

CR 87-178

CERTIFICATE

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STATE OF WISCONSIN)
) SS
DEPARTMENT OF HEALTH AND SOCIAL SERVICES)

MAY 9 1988
2:35 pm
Revisor of Statutes
Bureau

I, Timothy F. Cullen, Secretary of the Department of Health and Social Services and custodian of the official records of the Department, do hereby certify that the annexed rules relating to immunization requirements for elementary school, middle school, junior high school and senior high school students, and for children attending day care centers were duly approved and adopted by this Department on May 9, 1988.

I further certify that this copy has been compared by me with the original on file in the Department and that this copy is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the State Office Building, 1 W. Wilson Street, in the city of Madison, this 9th day of May, 1988.



Timothy F. Cullen, Secretary
Department of Health and Social Services

SEAL:

7-1-88

ORDER OF THE
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
AMENDING AND REPEALING AND RECREATING RULES

To amend HSS 144.01(1) and 144.03(4) to (6) and to repeal and recreate HSS 144.02(12)(b) and 144.03(2) and (3), relating to immunization requirements for elementary school, middle school, junior high school and senior high school students, and for children attending day care centers.

Analysis Prepared by the Department of Health and Social Services

The Department's rules for immunization of school children, including children attending day care centers, are included in ch. HSS 144. This order amends ch. HSS 144 to add mumps to the list of communicable diseases against which children must be immunized before being admitted to school. The current rules require immunization against measles, rubella (German measles), polio, diphtheria, tetanus and pertussis (whooping cough). The rules implement s. 140.05(16), Stats., but were not amended following the addition of mumps to that statutory list in April 1982. Instead, the Department produced and distributed to schools a non-rule timetable for phasing in the mumps immunization requirements beginning with children admitted to day care centers and pre-kindergarten and kindergarten classes in the 1983-84 school year and adding one additional grade each year until children in all grades would be covered beginning with the 1995-96 school year.

Schools have been applying the mumps immunization requirement according to the Department's timetable, so that for the 1987-88 school year students through grade 4 will be covered. The Department has determined that in view of the recent epidemic of mumps in Wisconsin and elsewhere in the United States, stronger action must be taken to contain this communicable disease. Wisconsin had the highest rate of mumps in the United States in 1987. Nearly 1,600 cases were reported in the state during the 1986-87 school year, with 67% of the cases being school-age children. The rate of mumps in Wisconsin school children in grades not required to prove mumps vaccination was more than three times higher in the past school year than in grades in which mumps vaccination was required. The stronger action the Department is taking is to put the mumps vaccination requirement into rule form and to have the rule apply to all students at all grade levels beginning with the 1988-89 school year.

In this order, ch. HSS 144 is amended to include mumps in the list of communicable diseases against which children must be immunized before being admitted to school and to specify that evidence of having received one dose of mumps vaccine is required for admission to a day care center or to a school at any grade level. Chapter HSS 144 is also amended to make clear that every male student 12 years of age or over is required to be immunized against rubella, and to otherwise clarify and update the rules.

The Department's authority to amend and to repeal and recreate these rules is found in s. 140.05(16)(g), Stats. The rules interpret s. 140.05(16), Stats.

SECTION 1. HSS 144.01(1) is amended to read:

HSS 144.01(1) PURPOSE AND AUTHORITY. The purpose of immunization is to prevent disease and suffering and any permanent disability resulting from the disease. These rules implement s.140.05(16), Stats., which as public policy seeks to identify and immunize those students who are still susceptible to measles, mumps, rubella, polio, diphtheria, tetanus, and pertussis upon admission to an elementary, middle, junior or senior high school or a day care center, in order to prevent transmission of these diseases.

SECTION 2. HSS 144.02(12)(b) is repealed and recreated to read:

HSS 144.02(12)(b) The following absolute limits:

1. Measles -- 2% of the susceptible population involved becomes infected;
2. Mumps -- 2% of the susceptible population involved becomes infected;
3. Rubella -- 2% of the susceptible population involved becomes infected;
4. Polio -- 2 cases of the same wild-virus type in a 90 day period;
5. Pertussis -- 2 cases in a 30 day period; and
6. Diphtheria -- 1 case.

SECTION 3. HSS 144.03(2) and (3) are repealed and recreated to read:

HSS 144.03(2) REQUIREMENTS FOR 1988-89 SCHOOL YEAR. (a) Table 144.03-A as qualified by pars. (b) to (e) lists the number of doses of each required vaccine that each student in the 1988-89 school year shall have received since birth for the age or grade of the student. These comprise the minimum basic and recall booster immunizations required under s. 140.05(16), Stats. They do not, however, represent all the recommended immunizations for those individuals who begin immunizations in infancy and follow currently accepted immunization schedules.

TABLE 144.03-A

REQUIRED IMMUNIZATIONS FOR THE 1988-89 SCHOOL YEAR

Age/Grade	Required Immunizations (Number of Doses)				
15 months through 23 months	3 DTP/DT,	2 Polio,	1 Measles,	1 Rubella,	1 Mumps
2 years through 4 years	4 DTP/DT,	3 Polio,	1 Measles,	1 Rubella,	1 Mumps
Kindergarten through grade 8	4 DTP/DT/Td,	4 Polio,	1 Measles,	1 Rubella,	1 Mumps
Grades 9 through 12	3 DTP/DT/Td,	3 Polio,	1 Measles,	1 Rubella,	1 Mumps

(b) Immunization against measles, mumps and rubella shall have been received on or after the date of the first birthday.

(c) Exceptions may be made in requirements for the fourth dose of DTP/DT/Td vaccine and the fourth dose of polio vaccine. Children who receive the third dose of either of these vaccines after their fourth birthday are not required to receive a fourth dose of that vaccine.

(d) For students in ungraded schools or students age 5 or older in day care centers, the immunization requirements are those for the grade which would normally correspond to the individual's age. Immunization against measles and mumps is also required for all students age 19 or older and immunization against rubella is also required for all male students age 19 or older.

(e) Females age 12 or older are not required to be immunized against rubella.

(3) REQUIREMENTS FOR SCHOOL YEARS FOLLOWING 1988-89. (a) For 1989-90 to 1992-93 school years. The requirements that apply to 8th graders in Table 144.03-A, as qualified by sub. (2)(b) to (e), for immunization against DTP/DT/Td and polio shall apply to 9th graders beginning in 1989-90, to 10th graders beginning in 1990-91, to 11th graders beginning in 1991-92 and to 12th graders beginning in 1992-93. For school years 1989-90 to 1992-93, the requirements for students 15 months of age through grade 8 and the measles, rubella and mumps immunization requirements for students in grades 9 through 12 shall remain the same as in the 1988-89 school year.

Note: To illustrate, the grade-specific requirements for the 1989-90 school year would be:

<u>Grade</u>	<u>Required Immunization (Number of Doses)</u>
Kindergarten through 9	4 DTP/DT/Td, 4 Polio, 1 Measles, 1 Rubella, 1 Mumps
10 - 12	3 DTP/DT/Td, 3 Polio, 1 Measles, 1 Rubella, 1 Mumps

(b) For 1993-94 and subsequent school years. Immunization requirements for students in school years beginning in 1993-94 shall be the same as the requirements for the 1992-93 school year, as qualified by sub. (2)(b) to (e). These are shown in Table 144.03-B.

TABLE 144.03-B
REQUIRED IMMUNIZATIONS FOR THE 1992-93 SCHOOL YEAR AND
FOR SCHOOL YEARS FOLLOWING THE 1992-93 SCHOOL YEAR

<u>Age/Grade</u>	<u>Required Immunizations (Number of Doses)</u>
15 months through 23 months	3 DTP/DT, 2 Polio, 1 Measles, 1 Rubella, 1 Mumps
2 years through 4 years	4 DTP/DT, 3 Polio, 1 Measles, 1 Rubella, 1 Mumps
Kindergarten through grade 12	4 DTP/DT/Td, 4 Polio, 1 Measles, 1 Rubella, 1 Mumps
	"

SECTION 4. HSS 144.03(4) to (6) are amended to read:

HSS 144.03(4) FIRST DEADLINE. Within 30 school days after having been admitted to a school or day care center, each student who has not filed a waiver form shall submit written evidence of having completed at least the first dose of each vaccine required for that student's age or grade. These first doses shall include the only required dose of ~~both~~ measles, mumps and rubella vaccines.

(5) SECOND DEADLINE. Within 90 school days after ~~being~~ having been admitted to a school or day care center, each student who has not filed a waiver form shall submit written evidence of having received at least the second dose of both DTP/DT/Td and polio vaccines, written evidence of immunization against measles, mumps and rubella having already been submitted within the 30 school day limit ~~if required for the student's age or grade.~~

(6) FINAL DEADLINE. Within 30 school days after having been admitted to a school or day care center for the following school year, each student who has not filed a waiver form shall submit written evidence of having received the third and, if required, the fourth dose of both DTP/DT/Td and polio vaccines.

The repeals and rules contained in this order shall take effect on the first day of the month following their publication in the Wisconsin Administrative Register as provided in s.227.22(2), Stats.

Wisconsin Department of Health and
Social Services

DATE: May 9, 1988

By:



Timothy F. Cullen, Secretary

SEAL:



State of Wisconsin

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
1 West Wilson Street, Madison, Wisconsin 53702

Tommy G. Thompson
Governor

Timothy F. Cullen
Secretary

Mailing Address:
Post Office Box 7850
Madison, WI 53707

May 9, 1988

RECEIVED

MAY 9 1988

Revisor of Statutes
Bureau

Mr. Orlan Prestegard
Revisor of Statutes
7th Floor - 30 on the Square
Madison, Wisconsin 53702

Dear Mr. Prestegard:

As provided in s. 227.20, Stats., there is hereby submitted a certified copy of HSS 144, administrative rules relating to immunization requirements for elementary school, middle school, junior high school and senior high school students, and for children attending day care centers.

These rules are also being submitted to the Secretary of State as required by s. 227.20, Stats.

The changes to ch. HSS 144 affect individuals, schools and local public health agencies. They do not impact on small businesses as defined in s. 227.114(1)(a), Stats.

Sincerely,

Timothy F. Cullen
SECRETARY

Enclosure