



News Release

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Commissioner

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DHSS Proposes Amendments and New Rules at N.J.A.C. 8:57-4, Governing Immunization of Pupils in School

The Communicable Disease Service of the Division of Epidemiology, Environmental, and Occupational Health in the Public Health Services Branch of the Department of Health and Senior Services, in consultation with the Public Health Council, are proposing amendments and new rules at N.J.A.C. 8:57-4, Immunization of Pupils in School. The notice of proposal appears in the December 18, 2006 issue of the *New Jersey Register*.

N.J.A.C. 8:57-4, also known as Chapter 14 of the State Sanitary Code, establishes uniform immunization requirements applicable to children attending all schools, preschools, and child care facilities in New Jersey. The purpose of the subchapter is to ensure that those children have been immunized against specific vaccine-preventable diseases with recommended vaccines in order to prevent the transmission of vaccine-preventable diseases and to collect data on the immunization status of those children to identify areas of the State where immunization rates are not adequate in order to determine appropriate intervention.

The Department is proposing substantive and technical amendments and new rules throughout the subchapter. Noteworthy substantive amendments and new rules include the following:

- An amendment at N.J.A.C. 8:57-4.5 to establish the requirement that a school, preschool, and child care center provide provisional admission if there is evidence that the child has completed at least one dose of each required vaccine and is in the process of completing the rest of the doses and to establish that a 30-day grace period is required for pupils from out-of-State or out-of-country to obtain their immunization documentation.
- An amendment at N.J.A.C. 8:57-4.10(e) to change the age requirement from seven years of age and older to seven through nine years of age for that particular completion of the primary Diphtheria, Tetanus, Pertussis and DiphtheriaTetanus, acellular Pertussis (DTP/DTaP) vaccine series.
- An amendment at N.J.A.C. 8:57-4.22(d) to allow for temporary suspension of an immunization requirement for the particular immunization affected by a vaccine supply shortage.
- An amendment at N.J.A.C. 8:57-4.23(b) to establish that all mandated vaccine doses in subchapter four, when given within four days of the specified minimum age or a stated dose spacing interval in the subchapter, would be counted as valid doses.

The following amendments and new rules would add four vaccines to the subchapter based on the recommendations of the Advisory Committee on Immunization Practices (ACIP) of the Centers for Disease Control and Prevention (CDC) of the United States Department of Health and Human Services.

- A new rule at N.J.A.C. 8:57-4.18 would require children attending child care centers and preschools that are two to 59 months of age to receive the pneumococcal conjugate vaccine series.
- A new rule at N.J.A.C. 8:57-4.19 would require children attending child care centers and preschools that are six to 59 months of age to receive one annual dose of influenza vaccine.
- Amendments at N.J.A.C. 8:57-4.10(h) through (j) would require children born after January 1, 1996 and enrolled in Grade Six or transferring into a New Jersey school from another state or country to receive one dose of the tetanus, diphtheria, acellular pertusis (Tdap) vaccine.
- A new rule at N.J.A.C. 8:57-4.20 would require children born after January 1, 1996 and enrolled in Grade Six or transferring into a New Jersey school from another state or country to receive and one dose of meningococcal vaccine.

In addition, the Department is proposing to publish an Appendix to incorporate by reference as part of the subchapter, the required Annual Immunization Status Report and applicable instructions for completion.

The Department will convene a public hearing on the proposed amendments and new rules between 10:00 A.M. and 12:00 P.M. on Friday, January 26, 2007 at the New Jersey Department of Health and Senior Services, First Floor Auditorium, Health and Agriculture Building, 369 South Warren Street (at Market Street), Trenton, NJ 08608. Persons wishing to comment on the proposal at the public hearing who wish to be placed on the list of speakers are requested to telephone Ms. Chari Otero at (609) 588-7520 by January 19, 2007 and to bring an extra written copy of their remarks for submission to the public record.

The public has until February 16, 2007 to comment on the notice of proposal. Persons wishing to comment on the proposal must submit their comments in writing to Angela Sorrells-Washington, Acting Program Manager, Vaccine Preventable Disease Program, Division of Epidemiology, Environmental, and Occupational Health, New Jersey Department of Health and Senior Services, PO Box 369, Trenton, NJ 08625-0369. Written comments on the proposal must be postmarked on or before February 16, 2007, which is the close of the 60-day public comment period. The proposed new rules and amendments, if adopted, would become operative on September 1, 2007 for the affected children in child care centers, preschools, and schools. Anyone with questions about the Vaccine Preventable Disease Program may call the Program at (609) 588-7520 or visit the Program website at <http://www.state.nj.us/health/cd/vpdphome.htm>.

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