

## MAINE CENTER FOR DISEASE CONTROL AND PREVENTION

**Chapter 262: RULES AND REGULATIONS POST-SECONDARY SCHOOL  
IMMUNIZATIONS REQUIRED**

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**Summary:** These rules are issued by the Commissioner of The Department of Health and Human Services to implement the provisions of the post-secondary school immunization law (22 MRSA §6359). It prescribes the dosage for required immunizations and defines the chief administrative officer's responsibilities, exclusion periods, record keeping and reporting requirements for school officials.

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**1. DEFINITIONS**

- A. "Certificate of Immunization" means a written statement from a physician, nurse or public health official who has administered an immunizing agent to a student, specifying the vaccine administered and the date it was administered. Secondary school health records, having been compiled and maintained as an official document based on certificates of immunization, which provide at a minimum the month and year that the immunization was administered and/or which contain copies of laboratory evidence of immunity, may also be accepted as proof of immunization.
- B. "Chief administrative officer" means the person designated by the legal governing authority as president, administrator or director of a public or private post-secondary school.
- C. "Disease" means diphtheria, measles, mumps, rubella, and tetanus.
- D. "Immunizing agent" means a vaccine, toxoid, or other substance used to increase an individual's immunity to a disease.
- E. "Parent" means a student's parent, legal guardian or custodian. A person shall be regarded as a student's custodian, if that person is an adult and has assumed legal charge and care of the student.
- F. "Public health official" means the Director of the Maine Center for Disease Control and Prevention, or any designated employee or agent of the Department of Health and Human Services.
- G. "School" means any public or private, post-secondary school in the State including but not limited to colleges, universities, vocational-technical colleges, institutes and schools for the health professions.
- H. "Student" means any person entering school who was born after 1956 who attends school full time or who is a candidate for a degree or a diploma or graduate certificate. Part time students who are degree candidates are included under this definition.

- I. "School health provider" means a physician, physician's assistant, registered nurse, or nurse practitioner, licensed to Practice by the State and appointed by the Chief Administrative Officer to provide health care to the student population.

## 2. IMMUNIZATION REQUIRED

- A. Except as otherwise provided by law, it is the responsibility of every student or parent, if the student is a minor, to insure that required doses of immunizing agents have been administered to the student or that the student is otherwise protected against the diseases as defined.
- B. No chief administrative officer may permit any student to be enrolled in or to attend school without a certificate of immunization for each disease or other acceptable evidence of immunity to each disease.

## 3. EXCEPTIONS

A student who does not meet the immunization and/or immunity requirements may be enrolled in school under the following conditions:

- A. The student, or the parent, if the student is a minor, presents to the school a physician's written statement, or a written statement from the school health provider, that immunization against one or more of these diseases is medically inadvisable.

Medical exemptions to receiving tetanus-diphtheria toxoid are limited to: 1) having received tetanus toxoid or tetanus-diphtheria toxoid within 5 years of enrollment; 2) A hypersensitivity reaction to a prior dose of tetanus toxoid or tetanus-diphtheria toxoid.

Medical exemptions to receiving measles, mumps, and rubella vaccine (MMR) are limited to: 1) pregnancy, or those students planning to become pregnant within 3 months; 2) a history of anaphylactic reaction following egg ingestion or receipt of neomycin; 3) students with altered immunocompetence, as occurs with leukemia, lymphoma, generalized malignancy, or therapy with alkylating agents, antimetabolites, radiation, or large doses of corticosteroids.

A student's medical exemption must specify at least one of the medical exemptions listed above.

- B. The student or parent states in writing an opposition to immunization because of a sincere religious belief or for moral, philosophical or other personal reasons.

#### 4. CERTIFICATE OF IMMUNIZATION; EVIDENCE OF IMMUNITY

##### A. Certificate of Immunization/Proof of Immunity

1. To demonstrate adequate immunization against each disease, a student shall present the school with a Certificate of Immunization from a physician, nurse, public health official, or school health provider who has administered the immunizing agent(s) to the student. The certificate shall specify the immunizing agent, and the date(s) on which it was administered. Adequately prepared school health records (i.e., showing month and year of vaccine administered) will be considered acceptable for the purpose of meeting this requirement or

##### 2. Proof of Immunity to the diseases

The student shall present the school with laboratory evidence demonstrating immunity.

B. It is not acceptable to use as evidence of immunization a questionnaire or similar form completed by the student or the student's parent or guardian unless the form is presented to the person responsible for record keeping with a certificate of immunization. The fact that appropriate documentation was presented must be recorded in the student health record.

C. The presentation of acceptable proof of immunization/ immunity must be made prior to the student's attendance at class or participation in other activities conducted by the school.

#### 5. IMMUNIZATION DOSAGE

The following schedule is the schedule of minimum requirements for immunizing agents administered to students entering school.

A. **Diphtheria/Tetanus:** one dose of diphtheria, tetanus, pertussis (DTP); diphtheria, tetanus (DT); or tetanus and, diphtheria (Td) toxoid within 10 years prior to enrollment.

B. **Measles:** Two doses of MMR vaccine, administered after the student's first birthday.

The Edmunston B strain, Moraten strain, Schwartz strain, Enders vaccine, Lirugen vaccine, M-Vac vaccine and Rubeovax vaccine are all acceptable as measles immunization.

Any student who was immunized prior to January 1, 1968, with Pfizervax Measles K (inactivated measles vaccine) must be reimmunized. If it is not possible to determine the type of measles vaccine administered, reimmunization is necessary for entry to school.

**Note:** If the immunization was given in the month in which the student reached the first birthday, the date of the measles and rubella immunizations must be expressed in month,

day, and year in order to determine that the student was at least one year old at the time of immunization.

- C. **Rubella (German Measles):** Two doses of MMR vaccine, administered after the student's first birthday.
- D. **Mumps:** Two doses of MMR, administered after the student's first birthday.

Students, as defined on page 1, beginning post-secondary school for the first time in or after the fall 1992 school term shall be immunized against mumps.

Any such immunizing agent must meet the standards of such biological products as are approved by the United States Public Health Services.

**Note:** Vaccines may be given in several different combined preparations, which if given after the student's first birthday are all acceptable--M/R Vax (measles and rubella); MMR vax (measles, mumps, and rubella) or Biovax (rubella and mumps).

## 6. EXCLUSION FROM SCHOOL

### A. Exclusion by Order Of Public Health Official

A student not immunized or immune from a disease shall be excluded from school when in the opinion of a public health official the student's continued presence in school poses a clear danger to the health of others. The chief administrative officer shall exclude the student from school during the period of danger or from one incubation period following immunization when one or more cases of disease are present. An exempted student may be permitted to return to school by providing proof of immunity through laboratory results. An exempted student who receives immunization following the identification of a disease must wait one incubation period following the date of immunization before returning to school.

The documented occurrence of a single case of any of these diseases may be interpreted as a clear danger to the health of others.

The following periods are defined as the "period of danger":

- Measles: 15 days (one incubation period) from the onset of symptoms of the last identified case.
- Rubella: 23 days (one incubation period) from the onset of symptoms of the last identified case.
- Mumps: 18 days (one incubation period) from the onset of symptoms of the last identified case.

## **7. RECORDS AND RECORD-KEEPING**

### **A. Designated Record Keeping**

The chief administrative officer shall be responsible for the maintenance of immunization records. The chief administrative officer may designate a person to be responsible for record keeping.

### **B. Individual Health Records**

Each school shall adopt a uniform permanent health record for maintaining information regarding the health status of each student.

The immunization status of the student with regard to each disease shall be noted on the student's individual health record.

The school will provide, upon request from a public health official, a list of each student's date of matriculation.

The school health record for each student enrolled shall include at a minimum the month and year that each immunizing agent was administered.

Where an exemption has been granted for religious, philosophical, moral, or personal reasons, the written request for exemption must be on file with in the school health record. Where laboratory evidence of immunity has been submitted, a copy of the documentation must be one file.

### **C. List of Non-Immunized Students**

The designated record keeper in each school shall keep a listing of the names of all students within the school who are not currently immunized against each disease. This list shall include the names of all students with authorized exemptions from immunization as well as anyone who might not be in compliance with the law. The purpose of the list is to provide efficient access to nonimmunized students in times of disease outbreaks.

## **8. REQUIRED REPORTS**

### **A. Chief Administrative Officer's Responsibility**

The chief administrative officer is responsible for submitting a summary report on the immunization status of students by December 15 of each year for each school on prescribed forms, to the Director of the Maine Center for Disease Control and Prevention.

**B. Summary Report**

The summary report will include the following information at a minimum: Specific information identifying the school; the chief administrative officer; the total student enrollment; the number of new students identified as either immunized (by vaccine type), immune, exempt or out of compliance; and the number of students who are previously enrolled and unimmunized. The summary report will be constructed so as to reflect meaningful data by broad groupings, but with entering students treated separately. Each report shall be signed by the school's chief administrative officer as a certification that the information is accurate and complete.

The Maine Center for Disease Control and Prevention will from time to time select a small sample of student health records for the purpose of comparing reported results against the criteria delineated in these rules. The results of this sample survey will be shared with school administrators for the purpose of identifying problem areas that may be occurring in the completion of their post-secondary school health records. Individual students and individual schools will not be identified by name.

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STATUTORY AUTHORITY: 22 M.R.S.A. §6359

EFFECTIVE DATE:

October 13, 1987

AMENDED:

October 8, 1987 - Section 1 & 3 (EMERGENCY)

May 30, 1991 (EMERGENCY)

September 2, 1991

EFFECTIVE DATE (ELECTRONIC CONVERSION):

May 5, 1996

AMENDED:

November 29, 2007 – filing 2007-507 (EMERGENCY)

February 27, 2008 – filing 2008-93