



Public Health Law

Office for State, Tribal, Local and Territorial Support
Centers for Disease Control and Prevention

State School Immunization Requirements and Vaccine Exemption Laws

State laws establish vaccination requirements for school children. These vaccination laws often apply not only to children attending public schools but also to those attending private schools and day care facilities.¹ State laws also offer exemptions to school vaccination requirements, including medical, religious, and philosophical exemptions or some combination of these exemptions.²

The Centers for Disease Control and Prevention's (CDC's) Public Health Law Program (PHLP) is compiling a list of state statutes and regulations regarding school vaccinations. This document summarizes state vaccination laws compiled in February and March 2015.

To provide updates to relevant immunization laws from your state, please email Aila Hoss at ahoss@cdc.gov.

State Laws Regarding Application of School Vaccination Laws in Different Settings

All states require children to be vaccinated against certain communicable diseases as a condition for school attendance.³ In most instances, state school vaccination laws expressly apply to both public school as well as private schools with identical immunization and exemption provisions.⁴ All states establish vaccination requirements for children as a condition for day care attendance.⁵ These requirements also mirror the requirements for public school children and are often located in the same school vaccination provisions.⁶ Appendix 1 lists PHLP's results to date regarding the application of state school vaccination laws to public schools, private schools, and day care facilities.

¹ See, e.g., Colo. Rev. Stat. § 25-4-901; Haw. Rev. Stat. § 302A-901; LSA-R.S. 17:170; McKinney's Public Health Law § 2164; NDCC, 23-07-17.1; Tenn. Comp. R. & Regs. 1200-14-01-.29; West's RCWA 28A.210.080.

² See, e.g., Ala. Code 1975 § 16-30-3; West's Ann. Cal. Health & Safety Code § 120365(a); HRS § 302A-1156; Neb. Rev. St. § 79-221; R.C. § 3313.671(4), (5); W. Va. Code § 16-3-4. Philosophical exemptions include exemptions based on philosophical or personal beliefs or allowing the right to decline an immunization.

³ See, e.g., A.C.A. § 6-18-702(a); V.A.M.S. 210.003; 24 P.S. § 13-1303a.

⁴ See, e.g., Neb. Rev. St. § 79-217; W. Va. Code § 18-28-2; W.S.1977 § 21-4-309.

⁵ See, e.g., West's Ann. Cal. Health & Safety Code § 120335; I.C. § 39-1118; N.H. Code Admin. R. He-P 301.13.

⁶ See, e.g., West's Ann. Cal. Health & Safety Code § 120335; N.H. Code Admin. R. He-P 301.13; McKinney's Public Health Law § 2164.

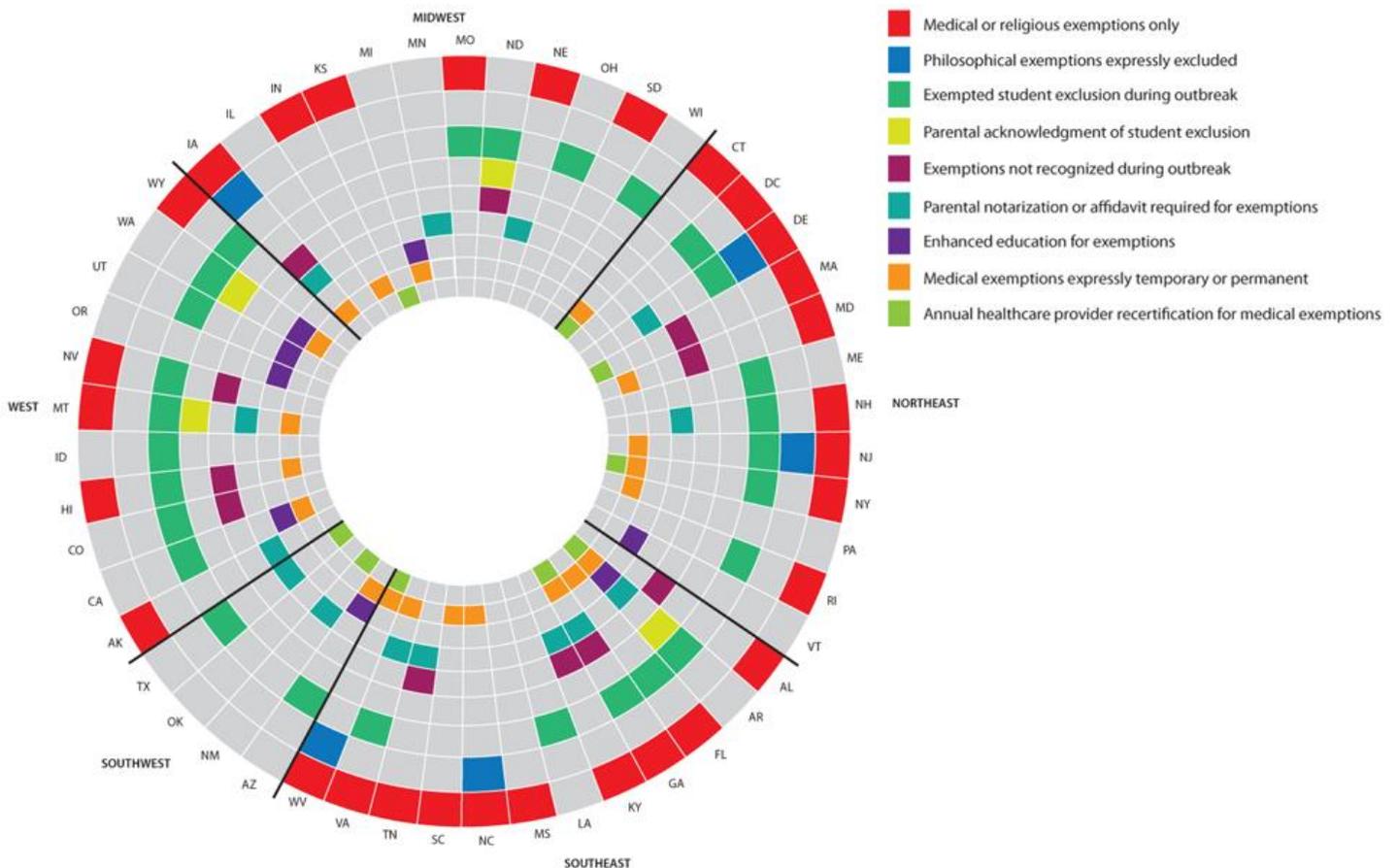


State Laws Regarding School Vaccination Exemptions

State law not only establishes exemptions for school vaccination requirements but also establishes requirements regarding the exemption application process and the implications of an exemption in the event of an outbreak. This document and accompanying graph highlights the follow nine attributes in school vaccination exemption laws:

1. Permitting medical or religious exemptions only
2. Excluding philosophical exemptions
3. Allowing exempted students to be excluded from school during outbreaks
4. Requiring parental acknowledgment during the exemption application process that exempted students can be excluded from school during outbreaks
5. Establishing that exemptions might not be recognized in the event of an outbreak
6. Requiring parental affidavit or notarization in the exemption application process
7. Requiring enhanced education on vaccinations in the exemption application process
8. Distinguishing between temporary and permanent medical exemptions in the exemption application process
9. Requiring annual or more frequent physician recertification for medical exemptions.

The appendices to this document explore some additional attributes in state laws that are not the primary focus of this document.



Exclusion of Philosophical Exemptions

Many states offer medical or religious exemptions only.⁷ Some states also specifically exclude philosophical exemptions in law, including Delaware, Iowa, and New Jersey.⁸

- **Delaware's** religious exemption process requires applicants to prepare an affidavit of religious belief, which includes a statement that "[t]his belief is not a political, sociological or philosophical view of a merely personal moral code."⁹
- **Iowa** law allows for a religious exemption from school vaccinations. Iowa law states that the immunization must conflict "with a genuine and sincere religious belief and that the belief is in fact religious and not based merely on philosophical, scientific, moral, personal, or medical opposition to immunizations."¹⁰
- **New Jersey** law says that schools are "prohibited from exempting a child from mandatory immunization on the sole basis of a moral or philosophical objection to immunization."¹¹

Exclusion of Exempted Students from School During an Outbreak

State laws sometimes expressly allow for exclusion of students with vaccination exemptions from school during an outbreak or emergency.¹² In addition, state laws sometimes require parental acknowledgment during the exemption application process that students can be excluded during an outbreak or emergency.¹³

- Under **Arkansas** law, exemption applications require parents to sign a statement of understanding that "[a]t the discretion of the Department of Health, the unimmunized child or individual may be removed from day care or school during an outbreak if the child or individual is not fully vaccinated."¹⁴
- Under **Georgia** law, "[d]uring an epidemic or a threatened epidemic of any disease preventable by an immunization required by the Department of Public Health, children who have not been immunized may be excluded from the school or facility until (1) they are immunized against the disease, unless they present valid evidence of prior disease, or (2) the epidemic or threat no longer constitutes a significant public health danger."¹⁵
- Under **Wyoming** law, "[i]n the presence of an outbreak of vaccine preventable disease as determined by the state or county health authority, school children for whom a waiver has been issued and who are not immunized against the occurring vaccine preventable disease shall be excluded from school attendance for a period of time determined by the state or county health authority."¹⁶

⁷ See, e.g., Ala. Code 1975 § 16-30-3; Haw. Rev. Stat. § 302A-1156; V.A.M.S. 167.181.

⁸ 14 Del. C. § 131(a)(6); Iowa Admin. Code 641-7.3(139A)(2); N.J.A.C. 8:57-4.4(a)(1).

⁹ 14 Del. C. § 131(a)(6).

¹⁰ Iowa Admin. Code 641-7.3(139A)(2).

¹¹ N.J.A.C. 8:57-4.4(a)(1).

¹² See, e.g., Ga. Code Ann. § 20-2-771(f); N.H. Rev. Stat. § 141-C:20-d; W.S.1977 § 21-4-309(a).

¹³ See, e.g., A.C.A. § 6-18-702(d)(4)(C)(iv); NDCC, 23-07-17.1(6).

¹⁴ A.C.A. § 6-18-702(d)(4)(C)(iv).

¹⁵ Ga. Code Ann. § 20-2-771(f).

¹⁶ W.S.1977 § 21-4-309(a).

Exemptions Might Not Be Recognized During and Outbreak

In some cases, state law establishes that exemptions might not be recognized during an outbreak, epidemic, or emergency.¹⁷

- Under **Hawaii** law, “[i]f at any time there is, in the opinion of the department of health, danger of an epidemic from any of the communicable diseases for which immunization is required under sections 302A-1154 to 302A-1163, no exemption from immunization against the disease shall be recognized.”¹⁸
- **Kentucky** law allows for religious exemptions “[p]rovided, however, that in the event of an epidemic in a given area, the Cabinet for Health and Family Services may, by emergency regulation, require the immunization of all persons within the area of epidemic, against the disease responsible for such epidemic.”¹⁹
- Under **North Dakota** law, “[w]hen, in the opinion of the health officer, danger of an epidemic exists from any of the communicable diseases for which immunization is required under this section, the exemptions from immunization against such disease may not be recognized and children not immunized must be excluded from an institution listed in subsection 1 until, in the opinion of the health officer, the danger of the epidemic is over.”²⁰

Requirement for Parental Notarization or Affidavit in Exemption Application

Some states require parental notarization or affidavit with its exemption applications.²¹

- An application for a religious exemption under **Alaska** law requires an “affidavit signed by his parent or guardian affirming that immunization conflicts with the tenets and practices of the church or religious denomination of which the applicant is a member.”²²
- **Minnesota** law allows for personal exemptions with “a notarized statement signed by the minor child’s parent or guardian . . . stating that the person has not been immunized . . . because of the conscientiously held beliefs of the parent or guardian of the minor child.”²³
- **Virginia** law states that “[n]o certificate of immunization shall be required for the admission to school of any student if . . . the student or his parent submits an affidavit to the admitting official stating that the administration of immunizing agents conflicts with the student’s religious tenets or practices.”²⁴

Requirement that Exemption Application Includes Enhanced Education Regarding Risks or Benefits

Several states require that their religious or philosophical exemption process include an educational component that discusses the benefits of vaccination and the risks or not being vaccinated.²⁵

¹⁷ See, e.g., HRS § 302A-1157; KRS § 214.036; NDCC, 23-07-17.1(6).

¹⁸ HRS § 302A-1157.

¹⁹ KRS § 214.036.

²⁰ NDCC, 23-07-17.1(6).

²¹ See, e.g., 4 AAC 06.055(b)(3); M.S.A. § 121A.15(3)(d); VA Code Ann. § 22.1-271.2(C).

²² 4 AAC 06.055(b)(3).

²³ M.S.A. § 121A.15(3)(d).

²⁴ VA Code Ann. § 22.1-271.2(C).

²⁵ See, e.g., A.R.S. § 15-873; West’s Ann. Cal. Health & Safety Code § 120365(b)(1); O.R.S. § 433.267(1)(c); U.C.A. 1953 § 53A-11-302.5(1); 18 V.S.A. § 1122(a)(3); West’s RCWA 28A.210.090(2)(a).

Entity Responsible for Education: Department of Health

- **Arizona's** philosophical exemption application requires "a signed statement to the school administrator stating that the parent or guardian has received information about immunizations provided by the department of health services and understands the risks and benefits of immunizations and the potential risks of nonimmunization."²⁶
- **Utah** law requires its health department to "provide to all local health departments a form to be used by persons claiming an exemption from immunization requirements based on a personal belief." State law further requires that the form include the "department's position regarding the benefits of immunization."²⁷
- **Vermont's** religious and philosophical exemption application requires that an applicant "(B) has reviewed and understands evidence-based educational material provided by the department of health regarding immunizations, including information about the risks of adverse reactions to immunization; (C) understands that failure to complete the required vaccination schedule increases risk to the person and others of contracting or carrying a vaccine-preventable infectious disease; and (D) understands that there are persons with special health needs attending schools and child care facilities who are unable to be vaccinated or who are at heightened risk of contracting a vaccine-preventable communicable disease and for whom such a disease could be life-threatening."²⁸

Entity Responsible for Education: Healthcare Providers

- **California's** application process for philosophical exemptions requires "that the health care practitioner provide[s] the parent or guardian of the person . . . with information regarding the benefits and risks of the immunization and the health risks of . . . communicable diseases . . . to the person and to the community."²⁹
- **Oregon's** process for religious and philosophical exemptions must include either "(i) A signature from a health care practitioner verifying that the health care practitioner has reviewed with the parent information about the risks and benefits of immunization . . . or (ii) A certificate verifying that the parent has completed a vaccine educational module."³⁰
- **Washington's** application process for all exemptions requires "a statement to be signed by a health care practitioner stating that he or she provided the signator with information about the benefits and risks of immunization to the child."³¹

Temporary or Permanent Medical Exemption Provisions

Several states distinguish between temporary and permanent medical exemptions in their application process.³²

- In **Connecticut**, "[a]n individual for whom a medical contraindication has been determined to be of a temporary nature shall be reviewed by a physician, physician assistant, certified nurse practitioner or local health authority at least annually in order to determine that the contraindication continues to exist."³³ Connecticut law further states that "[a]n individual for

²⁶ A.R.S. § 15-873.

²⁷ U.C.A. 1953 § 53A-11-302.5(1).

²⁸ 18 V.S.A. § 1122(a)(3).

²⁹ West's Ann. Cal. Health & Safety Code § 120365(b)(1).

³⁰ O.R.S. § 433.267(1)(c).

³¹ West's RCWA 28A.210.090(2)(a).

³² See, e.g., Regs. Conn. State Agencies § 10-204a-3a; Mont. Admin. R. 37.114.715; W. Va. Code St. R. § 64-95-5.2.

³³ Regs. Conn. State Agencies § 10-204a-3a(e).

whom a medical contraindication has been determined shall not be further reviewed if such individual's physical condition renders the exemption permanent."³⁴

- **Montana** law requires its medical exemption application to include "the period of time during which the immunization is contraindicated."³⁵
- **West Virginia** law states that "[i]f a child has been determined to be medically exempt from receiving one or more vaccinations, in accordance with the provisions of section nine of this rule, the certificate of immunization shall note specifically which vaccine the child is exempt from, the reason for the exemption, and whether or not the reason for the exemption is permanent or temporary."³⁶

Recertification of Medical Exemptions

Some states require medical exemption applications to be resubmitted annually or more frequently, which includes securing a statement or signature from a health care provider.³⁷

- In **Georgia**, "[a] Certificate of Immunization indicating medical exemption shall be valid for one year, and may be reissued from year to year until the physician determines that immunization or a specific immunization may finally be accomplished without danger to the child's health."³⁸
- To maintain a medical exemption, **Kansas** requires "[a]n annual written statement signed by a licensed physician stating the physical condition of the child to be such that the tests or inoculations would seriously endanger the life or health of the child."³⁹
- In **New Mexico**, the medical exemption process requires securing a statement from a physician. New Mexico law states that "the child is exempt from the legal requirement of immunization for a period not to exceed nine months on the basis of any one certificate, affidavits or affirmation."⁴⁰

Acknowledgments and Disclaimers

To update relevant immunization laws from your state, please email Aila Hoss at ahoss@cdc.gov.

This document was developed by Aila Hoss, JD, Oak Ridge Institute for Science and Education Fellow and Matthew Penn, JD, MLIS, director, with the Public Health Law Program (PHLP) within the CDC's Office for State, Tribal, Local and Territorial Support. This document was produced in collaboration with staff from the National Center for Immunization and Respiratory Diseases.

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³⁴ Regs. Conn. State Agencies § 10-204a-3a(d).

³⁵ Mont. Admin. R. 37.114.715(2)(b).

³⁶ W. Va. Code St. R. § 64-95-5.2.

³⁷ See, e.g., Ga Comp. R. & Regs. 511-2-2-.05; K.S.A. 72-5209(b)(1); N. M. S. A. 1978, § 24-5-3(B).

³⁸ Ga Comp. R. & Regs. 511-2-2-.05.

³⁹ K.S.A. 72-5209(b)(1).

⁴⁰ N. M. S. A. 1978, § 24-5-3(B).

Appendix 1: State Laws Regarding Application of School Vaccination Laws in Public Schools, Private Schools, and Day Care Facilities

	1. Does state law establish vaccination requirements for public school children?	2. Does state law establish vaccination requirements for private school children?	2a. If yes, do private school vaccination requirements regarding exemptions mirror those for public schools?	3. Does state law establish vaccination requirements for day care facilities?	3a. If yes, do day care facility vaccination requirements regarding exemptions mirror those for public schools?
Total	51	47	47	51	45
Alabama	Yes	Yes	Yes	Yes	Yes
Alaska	Yes	Yes	Yes	Yes	Yes
Arizona	Yes	Yes	Yes	Yes	Yes
Arkansas	Yes	Yes	Yes	Yes	Yes
California	Yes	Yes	Yes	Yes	Yes
Colorado	Yes	Yes	Yes	Yes	Yes
Connecticut	Yes	Yes	Yes	Yes	Yes
Delaware	Yes	Yes	Yes	Yes	Yes
District of Columbia	Yes	Yes	Yes	Yes	Yes
Florida	Yes	Yes	Yes	Yes	Yes
Georgia	Yes	Yes	Yes	Yes	Yes
Hawaii	Yes	Yes	Yes	Yes	Yes
Idaho	Yes	Yes	Yes	Yes	Yes
Illinois	Yes	Yes	Yes	Yes	Yes
Indiana	Yes	unclear	n/a	Yes	Yes
Iowa	Yes	Yes	Yes	Yes	Yes
Kansas	Yes	Yes	Yes	Yes	Yes
Kentucky	Yes	Yes	Yes	Yes	Yes
Louisiana	Yes	Yes	Yes	Yes	Yes
Maine	Yes	Yes	Yes	Yes	Yes
Maryland	Yes	Yes	Yes	Yes	Yes
Massachu-	Yes	Yes	Yes	Yes	Yes

	1. Does state law establish vaccination requirements for public school children?	2. Does state law establish vaccination requirements for private school children?	2a. If yes, do private school vaccination requirements regarding exemptions mirror those for public schools?	3. Does state law establish vaccination requirements for day care facilities?	3a. If yes, do day care facility vaccination requirements regarding exemptions mirror those for public schools?
setts					
Michigan	Yes	unclear	n/a	Yes	Yes
Minnesota	Yes	Yes	Yes	Yes	Yes
Mississippi	Yes	Yes	Yes	Yes	unclear
Missouri	Yes	Yes	Yes	Yes	No
Montana	Yes	Yes	Yes	Yes	unclear
Nebraska	Yes	Yes	Yes	Yes	No
Nevada	Yes	Yes	Yes	Yes	Yes
New Hampshire	Yes	Yes	Yes	Yes	Yes
New Jersey	Yes	Yes	Yes	Yes	Yes
New Mexico	Yes	Yes	Yes	Yes	Yes
New York	Yes	Yes	Yes	Yes	Yes
North Carolina	Yes	Yes	Yes	Yes	Yes
North Dakota	Yes	Yes	Yes	Yes	Yes
Ohio	Yes	unclear	n/a	Yes	Yes
Oklahoma	Yes	Yes	Yes	Yes	Yes
Oregon	Yes	Yes	Yes	Yes	Yes
Pennsylvania	Yes	Yes	Yes	Yes	No
Rhode Island	Yes	Yes	Yes	Yes	Yes
South Carolina	Yes	Yes	Yes	Yes	Yes
South Dakota	Yes	unclear	n/a	Yes	Yes
Tennessee	Yes	Yes	Yes	Yes	Yes
Texas	Yes	Yes	Yes	Yes	Yes

	1. Does state law establish vaccination requirements for public school children?	2. Does state law establish vaccination requirements for private school children?	2a. If yes, do private school vaccination requirements regarding exemptions mirror those for public schools?	3. Does state law establish vaccination requirements for day care facilities?	3a. If yes, do day care facility vaccination requirements regarding exemptions mirror those for public schools?
Utah	Yes	Yes	Yes	Yes	Yes
Vermont	Yes	Yes	Yes	Yes	Yes
Virginia	Yes	Yes	Yes	Yes	Yes
Washington	Yes	Yes	Yes	Yes	Yes
West Virginia	Yes	Yes	Yes	Yes	No
Wisconsin	Yes	Yes	Yes	Yes	Yes
Wyoming	Yes	Yes	Yes	Yes	Yes

Provisions reviewed: Ala. Code 1975 § 16-30-4; Ala. Admin. Code r. 420-6-1-.02; Ala. Admin. Code r. 420-6-1-.01; Ala. Admin. Code r. 420-6-1-.02(2); 4 AAC 06.055(a); 7 AAC 57.550; A.R.S. § 15-871; A.R.S. § 15-873; A.R.S. § 36-671; A.A.C. R9-6-702; A.A.C. R9-6-706; A.C.A. § 6-18-702; Ark. Admin. Code 005.15.1-I; Ark. Admin. Code 005.15.1-II; West’s Ann. Cal. Health & Safety Code § 120335; West’s Ann. Cal. Health & Safety Code § 120365; West’s Ann. Cal. Educ. Code § 8263; C.R.S.A. § 25-4-901; C.R.S.A. § 25-4-902; C.R.S.A. § 25-4-903; 6 CCR 1009-2:I(L); 14 Del. C. § 131; 16 Del. Admin. Code 4202-7.1.1, 7.1.9; DC ST § 38-501; DC ST § 38-502; DC ST § 38-506; West’s F.S.A. § 402.305; West’s F.S.A. § 1002.42; West’s F.S.A. § 1003.22; Fla. Admin. Code r. 64D-3.046; Fla. Admin. Code r. 65C-22.006; Ga. Code Ann. § 20-2-771; Ga Comp. R. & Regs. 511-2-2-.02; Haw. Rev. Stat. § 302A-901; HRS § 302A-1154; I.C. § 39-1118; I.C. § 39-4801; I.C. § 39-4802; I.C. § 39-4804; IDAPA 16.02.15.110; 105 ILCS 5/27-8.1; 77 Ill. Adm. Code 695.10; 77 Ill. Adm. Code 695.30; IC 12-17.2-4-18.1; IC 20-34-3-2; IC 20-34-3-3; IC 20-34-4-2; IC 20-34-4-6; 410 IAC 1-1-1; I.C.A. § 139A.8; Iowa Admin. Code 641-7.2(139A); K.S.A. 72-5208; K.S.A. 72-5209; K.A.R. 28-1-20; KRS § 214.034; KRS § 214.036; 902 Ky. Admin. Regs. 2:060; LSA-R.S. 17:170; 20-A M.R.S.A. § 6353; 20-A M.R.S.A. § 6355; 05-071 CMR Ch. 126, § 2; 10-148 CMR Ch. 32, Ch. I, § 17; MD Code, Education, § 7-403; COMAR 10.06.04.03; COMAR 13A.16.03.04; COMAR 13A.17.03.04(G); M.G.L.A. 76 § 15; 105 CMR 220.400; 105 CMR 220.500; M.C.L.A. 333.9208; M.C.L.A. 333.9211; M.C.L.A. 333.9215; M.S.A. § 121A.15; Miss. Code Ann. § 41-23-37; Miss. Code Ann. § 43-20-8; Miss. Admin. Code 15-6-8:1; Miss. Admin. Code 15-6-8:2; V.A.M.S. 210.003; 19 Mo. Code of State Regulations 20-28.010; 19 Mo. Code of State Regulations 20-28.040; MCA 20-5-402(2); MCA 20-5-403; MCA 20-5-405; Mont. Admin. R. 37.95.140; Mont. Admin. R. 37.114.703; Neb. Rev. St. § 71-1913.01; Neb. Rev. St. § 79-217; Neb. Rev. St. § 79-219; Neb. Rev. St. § 79-221; Neb. Admin. R. & Regs. Tit. 173, Ch. 3, § 008; Neb. Admin. R. & Regs. Tit. 173, Ch. 3, § 010; N.R.S. 392.435; N.R.S. 392.437; N.R.S. 392.439; N.R.S. 394.192; N.R.S. 394.193; N.R.S. 394.194; N.R.S. 432A.230; N.R.S. 432A.240; N.R.S. 432A.250; N.H. Rev. Stat. § 141-C:20-a; N.H. Code Admin. R. He-P 301.13; N.H. Code Admin. R. He-P 301.14; N.J.A.C. 8:57-4.1; N.J.A.C. 8:57-4.2; N.J.A.C. 8:57-4.3; N.J.A.C. 8:57-4.4; N. M. S. A. 1978, § 24-5-1; N. M. S. A. 1978, § 24-5-2; N. M. S. A. 1978, § 24-5-3; N.M. Admin. Code 7.5.2; N.M. Admin. Code 7.5.3; McKinney’s Public Health Law § 2164; 10 NYCRR 66-1.1(a); 10 NYCRR 66-1.3; N.C.G.S.A. § 130A-155; N.C.G.S.A. § 130A-156; N.C.G.S.A. § 130A-

157; 10A NCAC 41A.0401; NDCC, 23-07-17.1; NDAC 33-06-05-01; R.C. § 3313.671; R.C. § 5104.014; 10 Okl. St. Ann. § 411; 70 Okl. St. Ann. § 1210.191; 70 Okl. St. Ann. § 1210.192; Okla. Admin. Code 310:535-1-2; Okla. Admin. Code 310:535-1-3; O.R.S. § 433.235; O.R.S. § 433.267; OAR 333-050-0020; OAR 333-050-0040; OAR 333-050-0050; 24 P.S. § 13-1303a; 28 Pa. Code § 27.77; 28 Pa. Code § 23.83; 28 Pa. Code § 23.84; Gen. Laws 1956, § 16-38-2; R.I. Admin. Code 31-1-38:1.0; R.I. Admin. Code 31-1-38:2.0; R.I. Admin. Code 31-1-38:3.0; Code 1976 § 44-29-180; S.C. Code of Regulations R. 61-8; SDCL § 13-28-7.1; V.T.C.A., Education Code § 38.001; Tex. Admin. Code tit. 25, § 97.61; 25 TAC § 97.62; 25 TAC § 97.63; U.C.A. 1953 § 53A-11-301; U.C.A. 1953 § 53A-11-302; U.C.A. 1953 § 53A-11-302.5; 18 V.S.A. § 1120; 18 V.S.A. § 1121; 18 V.S.A. § 1122; Vt. Admin. Code 12-5-5:II; Vt. Admin. Code 12-5-5:VI; VA Code Ann. § 22.1-271.1; VA Code Ann. § 22.1-271.2; 12 VAC 5-110-10; 12 VAC 5-110-70; 12 VAC 5-110-80; West's RCWA 28A.210.070; West's RCWA 28A.210.080; West's RCWA 28A.210.090; WAC 246-105-020; WAC 246-105-030; WAC 246-105-050; W. Va. Code, § 18-28-2; W. Va. Code, § 18-28-6; W. Va. Code St. R. § 64-95-4; W. Va. Code St. R. § 64-95-9; W.S.A. 252.04; Wis. Adm. Code s DHS 144.01; Wis. Adm. Code s DHS 144.02; Wis. Adm. Code s DHS 144.04; Wis. Adm. Code s DHS 144.05; W.S.1977 § 21-4-309; WY Rules and Regulations HLTH MI Ch. 2 s 3.

Appendix 2: State Laws Regarding School Vaccination Exemptions

	4. Does state law allow medical or religious exemptions only?	4a. If state law allows for religious exemptions, does it expressly exclude exemptions based on philosophical beliefs?	5. Does state law expressly allow for exclusion of exempted students from school during an outbreak?	5a. If yes, does state law require parental acknowledgement of this during the exemption process?	6. Does state law establish that exemptions might not be recognized in the event of epidemic, outbreak, or emergency?
Total	30	5	27	4	11
Alabama	Yes	No	No	No	Yes
Alaska	Yes	No	No	n/a	No
Arizona	No	n/a	Yes	No	No
Arkansas	No	n/a	Yes	Yes	No
California	No	n/a	Yes	No	No
Colorado	No	n/a	Yes	No	Yes
Connecticut	Yes	No	No	n/a	No
Delaware	Yes	Yes	Yes	No	No
District of Columbia	Yes	No	Yes	No	No
Florida	Yes	No	Yes	No	No
Georgia	Yes	No	Yes	No	Yes
Hawaii	Yes	No	Yes	No	Yes

	4. Does state law allow medical or religious exemptions only?	4a. If state law allows for religious exemptions, does it expressly exclude exemptions based on philosophical beliefs?	5. Does state law expressly allow for exclusion of exempted students from school during an outbreak?	5a. If yes, does state law require parental acknowledgement of this during the exemption process?	6. Does state law establish that exemptions might not be recognized in the event of epidemic, outbreak, or emergency?
Idaho	No	n/a	Yes	No	No
Illinois	No	n/a	No	n/a	No
Indiana	Yes	No	No	n/a	No
Iowa	Yes	Yes	No	n/a	Yes
Kansas	Yes	No	No	n/a	No
Kentucky	Yes	No	No	n/a	Yes
Louisiana	No	n/a	Yes	No	No
Maine	No	n/a	Yes	No	No
Maryland	Yes	No	No	No	Yes
Massachusetts	Yes	No	No	No	Yes
Michigan	No	n/a	No	n/a	No
Minnesota	No	n/a	No	n/a	No
Mississippi	Yes	No	No	n/a	No
Missouri	Yes	No	Yes	No	No
Montana	Yes	No	Yes	Yes	No
Nebraska	Yes	No	No	n/a	No
Nevada	Yes	No	Yes	No	Yes
New Hampshire	Yes	No	Yes	No	No
New Jersey	Yes	Yes	Yes	No	No
New Mexico	No	n/a	No	n/a	No
New York	Yes	No	Yes	No	No
North Carolina	Yes	Yes	No	n/a	No
North Dakota	No	n/a	Yes	Yes	Yes

	4. Does state law allow medical or religious exemptions only?	4a. If state law allows for religious exemptions, does it expressly exclude exemptions based on philosophical beliefs?	5. Does state law expressly allow for exclusion of exempted students from school during an outbreak?	5a. If yes, does state law require parental acknowledgement of this during the exemption process?	6. Does state law establish that exemptions might not be recognized in the event of epidemic, outbreak, or emergency?
Ohio	No	n/a	Yes	No	No
Oklahoma	No	n/a	No	n/a	No
Oregon	No	n/a	No	n/a	No
Pennsylvania	No	n/a	No	n/a	No
Rhode Island	Yes	No	Yes	n/a	No
South Carolina	Yes	No	No	n/a	No
South Dakota	Yes	No	No	n/a	No
Tennessee	Yes	No	No	No	Yes
Texas	No	n/a	Yes	No	No
Utah	No	n/a	Yes	n/a	No
Vermont	No	n/a	No	n/a	No
Virginia	Yes	No	Yes	No	No
Washington	No	n/a	Yes	Yes	No
West Virginia	Yes	Yes	No	n/a	No
Wisconsin	No	n/a	Yes	No	No
Wyoming	Yes	No	Yes	No	No

Provisions reviewed: Ala. Code 1975 § 16-30-3; Ala. Admin. Code r. 420-6-1-.02(4); 4 AAC 06.055(b); A.R.S. § 15-873; A.A.C. R9-6-706; A.C.A. § 6-18-702; Ark. Admin. Code 005.15.23-5.04; Ark. Admin. Code 005.15.23-5.01.5.2; Ark. Admin. Code 005.15.23-6.0; West’s Ann. Cal. Health & Safety Code § 120365(a); West’s Ann. Cal. Health & Safety Code § 120365(e); 17 CCR § 6060; C.R.S.A. § 25-4-903(2)(b); C.R.S.A. § 25-4-908; 6 CCR 1009-2:II; C.G.S.A. § 10-204a(a); Regs. Conn. State Agencies § 10-204a-2a(m), (n); 14 Del. C. § 131; 16 Del. Admin. Code 4202-7.1.9; DC ST § 38-506; D.C. Mun. Regs. Subt. 5-E, § 5300; West's F.S.A. § 1003.22; Ga. Code Ann. § 20-2-771; Ga Comp. R. & Regs. 511-2-2-.07(2); HRS § 302A-1133; HRS § 302A-1156; HRS § 302A-1157; Haw. Admin. Rules (HAR) § 11-157-5(c); Haw. Admin. Rules (HAR) Exhibit B(5); 105 ILCS 5/27-8.1; 77 Ill. Adm. Code 695.30; I.C.A. § 139A.8(4)(b); Iowa Admin. Code 641-

7.3(139A); K.S.A. 72-5209; KRS § 214.036; LSA-R.S. 17:170; 20-A M.R.S.A. § 6355; 20-A M.R.S.A. § 6356(1); 20-A M.R.S.A. § 6359; 05-071 CMR Ch. 126, § 6; MD Code, Education, § 7-403(b)(1); COMAR 10.06.04.04; COMAR 10.06.04.05; M.C.L.A. 333.9215; M.S.A. § 121A.15(d); Miss. Code Ann. § 41-23-37; V.A.M.S. 167.181(3); 19 Mo. Code of State Regulations 20-28.010(4); MCA 20-5-405; Mont. Admin. R. 37.114.703(1); Mont. Admin. R. 37.114.709; Mont. Admin. R. 37.114.715; Mont. Admin. R. 37.114.716; Neb. Rev. St. § 79-221; Neb. Admin. R. & Regs. Tit. 173, Ch. 3, § 010; N.R.S. 392.437; N.R.S. 392.439; N.R.S. 392.446(2); NAC 441A.610; NAC 441A.630; N.H. Rev. Stat. § 141-C:20-c; N.H. Rev. Stat. § 141-C:20-d; N.H. Code Admin. R. He-P 301.13; N.J.A.C. 8:57-4.3(d); N.J.A.C. 8:57-4.4(d); N.J.A.C. 8:57-4.22(b); McKinney's Public Health Law § 2164(8), (9); 10 NYCRR 66-1.3; 10 NYCRR 66-1.10; N.C.G.S.A. § 130A-156; N.C.G.S.A. § 130A-157; 10A NCAC 41A.0403; 10A NCAC 41A.0404; NDCC, 23-07-17.1(3); NDAC 33-06-05-01; R.C. § 3313.671; 70 Okl. St. Ann. § 1210.192; Okla. Admin. Code 310:535-1-2(d); O.R.S. § 433.267; OAR 333-050-0050; 24 P.S. § 13-1303a; 28 Pa. Code § 23.84; Gen. Laws 1956, § 16-38-2; R.I. Admin. Code 31-1-38:3.5.3; S.C. Code of Regulations R. 61-8; SDCL § 13-28-7.1; T. C. A. § 49-6-5001; Tenn. Comp. R. & Regs. 1200-14-01-.29; U.C.A. 1953 § 53A-11-302; U.C.A. 1953 § 53A-11-302.5; U.A.C. R396-100; 18 V.S.A. § 1122; Vt. Admin. Code 12-5-5:VI; VA Code Ann. § 22.1-271.2; 12 VAC 5-110-80; 12 VAC 5-110-120; West's RCWA 28A.210.090; WAC 246-105-050; WAC 246-105-080; WAC 246-110-020; W. Va. Code, § 16-3-4; W. Va. Code St. R. § 64-95-9; W.S.A. 252.04; Wis. Adm. Code s DHS 144.04; Wis. Adm. Code s DHS 144.05; Wis. Adm. Code s DHS 144.07(10); W.S.1977 § 21-4-309.

Appendix 3: State Laws Regarding School Vaccination Exemption Procedures

Table 3a

	7. Does state law require a separate exemption application for each vaccine?	8. Does state law require parental notarization or affidavit in the exemption application process?	9. Does state law require the name of the child's school to be listed in the exemption application?	10. Does state law require the exemption application go to the health department?
Total	2	14	1	5
Alabama	No	No	No	Yes
Alaska	No	Yes	No	No
Arizona	No	No	No	No
Arkansas	No	Yes	No	Yes
California	No	No	No	No
Colorado	No	No	No	No
Connecticut	No	No	No	No
Delaware	No	Yes	No	No
District of Columbia	No	No	No	No
Florida	No	No	No	No
Georgia	No	Yes	No	No

	7. Does state law require a separate exemption application for each vaccine?	8. Does state law require parental notarization or affidavit in the exemption application process?	9. Does state law require the name of the child's school to be listed in the exemption application?	10. Does state law require the exemption application go to the health department?
Hawaii	No	No	No	No
Idaho	No	No	No	No
Illinois	No	No	No	No
Indiana	No	No	No	No
Iowa	No	Yes	No	No
Kansas	No	No	No	No
Kentucky	No	Yes	No	No
Louisiana	No	No	No	No
Maine	No	No	No	No
Maryland	No	No	No	No
Massachusetts	No	No	No	No
Michigan	No	No	No	Yes
Minnesota	No	Yes	No	Yes
Mississippi	No	No	No	No
Missouri	No	No	No	No
Montana	Yes	Yes	No	No
Nebraska	No	Yes	No	No
Nevada	No	No	No	No
New Hampshire	No	Yes	No	No
New Jersey	No	No	No	No
New Mexico	No	Yes	No	No
New York	No	No	No	No
North Carolina	No	No	No	No
North Dakota	No	No	No	No
Ohio	No	No	No	No
Oklahoma	No	No	No	No

	7. Does state law require a separate exemption application for each vaccine?	8. Does state law require parental notarization or affidavit in the exemption application process?	9. Does state law require the name of the child's school to be listed in the exemption application?	10. Does state law require the exemption application go to the health department?
Oregon	No	No	No	No
Pennsylvania	No	No	No	No
Rhode Island	No	No	No	No
South Carolina	No	No	No	No
South Dakota	No	No	No	No
Tennessee	Yes	Yes	No	No
Texas	No	Yes	No	No
Utah	No	No	Yes	No
Vermont	No	No	No	No
Virginia	No	Yes	No	No
Washington	No	No	No	No
West Virginia	No	No	No	Yes
Wisconsin	No	No	No	No
Wyoming	No	No	No	No

Table 3b

	11. Does state law require education about the benefits of vaccination or the risks of being unvaccinated in the exemption process?	11a. If yes, is the department of health responsible for providing the education?	11b. If yes, is a healthcare provider responsible for providing the education?	12. Does state law distinguish between temporary and permanent medical contraindications?	13. Does state law require an annual or more frequent health care provider recertification for medical exemptions?
Total	8	6	3	20	9
Alabama	No	n/a	n/a	No	No
Alaska	No	n/a	n/a	No	No
Arizona	Yes	Yes	No	Yes	No
Arkansas	Yes	Yes	No	Yes	Yes
California	Yes	No	Yes	Yes	No
Colorado	No	n/a	n/a	No	No
Connecticut	No	n/a	n/a	Yes	Yes
Delaware	No	n/a	n/a	No	No
District of Columbia	No	n/a	n/a	No	No
Florida	No	n/a	n/a	Yes	No
Georgia	No	n/a	n/a	Yes	Yes
Hawaii	No	n/a	n/a	Yes	No
Idaho	No	n/a	n/a	No	No
Illinois	No	n/a	n/a	No	No
Indiana	No	n/a	n/a	Yes	No
Iowa	No	n/a	n/a	Yes	No
Kansas	No	n/a	n/a	No	Yes
Kentucky	No	n/a	n/a	No	No
Louisiana	No	n/a	n/a	No	No
Maine	No	n/a	n/a	No	No
Maryland	No	n/a	n/a	Yes	No
Massachusetts	No	n/a	n/a	No	Yes

	11. Does state law require education about the benefits of vaccination or the risks of being unvaccinated in the exemption process?	11a. If yes, is the department of health responsible for providing the education?	11b. If yes, is a healthcare provider responsible for providing the education?	12. Does state law distinguish between temporary and permanent medical contraindications?	13. Does state law require an annual or more frequent health care provider recertification for medical exemptions?
Michigan	Yes	Yes	n/a	Yes	No
Minnesota	No	n/a	n/a	No	No
Mississippi	No	n/a	n/a	No	No
Missouri	No	n/a	n/a	No	No
Montana	No	n/a	n/a	Yes	No
Nebraska	No	n/a	n/a	No	No
Nevada	No	n/a	n/a	No	No
New Hampshire	No	n/a	n/a	No	No
New Jersey	No	n/a	n/a	Yes	No
New Mexico	No	n/a	n/a	No	Yes
New York	No	n/a	n/a	Yes	Yes
North Carolina	No	n/a	n/a	Yes	No
North Dakota	No	n/a	n/a	No	No
Ohio	No	n/a	n/a	No	No
Oklahoma	No	n/a	n/a	No	No
Oregon	Yes	Yes	Yes	No	No
Pennsylvania	No	n/a	n/a	Yes	No
Rhode Island	No	n/a	n/a	No	No
South Carolina	No	n/a	n/a	Yes	No
South Dakota	No	n/a	n/a	No	No
Tennessee	No	n/a	n/a	No	No

	11. Does state law require education about the benefits of vaccination or the risks of being unvaccinated in the exemption process?	11a. If yes, is the department of health responsible for providing the education?	11b. If yes, is a healthcare provider responsible for providing the education?	12. Does state law distinguish between temporary and permanent medical contraindications?	13. Does state law require an annual or more frequent health care provider recertification for medical exemptions?
Texas	No	n/a	n/a	No	Yes
Utah	Yes	Yes	No	No	No
Vermont	Yes	Yes	No	No	No
Virginia	No	n/a	n/a	Yes	No
Washington	Yes	No	Yes	Yes	No
West Virginia	No	n/a	n/a	Yes	Yes
Wisconsin	No	n/a	n/a	No	No
Wyoming	No	n/a	n/a	No	No

Provisions reviewed: Ala. Admin. Code r. 420-6-1-.02; 4 AAC 06.055(b)(3); A.R.S. § 15-873(A)(2)| A.A.C. R9-6-706(E); A.C.A. § 6-18-702; Ark. Admin. Code 005.15.23-5.01.3; Ark. Admin. Code 005.15.23-5.01.4; Ark. Admin. Code 005.15.23-5.02; West’s Ann. Cal. Health & Safety Code § 120365; 17 CCR § 6050; 17 CCR § 6051; 17 CCR § 6070; Regs. Conn. State Agencies § 10-204a-3a(d), (e); 14 Del. C. § 131(6); Fla. Admin. Code r. 64D-3.046(2)(b)(1); Ga. Code Ann., § 20-2-771; Ga Comp. R. & Regs. 511-2-2-.05; Haw. Admin. Rules (HAR) § 11-157-5(a); Haw. Admin. Rules (HAR) Exhibit B(5); IC 20-34-3-3; I.C.A. § 139A.8(4)(a)(2); Iowa Admin. Code 641-7.3(139A); K.S.A. 72-5209(b)(1); KRS § 214.036; COMAR 10.06.04.04; M.C.L.A. 333.9215(12); Mich. Admin. Code R. 325.176; M.S.A. § 121A.15; 19 Mo. Code of State Regulations 20-28.010(1)(C)(1); MCA 20-5-405(1); Mont. Admin. R. 37.114.703(1)(i); Mont. Admin. R. 37.114.715; Mont. Admin. R. 37.114.716; Neb. Rev. St. § 79-221(2); N.H. Rev. Stat. § 141-C:20-c(II); N.J.A.C. 8:57-4.3; N. M. S. A. 1978, § 24-5-3; McKinney’s Public Health Law § 2164(8); 10 NYCRR 66-1.3(c); N.C.G.S.A. § 130A-156; 10A NCAC 41A.0404; O.R.S. § 433.267; 28 Pa. Code § 23.84; S.C. Code of Regulations R. 61-8; Tenn. Comp. R. & Regs. 1200-14-01-.29; V.T.C.A., Education Code § 38.001; 25 TAC § 97.62; U.C.A. 1953 § 53A-11-302.5; 18 V.S.A. § 1122; Vt. Admin. Code 12-5-5:VI; VA Code Ann. § 22.1-271.2; 12 VAC 5-110-80; West’s RCWA 28A.210.090; WAC 246-105-050; WAC 246-105-060; W. Va. Code St. R. § 64-95-5.2; W. Va. Code St. R. § 64-95-9; W. Va. Code St. R. § 64-95-9.3.