vaccine for which a parent is claiming a nonmedical exemption; and</p> <p>(c) Information about the epidemiology, prevention of disease through use of vaccination, and the safety and efficacy of vaccines.</p>

Current Text	Proposed Text
<p>(iii) Information about the epidemiology, prevention of disease through use of vaccination, and the safety and efficacy of vaccines; and</p> <p>(B) A person who wishes to have a vaccine educational module approved by the Oregon Health Authority shall submit the module to the medical director of the Public Health Division, Immunization Program. For approval, the vaccine educational module must contain the substantive content of the internet based vaccine educational module made available by the Public Health Division. The medical director must review the module to determine if it meets the criteria in these rules including the requirement that a vaccine educational module present information that is consistent with information published by the Centers for Disease Control and Prevention. Approval or disapproval shall be made in writing. If the module is disapproved the medical director must explain the reasons for disapproval.</p>	<p>(2) If a person wishes to have a vaccine educational module approved by the Oregon Health Authority it shall submit the module to the Public Health Division. In order to obtain approval, the vaccine educational module must contain the substantive content of the internet-based vaccine educational module made available by the Public Health Division. The Oregon Health Authority must review the module to determine if it meets the criteria in these rules including the requirement that a vaccine educational module present information that is consistent with information published by the U.S. Centers for Disease Control and Prevention. Approval or disapproval shall be made in writing. If the module is disapproved the Oregon Health Authority must explain the reasons for disapproval.</p>