

RULES
OF
DEPARTMENT OF HUMAN RESOURCES
PUBLIC HEALTH

CHAPTER 290-5-4
IMMUNIZATION OF CHILDREN AS A PREREQUISITE
TO ADMISSION TO SCHOOLS AND OTHER FACILITIES

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290-5-4-.01 Definitions. Amended. Unless a different meaning is required by the context, the following terms as used in these rules shall have the meaning hereinafter respectively ascribed to same:

- (a) "Immunization" means the presumptive presence in the body of an immunized person of sufficient protective antibodies or of cellular immunity, as a result of previous infection or introduction of specific antigenic agents, or a presumptive state of being so conditioned by previous experience with a particular disease so as to provide an immediate and protective response upon exposure to specific infectious agents of that disease;
- (b) "Local Board of Health" means any county, city or District Board of Health supported entirely or in part by the Department through the allocation of public funds or other support;
- (c) "Physician" means a practitioner of the healing arts licensed in accord with O.C.G.A. or the equivalent laws of the practitioner's jurisdiction if outside Georgia;
- (d) "Physical Disability" means any physical condition or physiological idiosyncrasy which might in the opinion of a physician cause a specific immunization to endanger the life or health of the recipient;
- (e) "Health Authority" means the Department of Human Resources or a local Board of Health in Georgia or the corresponding agencies in other states or nations;

- (f) “Epidemic” means an outbreak, or rise in incidence rate, or spread of incidence of a contagious or infectious disease so as to constitute a clear and present risk of infection to the public at large or to congregated groups thereof;
- (g) “Facility” means any public or private day center or nursery intended for the care, supervision, or instruction of children;
- (h) “School” means any public or private educational program or institution instructing children at any level or levels, kindergarten through twelfth grade, or children of ages five through nineteen if grade divisions are not used;
- (i) “Affidavit” means a written statement made under oath before an authorized magistrate or officer which certifies that the required immunization conflicts with religious beliefs of the parent or guardian.
- (j) “New Entrant” means any child entering any school or facility in Georgia for the first time or entering after having been absent from a Georgia school or facility for more than twelve (12) months or one (1) school year.**

Authority Ga. L. 1964, pp. 499, 564, 644; Ga. L. 1968, pp. 1436-1438; Ga. L. 1973, pp. 910, 911; Ga. L. 1977, pp. 787-789; Ga. L. 1979, p. 1284; Ga. L. 1981, pp. 756, 757; O.C.G.A. Secs. 20-2--771, 31-12-3, 49-5-12. **History.** Original Rule entitled “Definitions” was filed on Jan. 28, 1977; eff. Feb. 17, 1977. **Amended:** Rule repealed and a new Rule of the same title adopted. Filed Nov. 29, 1979; eff. Dec. 19, 1979. **Amended:** Rule repealed and a new Rule of the same title adopted. F. April 22, 1982; eff. May 12, 1982. **Amended:** F. Jul. 19, 1989; eff. Aug. 8, 1989. **Amended:** F. Jan. 20, 2000; eff. Feb. 9, 2000. **Amended:** Dec. 13, 2006 eff. Feb 21, 2007

290-5-4-.02 Immunization Required. Amended.

- (1) Except as otherwise provided by law or herein specified, immunization as specified by section 290-5-4-.03 of this chapter against the following named diseases, shall be required for entrance into any school or facility operating in the state:
 - (a) Diphtheria;
 - (b) Pertussis;
 - (c) Tetanus;
 - (d) Poliomyelitis;
 - (e) Measles;
 - (f) Rubella;
 - (g) Mumps;
 - (h) *Haemophilus influenzae* type B (Not required on or after 5th birthday);
 - (i) Hepatitis B;
 - (j) Varicella;
 - (k) Pneumococcal (Not required on or after 5th birthday);**
 - (l) Hepatitis A.**
- (2) For any child attending any school or facility in the state of Georgia for the first time, a parent or guardian must submit a valid certificate of immunization. School or facility officials, for justified reasons, may allow a child to attend for up to 30 calendar days after first admittance without a valid certificate of immunization. Certificates of Immunization are to be issued in accord with the current Official Immunization Schedules. A certificate may be issued for a child who has not received all required immunizations with the conditions that the child is in the process of completing required immunizations and that immunizations are being scheduled with the shortest intervals recommended in the current Official Immunization Schedules. The certificate must be retained and monitored for currency by the school or facility while the child continues in attendance and must be made available for inspection during normal

business hours by authorized health authority officials. When a child transfers to another school or facility, the certificate of immunization must be transferred. When a child ceases to attend without transfer, the certificate should be returned to the parent or guardian.

- (3) A certificate for a child who is in the process of receiving all required vaccines must have a date of expiration that relates to the date the next required immunization is due or the date on which a medical exemption must be reviewed. A new certificate must then be obtained and submitted to the school or facility within 30 days after the expiration date. Children whose parents fail to renew said certificates within the time allotted shall not be permitted to continue in attendance.
- (4) **Effective July 1, 2007 for entrance into kindergarten and for new entrants into a Georgia School, students must have a total of two (2) doses of measles vaccine, two (2) doses of mumps vaccine, one (1) dose of rubella vaccine and a total of two (2) doses of varicella (chickenpox) vaccine.**
- (5) **Effective July 1, 2007 for entrance into grade six (6), students must have a total of two (2) doses of measles vaccine, two (2) doses of mumps vaccine, one (1) dose of rubella vaccine and two (2) doses of varicella (chickenpox) vaccine.**
- (6) **Effective July 1, 2007 children attending any childcare facility (including pre-kindergarten programs) must show evidence of protection against pneumococcal disease.**
- (7) **Effective July 1, 2007 children born on or after January 1, 2006 who are attending childcare facilities (including pre-kindergarten programs) and schools must have proof of protection against hepatitis A disease (vaccination or serology).**
- (8) **Requirements for hepatitis A, hepatitis B, measles, mumps, rubella and varicella vaccines may be waived with serologic proof of immunity. Requirements for varicella vaccine may be waived also with a healthcare provider diagnosis of varicella disease or healthcare provider verification of history of varicella disease.**

Authority Ga. L. 1964, pp. 499, 564, 644; Ga. L. 1968, pp. 1436-1438; Ga. L. 1973, pp. 910, 911; Ga. L. 1977, pp. 787-789; Ga. L. 1979, p. 1284; Ga. L. 1981, pp. 756, 757; O.C.G.A. Secs. 20-2-771, 31-2-4, 31-12-3, 49-5-12. **History.** Original Rule entitled "Provisions; Certificate of Immunization" was filed on Jan. 28, 1977; eff. Feb. 17, 1977. **Amended:** Rule repealed and a new Rule entitled "Immunization Required" adopted. F. Nov. 29, 1979; eff. Dec. 19, 1979. **Amended:** Rule repealed and a new Rule of the same title adopted. F. Apr. 22, 1982; eff. May 12, 1982. **Amended:** F. Jul. 19, 1989; eff. Aug. 8, 1989. **Amended:** F. Aug. 19, 1993; eff. Sept. 8, 1993. **Amended:** F. Nov. 21, 1996; eff. Dec. 11, 1996. **Amended:** F. Jan. 20, 2000; eff. Feb. 9, 2000. **Amended:** Dec. 13, 2006 eff. Feb 21, 2007

290-5-4-.03 Official Immunization Schedules. Amended.

- (1) An immunization regimen equivalent to the current immunization schedule developed by the Advisory Committee on Immunization Practices (ACIP), adopted by the Department of Human Resources, and promulgated in the official state immunization program manual shall be deemed the minimum regimen of immunization which satisfies the requirements of and creates the condition of immunization. Immunization certified by local Boards of Health shall be accomplished in accord with the departmental immunization schedule.
- (2) Any other immunization schedule which includes the immunizations itemized in Rule 290-5-4-.02, Immunizations Required, and equals or exceeds the minimum requirements of the Departmental Immunization Schedule shall be deemed to satisfy

the requirement for issuance of a Certificate of Immunization.

- (3) Copies of the Departmental Immunization Schedule may be obtained from the Department or local Board of Health.

Authority Ga. L. 1964, pp. 499, 564, 644; Ga. L. 1968, pp. 1436-1438; Ga. L. 1973, pp. 910, 911; Ga. L. 1977, pp. 787-789; Ga. L. 1979, p. 1284; Ga. L. 1981, pp. 756, 757; O.C.G.A. Secs. 20-2-771, 31-12-3, 49-5-12. **History.** Original Rule entitled “Immunizations Required” was filed on Jan. 28, 1977; eff. Feb. 17, 1977. **Amended:** F. Apr. 25, 1978; eff. May 15, 1978. **Amended:** Rule repealed and a new Rule entitled “Official Immunization Schedules” adopted. F. Nov. 29, 1979; eff. Dec. 19, 1979. **Amended:** Rule repealed and a new Rule of the same title adopted. F. Apr. 22, 1982; eff. May 12, 1982. **Amended:** F. Jul. 19, 1989; eff. Aug. 8, 1989. **Amended:** F. Jan. 20, 2000; eff. Feb. 9, 2000.

290-5-4-.04 Certificate of Immunization. Amended.

Immunization shall be deemed to exist when certification is made by a physician or a qualified employee of a local Board of Health or the State Immunization Program, on a form provided by or approved by the Department of Human Resources, that a named person has been vaccinated against a specific disease in compliance with Section 290-5-4-.03 of this Chapter. Such Certificates may only be issued to persons immunized in accordance with Section 290-5-4-.02, .03 and .04 of this Chapter.

Authority Ga. L. 1964, pp. 499, 564, 644; Ga. L. 1968, pp. 1436-1438; Ga. L. 1973, pp. 910, 911; Ga. L. 1977, pp. 787-789; Ga. L. 1979, p. 1284; Ga. L. 1981, pp. 756, 757; O.C.G.A. Secs. 20-2-771, 31-12-3, 49-5-12. **History.** Original Rule entitled “Certificate of Adequate Immunization” was filed on Jan. 28, 1977; eff. Feb. 17, 1977. **Amended:** Rule repealed and a new Rule entitled “Certificate of Immunization” adopted. F. Nov. 29, 1979; eff. Dec. 19, 1979. **Amended:** Rule repealed and a new Rule of the same title adopted. F. Apr. 22, 1982; eff. May 12, 1982. **Amended:** F. Jan. 20, 2000; eff. Feb. 9, 2000.

290-5-4-.05 Certificate of Immunization Issued for Child with Physical Disability. Amended.

A physical disability having been found to exist, and in the opinion of a physician there being no clear prospect of when said disability or disabilities can be removed, said physician may at his discretion issue a Certificate of Immunization indicating medical exemption. A Certificate of Immunization indicating medical exemption shall be subject to review as provided by the certifying or another physician who may reissue it from year to year until and unless there is cause to believe that immunization or a specific immunization may finally be accomplished without danger to the child’s health.

Authority Ga. L. 1964, pp. 499, 564, 644; Ga. L. 1968, pp. 1436-1438; Ga. L. 1973, pp. 910, 911; Ga. L. 1977, pp. 787-789; Ga. L. 1979, p. 1284; Ga. L. 1981, pp. 756, 757; O.C.G.A. Secs. 20-2-771, 31-12-3, 49-5-12. **History.** Original Rule entitled “Official Immunization Schedules” was filed on Jan. 28, 1977; eff. Feb. 17, 1977. **Amended:** Rule repealed and a new Rule entitled “Certificate of Immunization Issued for Child with Physical Disability” adopted. F. Nov. 29, 1979; eff. Dec. 19, 1979. **Amended:** Rule repealed and a new Rule of the same title adopted. F. Apr. 22, 1982; eff. May 12, 1982. **Amended:** F. Jan. 20, 2000; eff. Feb. 9, 2000. .

290-5-4-.06 Certificate of Immunization for a Child Immunized Outside of Georgia. Amended.

Upon presentation of written proof (by vaccine type with the date of each dose) attested to by a physician licensed by the State of Georgia, or another state, or attested to by an authorized representative of the Health Authority of another country, state or nation, that all required immunizations have been accomplished for a child for whom entrance into a school or facility in Georgia is sought, or that a physical disability exists in such child, regardless of the grade of school or facility to be entered, said local Board of Health or

physician shall place the presented proof on file and may issue a Certificate of Immunization as provided by Rule 290-5-4-.04, or a Certificate of Immunization indicating medical exemption as provided by Rule 290-5-4-.05.

Authority Ga. L. 1964, pp. 499, 564, 644; Ga. L. 1968, pp. 1436-1438; Ga. L. 1973, pp. 910, 911; Ga. L. 1977, pp. 787-789; Ga. L. 1979, p. 1284; Ga. L. 1981, pp. 756, 757; O.C.G.A. Secs. 20-2-771, 31-2-4, 31-12-3, 49-5-12. **History.** Original Rule entitled "Certificate of Immunization Issued for Child with Physical Disability" was filed on Jan. 28, 1977; eff. Feb. 17, 1977. **Amended:** Rule repealed and a new Rule entitled "Certificate of Immunization for a Child Immunized Outside of Georgia" adopted. F. Nov. 29, 1979; eff. Dec. 19, 1979. **Amended:** Rule repealed and a new Rule of the same title adopted. F. Apr. 22, 1982; eff. May 12, 1982. **Amended:** F. Jul. 19, 1989; eff. Aug. 8, 1989. **Amended:** F. Aug. 19, 1993; eff. Sept. 8, 1993. **Amended:** F. Nov. 21, 1996; eff. Dec. 11, 1996. **Amended:** F. Jan. 20, 2000; eff. Feb. 9, 2000.

290-5-4-.07 Epidemics. Amended.

When in the opinion of the Department of Human Resources or local Board of Health an epidemic or the threat of an epidemic exists, said Department or Board shall immediately, by the most expedient means notify the governing authorities of all schools and facilities within the affected area. When the threat of epidemic exists, the health authority may require immunization for those who object on the grounds of religious beliefs, or may alternatively prohibit attendance at schools or facilities within the area by unimmunized children.

Authority Ga. L. 1964, pp. 499, 564, 644; Ga. L. 1968, pp. 1436-1438; Ga. L. 1973, pp. 910, 911; Ga. L. 1977, pp. 787-789; Ga. L. 1979, p. 1284; Ga. L. 1981, pp. 756, 757; O.C.G.A. Secs. 20-2-771, 31-12-3, 49-5-12. **History.** Original Rule entitled "Certificate of Immunization Issued for Child Exempt from Immunization Because of a Conflict with Religious Tenets and Practices" was filed on Jan. 28, 1977; eff. Feb. 17, 1977. **Amended:** Rule repealed and a new Rule entitled "Epidemics" adopted. Filed November 29, 1979; effective December 19, 1979. **Amended:** Rule repealed and a new Rule of the same title adopted. F. Apr. 22, 1982; eff. May 12, 1982. **Amended:** F. Jan. 20, 2000; eff. Feb. 9, 2000.

290-5-4-.08 Repealed.

Authority Ga. L. 1964, pp. 499, 564, 644; Ga. L. 1968, pp. 1436-1438; Ga. L. 1973, pp. 910, 911; Ga. L. 1977, pp. 787-789; and Ga. L. 1979, p. 1284. **History.** Original Rule entitled "Certificate of Immunization Issued for a Child Immunized Outside of Georgia" was filed on January 28, 1977; effective February 17, 1977. **Amended:** Rule repealed. Filed November 29, 1979; effective December 19, 1979.

290-5-4-.09 Repealed.

Authority Ga. L. 1964, pp. 499, 564, 644; Ga. L. 1968, pp. 1436-1438; Ga. L. 1973, pp. 910, 911; Ga. L. 1977, pp. 787-789; and Ga. L. 1979, p. 1284. **History.** Original Rule entitled "Enforcement" was filed on January 28, 1977; effective February 17, 1977. **Amended:** Rule repealed. Filed November 29, 1979; effective December 19, 1979.