



# Unimmunized Children in the Child Care Setting

Immunizations (vaccines) protect us, and those around us, from potentially dangerous infectious diseases. Vaccines are rigorously tested for safety before being used routinely. Because of vaccines, devastating diseases like *Haemophilus influenzae* type B meningitis, *pneumococcal meningitis*, *polio* and *pertussis* are now uncommon in young children who have been vaccinated. Outbreaks of vaccine-preventable diseases still occur in areas where groups of parents are choosing not to immunize their children, such as the pertussis outbreak that occurred in Davis, California, in 2002 and the measles outbreak that occurred in Seattle, Washington, in 2001. Some children are not immunized for medical reasons such as allergies, or because of the parents' religious or personal beliefs. Unimmunized children and staff run the risk of getting seriously ill or even dying from vaccine-preventable diseases.

## Immunization Requirements for Child Care in California

Children are required by the California School Immunization Law to be appropriately immunized against diseases prior to attending licensed child care and school settings. Immunization requirements apply equally to both child care centers and licensed family child care programs. Parents must present their child's immunization record to the child care provider before enrollment. Providers are required to assess children's immunization status and transfer each child's immunization record to a California School Immunization Record or "blue card," which is available free of charge from the Immunization Coordinator at your local health department. Providers are also required to follow up with children who are incomplete until they have completed all required immunizations.

## Can a Child be Exempted from Immunization Requirements?

There are two situations where California law allows a child to be exempted from the immunization requirements.

### Medical Exemptions

A medical exemption is granted when a child should not get some or all shots for temporary or permanent medical reasons.

If a child has a temporary medical condition which rules out one or more immunizations, or their physician wishes to delay an immunization, a child can be temporarily exempted from the requirement. To receive a Temporary Medical Exemption, the parent must provide a statement from a physician (preferably on letterhead), stating which immunizations the child cannot have at this time, why, and when the immunization(s) will be given. The letter of exemption must be attached to the immunization "blue card" and the follow-up date should be noted. *It is the child care provider's responsibility to follow up before the exemption expires.* The child must either receive the immunization(s) needed or another Temporary Medical Exemption when the current one expires.

If a child has a medical condition that permanently rules out one or more immunizations, the child can be exempted from the immunization requirement. To grant a Permanent Medical Exemption, the parent must provide a statement from a physician stating that there is a medical condition which permanently rules out immunization(s), and which immunization(s) the child cannot receive. The letter of exemption must be attached to the immunization "blue card."

### Religious and Personal Beliefs Exemptions

If immunization is against a family's religious or personal beliefs, they are asked to sign the Personal Beliefs Affidavit on the back of the "blue card." By signing the affidavit, parents acknowledge that if there is an outbreak of any disease their child is not protected against, the child may be temporarily excluded from attending child care. However, *the Personal Beliefs Exemption is to be granted to parents only for reasons of personal belief, and not as a matter of convenience because a parent can't find the immunization record, or does not "have time" to take the child to get immunized.*

NOTE: Under California law, child care providers cannot legally exclude those whom they know are unimmunized or under-immunized for *medical* or *religious/personal* reasons that are properly documented. If the parent provides documentation for medical exemption and/or signs the Personal Beliefs Affidavit on the back of the “blue card” then they are protected by law and may not be excluded from child care.

## What is the Risk?

An outbreak of vaccine-preventable diseases can have serious consequences. Vaccine-preventable diseases remain a threat, can be difficult to treat, and sometimes can be deadly. Immunizations have proven very effective in *significantly* lowering the risk of getting sick or dying from a vaccine-preventable disease. A child who is not immunized is at greater risk of catching a vaccine-preventable disease AND infecting others. The greatest risk is to infants who have not yet received all of their immunizations, the elderly, persons who cannot be immunized for medical reasons or have immune system problems, and the small percentage of children whose immunizations failed to provide resistance.

## What Can Child Care Providers Do?

Providers need to protect children, families, staff and themselves from serious illness, as well as protecting themselves from potential liability.

- Establish an immunization tracking system to remind parents to bring in their child’s immunization record, in order to update the “blue card.” It’s the child care providers’ responsibility to track immunization of the children in their care who are 2, 4, 6, 15, and 18 months and at age 4 years old until immunizations are finished. For a downloadable PDF version of *California Immunization Requirements for Child Care*, visit [www.dhs.cahwnet.gov/ps/dcdc/izgroup/pdf/IMM230-0503.pdf](http://www.dhs.cahwnet.gov/ps/dcdc/izgroup/pdf/IMM230-0503.pdf). To help set up an immunization tracking system, acquire a copy of the *California Immunization Handbook for School and Child Care*, 7<sup>th</sup> Ed., by contacting your health department’s Immunization Program or online at: [www.dhs.cahwnet.gov/ps/dcdc/izgroup/handbook.htm](http://www.dhs.cahwnet.gov/ps/dcdc/izgroup/handbook.htm).
- Provide information for parents on the importance and benefits of immunization, available at [www.cdc.gov/nip](http://www.cdc.gov/nip) and [www.aap.org](http://www.aap.org).

- Include a policy in your Parent’s Handbook stating that there are or may be unimmunized and/or under-immunized children in the program. Explain what will be done in case of an outbreak of a vaccine-preventable disease in your program. The National Health and Safety Standards recommends that if a vaccine-preventable disease outbreak occurs “*unimmunized children shall be excluded for the duration of possible exposure or until the age-appropriate immunizations have been completed (whichever comes first)*”.<sup>1</sup> This is to ensure the “protection of unimmunized and under-immunized (e.g., infants) individuals in the child care setting.”
- Maintain a confidential list of children with medical exemptions or personal belief affidavits so that these children can be quickly identified and excluded if an outbreak occurs.
- Remember that all medical information, including a child’s immunization status, is personal and *confidential*.

The information given here is not to be taken as legal advice. It’s a good idea to consult with legal counsel before excluding a child based on immunization status. The Child Care Law Center ([www.childcarelaw.org](http://www.childcarelaw.org) or 415-394-7144) is an excellent, free resource. For more information call the Healthline at (800) 333-3212.

### Online Resources

*California School Immunization Record (“blue card”)*: [www.dhs.cahwnet.gov/publications/forms/pdf/pm286b.pdf](http://www.dhs.cahwnet.gov/publications/forms/pdf/pm286b.pdf).

*“Notice of Immunizations Needed” sample form to show parents/guardians what immunizations are required for their children, available in English and Spanish at: [www.immunization-sd.org/docs/iz10.pdf](http://www.immunization-sd.org/docs/iz10.pdf).*

*Immunization names/abbreviations: [www.immunization-sd.org/docs/iz78.pdf](http://www.immunization-sd.org/docs/iz78.pdf).*

*Parents Guide to Childhood Immunization (English and Spanish). National Immunization Program at (800) 232-2522 or [www.cdc.gov/nip/publications/Parents-Guide/default.htm#order](http://www.cdc.gov/nip/publications/Parents-Guide/default.htm#order).*

*Recommended Childhood Immunization Schedule. [www.cdc.gov/nip/recs/child-schedule.pdf](http://www.cdc.gov/nip/recs/child-schedule.pdf).*

### References

*Legal Update. Unimmunized Children in Child Care Settings. (Summer 2003-Corrected December 2003). Child Care Law Center, 221 Pine St., 3<sup>rd</sup> Floor, San Francisco, CA 94104. Online at [www.childcarelaw.org/Publications/Summer2003-corrected.pdf](http://www.childcarelaw.org/Publications/Summer2003-corrected.pdf).*

<sup>1</sup>*Caring for Our Children: Health and Safety Performance Standards: Guidelines for Out-of-Home Child Care Programs, 2<sup>nd</sup> Ed. (2002).*

05/04

California Childcare Health Program • 1950 Addison St., Suite 107 • Berkeley, CA 94704-1182  
Telephone 510-839-1195 • Fax 510-839-0339 • Healthline 1-800-333-3212 • [www.ucsfchildcarehealth.org](http://www.ucsfchildcarehealth.org)