



Virginia Department of Planning and Budget **Economic Impact Analysis**

12 VAC 5-110 Regulations for the Immunization of School Children
Department of Health
May 7, 2015

Summary of the Proposed Amendments to Regulation

The State Board of Health (Board) proposes to:

- Add mumps to the list of diseases for which demonstration of immunity is acceptable in lieu of a vaccine shot;
- Reduce from 30 days to 10 days the time that the admitting official from the school that a student has left must send immunization records and academic records to the student's new school;
- Update and clarify definitions;
- Remove references to outdated versions of forms and U.S. Center for Disease Control and Prevention Advisory Committee on Immunization Practices (CDC-ACIP) schedules;
- Clarify that a printout of an electronic record can be accepted without the signature of a nurse or physician;
- Clarify that pneumococcal conjugate vaccine is not required for children enrolling in kindergarten;
- Clarify how long after the fourth birthday is allowable for those vaccines that are required to be administered on or after the fourth birthday; and
- Clarify that the certificate of religious exemption must be notarized.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

The proposed updating of definitions and the various proposed language amendments to clarify current requirements will enable readers of the regulation to more accurately understand requirements in practice. Thus these proposed amendments will likely produce a small net benefit.

The CDC-ACIP has found that children who have demonstrated existing immunity to mumps are safe to be considered adequately immunized for the disease. Consequently the Board

proposes to exempt students who have documentation of antibodies against mumps from the requirement for the mumps immunization shot. In order to prove immunity the child would need to have blood drawn. So for those families who chose to prove immunity rather than have the mumps shot it will not likely significantly affect cost in time or dollars, but does provide an additional option for those who wish to avoid additional vaccines. Thus, this proposed amendment will create a net benefit.

Under the current regulations, the admitting official of the school from which a student is transferring must send the student's immunization records or a copy thereof, along with his permanent academic or scholastic records, to the admitting official of the school to which the student is transferring within 30 days of the transfer to the new school. The Board proposes to shorten the required time within which to send the records to 10 days. The proposed reduction in time is intended to help reduce the potential for delays in enrollment for transferring students.¹

There are no official requirements concerning notifying the old school when a student seeks to enroll in a new school.² Nevertheless, according to the Department of Education the admitting officials of the schools from which students transfer have been notified in sufficient time in practice. The 30-day deadline has been consistently met, but taking upwards of 30 days to send immunization records has in some cases delayed students' enrollment in their new school. To the extent that reducing from 30 days to 10 days the time that the admitting official from the school that a student has left must send immunization records and academic records to the student's new school would reduce enrollment delays, the proposed amendment has the potential to produce significant benefit.

In order for the proposed amendment to make a significant difference in practice, the admitting officials of the old schools will need to be notified of the student's attempt at new enrollment quickly. There are no explicit penalties for failure to meet either the 30 day or 10 day deadlines; presumably admitting officials will seek to meet the deadline in effect in order to help the student in question.

¹ Source: Virginia Department of Education

² Ibid

Businesses and Entities Affected

The proposed regulations pertain to approximately 4200 private healthcare providers,³ 135 public health clinics,⁴ admitting officials at schools within the Commonwealth's 132 school districts, and students.

Localities Particularly Affected

The proposed amendments do not disproportionately affect particular localities.

Projected Impact on Employment

The proposed amendments will not significantly affect employment.

Effects on the Use and Value of Private Property

The proposed amendments will not significantly affect the use and value of private property.

Small Businesses: Costs and Other Effects

The proposed amendments will not significantly affect costs for small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed amendments will not adversely affect small businesses.

Real Estate Development Costs

The proposed amendments will not affect real estate development costs.

Legal Mandate

General: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia and Executive Order Number 17 (2014). Section 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to:

- the projected number of businesses or other entities to whom the proposed regulatory action would apply,
- the identity of any localities and types of businesses or other entities particularly affected,
- the projected number of persons and employment positions to be affected,

³ Data source: Virginia Department of Health

⁴ Ibid

- the projected costs to affected businesses or entities to implement or comply with the regulation, and
- the impact on the use and value of private property.

Small Businesses: If the proposed regulatory action will have an adverse effect on small businesses, § 2.2-4007.04 requires that such economic impact analyses include:

- an identification and estimate of the number of small businesses subject to the proposed regulation,
- the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents,
- a statement of the probable effect of the proposed regulation on affected small businesses, and
- a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

Additionally, pursuant to § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules (JCAR) is notified at the time the proposed regulation is submitted to the *Virginia Register of Regulations* for publication. This analysis shall represent DPB's best estimate for the purposes of public review and comment on the proposed regulation.

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Town Hall ID: Action 4334 / Stage 7179