



Frequently Asked Questions for Public Health Law (PHL) § 2805-h Tdap in Newborn Nurseries – Effective 01/14/2013

1. Is there a pamphlet available on pertussis or Tdap information?

Information on pertussis disease is available from NYSDOH at:

http://www.health.ny.gov/diseases/communicable/pertussis/fact_sheet.htm.

Information on Tdap can be found in the Tdap Vaccine Information Statement (VIS) and is available at:

http://www.immunize.org/vis/td_tdap.pdf.

2. Does the Tdap vaccine have to be administered or is education enough?

According to PHL § 2805-h(3), every hospital having a newborn nursery or providing obstetric services shall “offer to every parent, person in parental relation or other person who is reasonably anticipated to be a caregiver of a newborn, vaccination against Bordetella pertussis. If the parent or person in parental relationship wishes to be vaccinated, **the hospital shall provide the person with the vaccination**. If the parent or person in parental relation declines the offer or wishes to defer vaccination, the hospital shall provide information on where such person may be vaccinated.”

3. Do hospitals only have to provide the Tdap vaccination to caregivers and parents from April 1 - September 1?

No. The April 1 – September 1 timeframe noted in PHL § 2805-h(3) refers to providing influenza vaccine to parents and caregivers of a newborn admitted to a Neonatal Intensive Care Unit (NICU). Unlike influenza, pertussis is not a seasonal disease. Therefore, Tdap must be offered and provided year round.

4. Does PHL § 2805-h require hospitals to actively seek out all anticipated caregivers of newborns for vaccination, or only to offer and provide vaccine to those caregivers who present to the hospital to visit baby and/or mother?

The law only requires hospitals to offer and provide vaccination to those caregivers who present at the hospital.

5. Is there a standard screening form?

Standing orders for identifying adults in need of Tdap vaccination, screening for contraindications and precautions to Tdap vaccination, and Tdap vaccine administration to adults are available at: <http://www.immunize.org/catg.d/p3078.pdf> .

PHL § 2805-h provides that the hospital “need not offer the vaccination to parents or persons in parental relation who have already received such vaccine or for whom it is medically inappropriate.”

6. Does the vaccine administration or refusal information need to be documented in the mother’s chart?

No. Only the mother’s vaccine information is documented in her chart. The amendment to the PHL is to protect the infant, not the mother, therefore facilities should document in the infant’s chart that the family members and caregivers have been offered vaccine to ensure a consistent procedure to protect all newborns in the community.

In New York State (NYS) when standing orders are used, additional documentation is required under the Nurse Practice Act. Additional details are available at: <http://www.op.nysed.gov/prof/nurse/immuguide.htm> .

A record of vaccination must be given to the vaccinee.

7. Is there a form available that we could use to record vaccination administration?

NYSDOH Bureau of Immunization has vaccine administration and patient record cards available free through our website at: http://www.health.ny.gov/forms/order_forms/immunization.pdf.

8. Are there standard procedures for vaccine administration?

Excellent resources are available for guidance on administration of vaccine to adults from the Immunization Action Coalition (IAC): <http://www.immunize.org/handouts/administering-vaccines.asp>.

Standing orders for administering Tdap to adults compliant with the NYS Nurse Practice Act are available at: <http://www.immunize.org/catg.d/p3078.pdf>

9. If the father or caregiver is a minor, do we need to get consent from a parent to vaccinate?

According to PHL § 2504, the parent of a child may consent for himself or herself. Other minor caregivers must obtain consent for immunization from a parent, guardian or specific adult family members in accordance with PHL § 2504(5).

10. Who pays for this? Is there free vaccine available from NYS?

It is the hospital's responsibility to purchase the Tdap vaccine. NYS does not have any "free" vaccine available.

Hospitals may be able to recover some of their costs by billing the family member's or caregiver's insurance plan, or by charging the family member or caregiver.

11. Are there hospitals that have instituted this program and have suggestions we could use?

Hospitals that have neonatal intensive care units have been required to offering influenza vaccine to caregivers of these high risk infants since 2009. Hospitals with NICUs have developed some effective systems to ensure vaccine is administered while the family member or caregiver is visiting the newborn in the hospital.

One option is to give the vaccine during the hospital visit using an abbreviated admission form. Another option is to issue the family member a coupon or voucher for an expedited outpatient visit. Hospitals are encouraged to work with their Admission/Registration personnel to streamline the billing process.

Finally, the most successful programs are those that ensure family members and caregivers are vaccinated before the delivery. Education and provision for vaccine can be provided at ultrasound visits, birthing classes and hospital tours before the birth.

12. Will we be audited?

A formal auditing program is not in place at this time; however, an auditing program may be implemented in the future to ensure compliance with the law.

13. We just learned of this new law and do not have time to start administering vaccine by January 14, 2013.

Hospitals must take steps to adopt and implement this policy as required by law. From the law: "Each general hospital shall adopt a policy for implementing this subdivision, documenting the offer of vaccine administration."