



Department
of Health

July 29, 2019

Measles Update for Local Health Departments: Current Status, Review of New Law, Resource Materials



Photos: www.cdc.gov/measles/about/photos.html

The webinar will begin shortly – please mute your phones!

Overview of Current Measles Outbreak

Current Outbreak

The current measles outbreak is the largest in New York State since the 1990's, prior to elimination of measles in the United States.

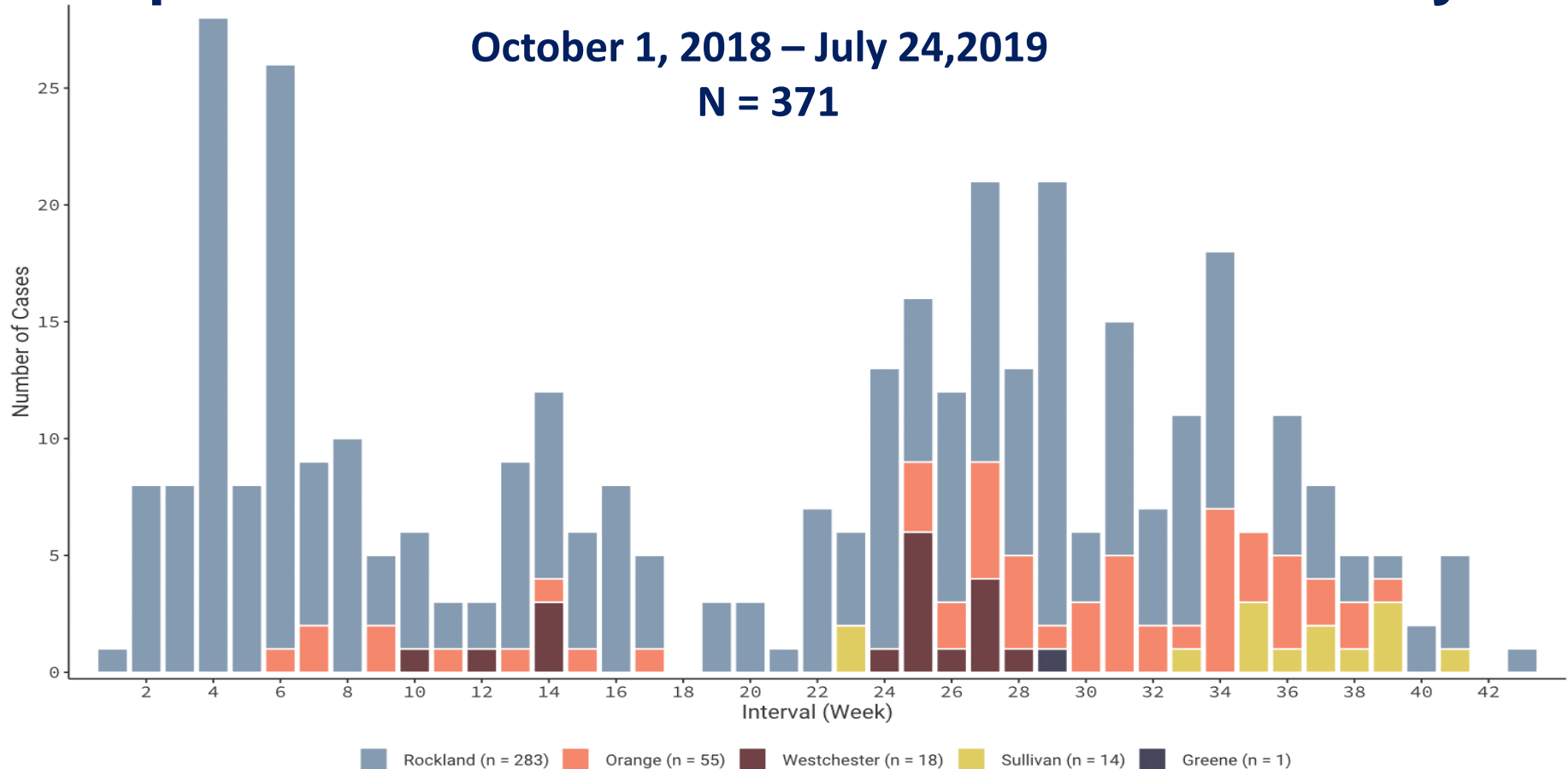
As of 7/24/2019 in New York State, there are:

- 637 cases of measles in NYC (7/22/19)
- 371 cases of measles outside NYC
 - 283 cases in Rockland County
 - 55 cases in Orange County
 - 18 cases in Westchester County
 - 14 cases in Sullivan County
 - 1 case in Greene County

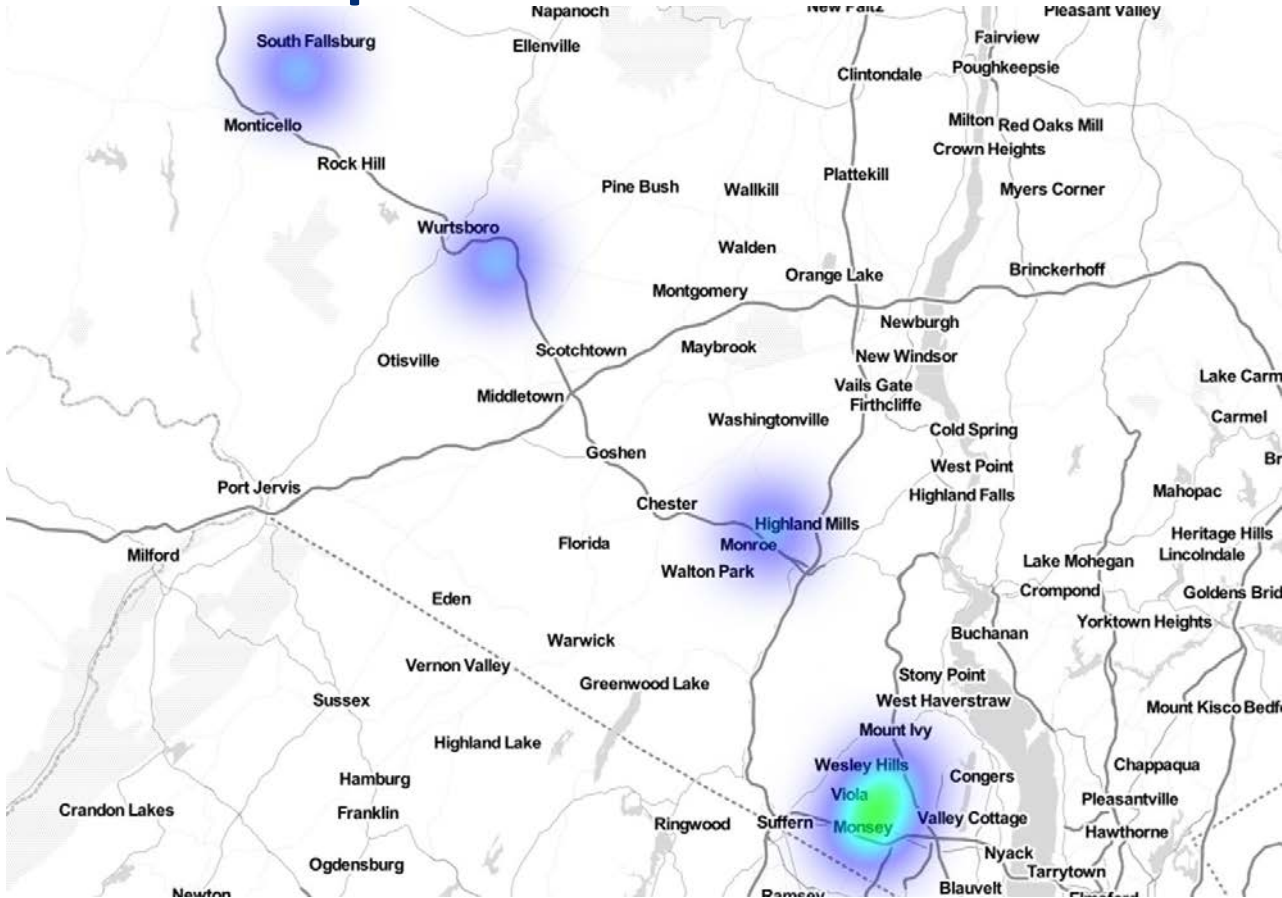
Epi-Curve of Measles Cases – Hudson Valley

October 1, 2018 – July 24, 2019

N = 371



Heatmap of Outbreak-Associated Measles Cases

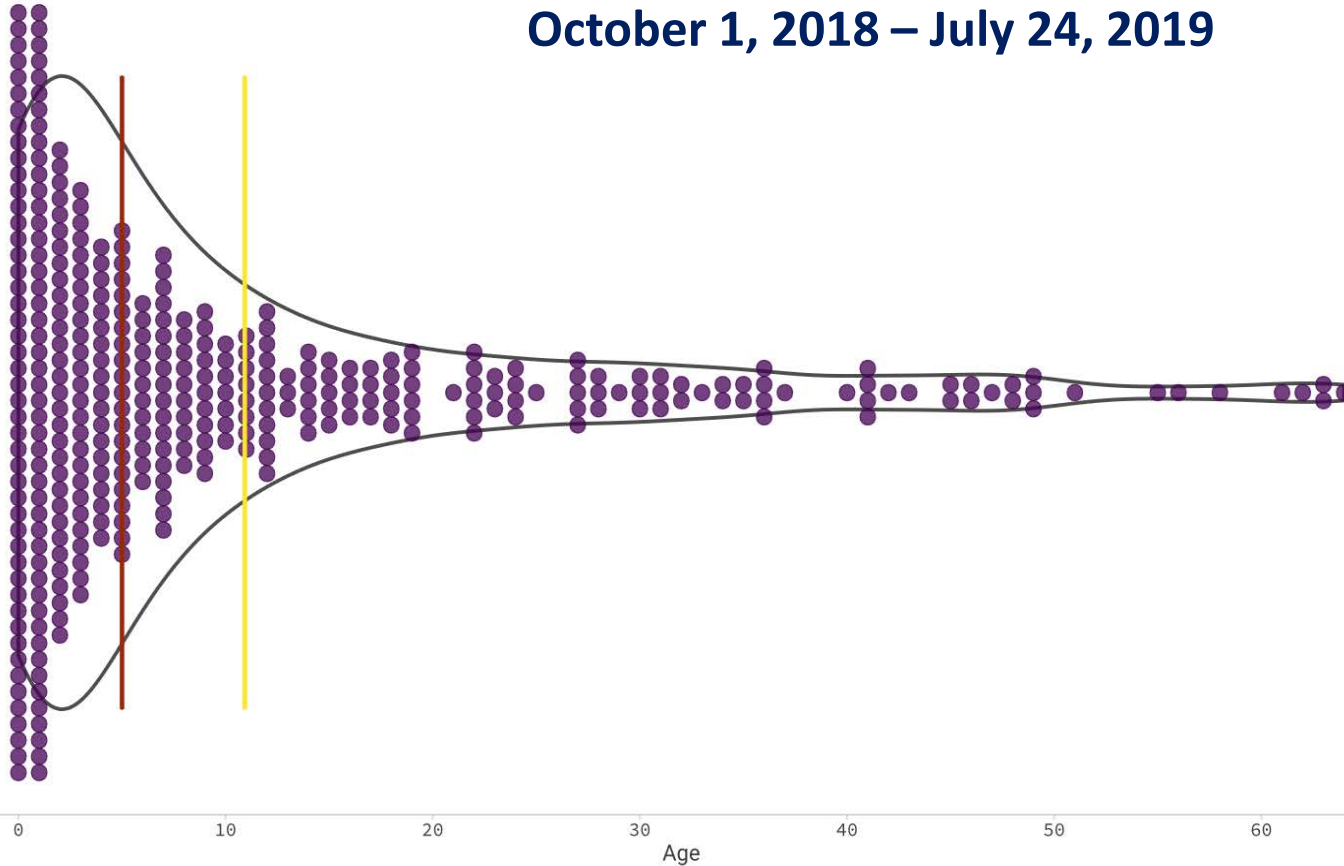


**Hudson Valley –
Last 42 days of Outbreak**

**July 24, 2019
(n = 22)**

Age Distribution Measles Cases – Hudson Valley

October 1, 2018 – July 24, 2019

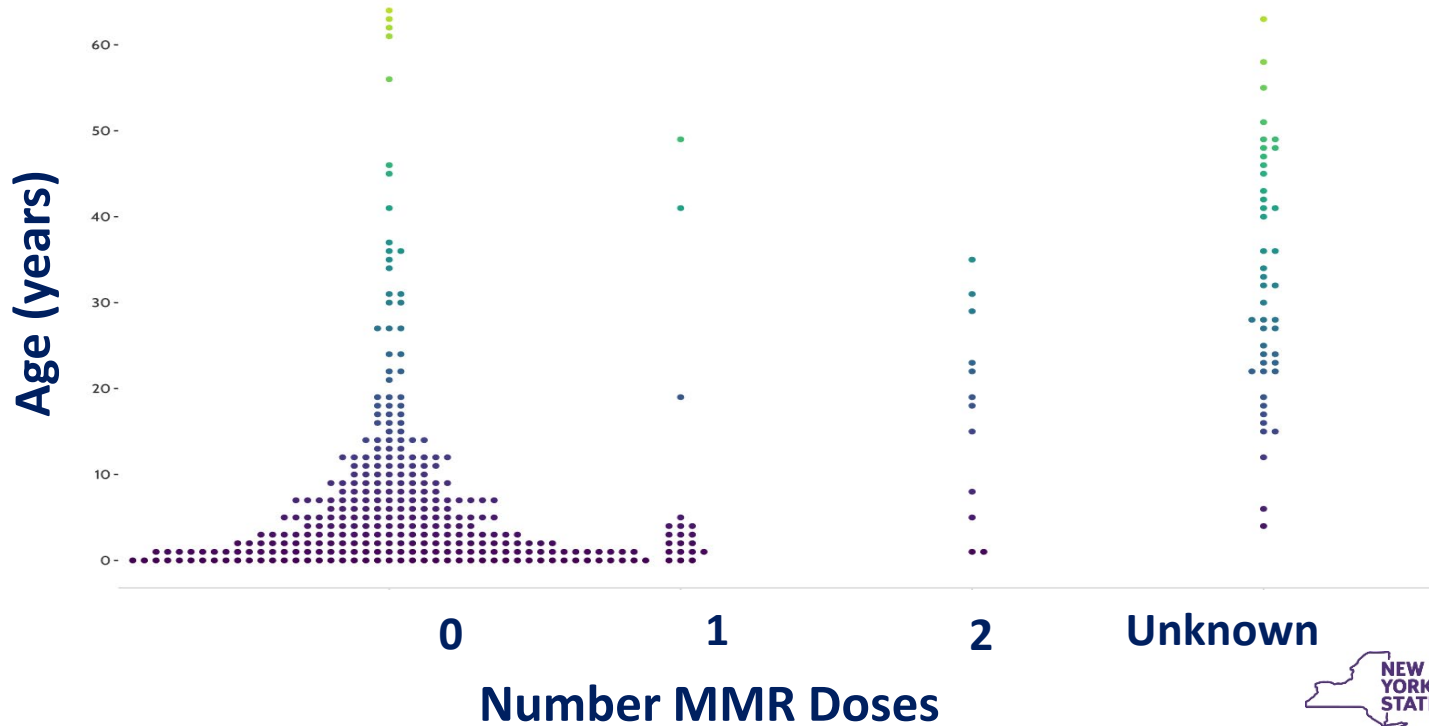


Median age
(Red line):
5.5 years

Mean age
(Yellow line):
11.4 years

Measles cases by age and MMR doses

October 1, 2018 – July 24, 2019



MMR Status of Cases, by Age – Hudson Valley

October 1, 2018 – July 24, 2019

Age Group	# MMR Doses				Total
	0	1	2	Unknown	
< 6 Months	17	0	0	0	17 (4.6%)
6 - 11 Months	28	3	0	0	31 (8.4%)
1-4 Years	108	13	2	1	124 (33.4%)
5-17 Years	110	1	3	6	120 (32.3%)
18+ Years	31	3	7	38	79 (21.3%)
Total	294 (79.2%)	20 (5.4%)	12 (3.2%)	45 (12.1%)	371

Reminder:

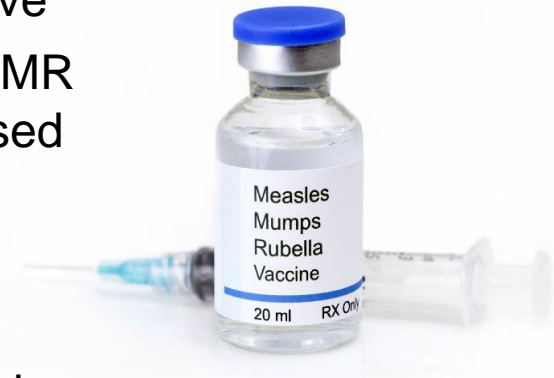
- Infected persons can spread the disease from 4 days before rash appears through 4 days after.
- Measles virus can live for up to 2 hours in the airspace where and infected person coughed, sneezed, or breathed.
- Measles virus can survive on surfaces.

Potential for LOTS of Exposed Individuals

Outbreak Response

Measles Prevention = Vaccination

- Getting the measles vaccine is the **best** way to prevent measles at all times, but especially during an outbreak
 - One dose of measles is about 93% effective at preventing the measles if exposed to the virus.
 - Two doses of measles vaccine are about 97% effective
 - About 3% of people who have received 2 doses of MMR vaccine are still at risk of getting the measles if exposed to the virus, but fully vaccinated people who get the measles are:
 - Much more likely to have a milder illness
 - Much less likely to spread measles to other people



Stock Photo: Sherry Yates Young

Multi-faceted Public Health Response

- Vaccinations - As of 7/17/2019, over **58,600** MMR vaccines have been administered since 10/1/2018
 - being provided by local health departments, healthcare providers, community PODs (points of dispensing)
- Case Investigations - Isolation of cases, monitoring and movement restrictions for exposed
- Camps and Summer vacation residential areas (bungalow communities)
- Community Education/Public Information Campaigns
- Healthcare Provider Outreach
- Schools and Daycare

New Legislation

New Immunization Legislation

- Effective June 13, 2019, Public Health Law § 2164 as amended by Chapter 35 of the Laws of 2019, only allows for medical exemptions from vaccination for children attending school.
- This means religious exemptions are no longer valid in New York State.

Definitions

- Public Health Law §2164, as amended by Chapter 35 of the Laws of 2019 applies to students attending all schools *to include any public, private or parochial child caring center, day nursery, day care agency, nursery school, kindergarten, elementary, intermediate or secondary schools.*
 - Includes those that operate in the summer, year round or with an extended school year
 - Regardless if school receives State Aid or not
- Medical exemptions are defined in PHL § 2164 as:
If any physician licensed to practice medicine in this state certifies that such immunization may be detrimental to a child's health, the requirements of this section shall be inapplicable until such immunization is no longer detrimental to the child's health.



A valid medical exemption must:

1. Be on a sample medical exemption form issued by the Department <https://www.health.ny.gov/forms/doh-5077.pdf> or the NYC Department of Health and Mental Hygiene, or on a signed statement that certifies that the immunization may be detrimental to a child's health;
2. Be signed by a physician licensed to practice medicine in New York State;
3. Contain sufficient information to identify the medical contraindication to a specific immunization. The Department recommends that health care practitioners consult the ACIP guidelines for contraindications and precautions to childhood vaccinations, available at: <https://www.cdc.gov/vaccines/hcp/acip-recs/general-recs/contraindications.html>. (Please note that the guidelines contain all ACIP recommended vaccines, including some that are not currently required for schools and child day care programs in New York State); and
4. Be confirmed annually.

Requirements

- Prohibits a school from permitting any child to be admitted to, or attend, school in excess of 14 days without sufficient evidence that the child has received **all** age appropriate required vaccinations.
 - Students/children in schools, pre-k and child care programs on June 13, 2019 must have received the 1st dose in each of the required vaccine series by June 28, 2019 and have provided appointments for subsequent doses by July 14, 2019.
 - Appointment intervals must be in accordance with the ACIP catch-up schedule.

Requirements - Fall

For students starting or resuming school between June 14, 2019 and June 30, 2020:

- Students have 14 days from the first day they attend school to receive the first dose in each of the required vaccine series and have 30 days to provide appointments for subsequent doses.

What does the June 30, 2020 date mean in the law?

- By June 30, 2020, all students who were attending school at the time the law was enacted (June 13, 2019) would be expected to be fully up-to-date on their required immunizations.
 - Therefore the 30-day extension allowing children to be enrolled as long as they have scheduled appointments to complete their immunization series according to the ACIP schedule will expire on June 30, 2020.

Requirements – Specific Vaccines

- Rotavirus vaccine is not required to attend school
- Pneumococcal and Haemophilus Influenzae type B (Hib) vaccines are only required for day cares and pre-kindergarten programs. Children in K-12 do not need to receive a pneumococcal or Hib vaccine.

Alternative Vaccines

- Only licensed vaccines recommended by the ACIP are acceptable.
 - “Homeoprophylaxis vaccines” are NOT acceptable.
- Out-of-country immunization records are acceptable as long as they are official records and can be read and understood by the school or have been reviewed and signed by a physician licensed to practice medicine in NYS.

Requirements - Serology

- A positive serologic test can be accepted as proof of immunity for school enrollment only for the following diseases: measles, mumps, rubella, varicella (chickenpox), hepatitis B and all three serotypes of poliomyelitis found in the polio vaccines.

Multiple Vaccines

- Scientific data show that getting several vaccines at the same time does not cause any health problems.
 - Infants routinely get multiple vaccines at once, according to the ACIP schedule, which is approved by AAP and AAFP and is the standard of practice for vaccination in the U.S.
- If combination vaccines are used, the number of injections can be reduced. The highest number of vaccines that a child might need to attend school or daycare is seven.
 - The number varies by age, and older children need fewer doses to catch up.

Requirements – Not Applicable

The new legislation does NOT apply to:

- colleges/universities
- children's camps issued a permit by the State or LHD
- attendance at activities on school property that are open to the general public
- students aged 18 years and older

Outreach to Special Populations

- Certain populations have high percentages of students with non-medical exemption status
- Cultural competence in working with these groups and engaging leaders in the specific communities is critical

Outreach to Special Populations - 2

- DOH materials regarding the new legislation were sent to Amish and Mennonite schools where addresses were available and LHDs are working with these communities in their counties regarding the new legislation
- DOH and LHDs are actively working with Jewish Rabbinical leaders

Special Education Services

- The new law does apply to students who receive special education services.
- The new legislation does not affect valid medical exemptions.
- The United States Department of Education (“USDE”) has issued guidance to assist schools in ensuring that students with disabilities under the federal Individuals with Disabilities Education Act (“IDEA”) who are medically unable to receive vaccines due to a disability are not discriminated against on the basis of disability.

Special Education Services

- USDE's Office for Civil Rights' Fact Sheet: Addressing the Risk of Measles in Schools while Protecting the Civil Rights of Students with Disabilities is available at:
<https://www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-measles-201503.pdf>.
- Questions may be directed to the State Education Department's Office of Special Education, Policy Unit, 518-473-2878, SPECED@nysed.gov or to the appropriate Special Education Quality Assurance Regional Office, SEQA@nysed.gov.



Enforcement

Roles and Responsibilities

- NYSDOH, NYSED and OCFS is responsible for enforcement of the legislation depending on school type
- NYS OCFS regulates child day care programs, reviews vaccination records for compliance, and may sanction programs that do not comply with the law.

Existing Compliance Activities

- The NYSDOH annually conducts surveys of school and child day care immunization coverage and exemption rates.
 - Schools and child day care settings are required to participate in the surveys.
- Additionally, the NYSDOH audits a sample of schools each year for compliance with PHL Section 2164 and to verify the rates reported in their survey.
- During this measles outbreak, the NYSDOH has delegated the local health department in some counties with the authority to assist in conducting audits of schools to verify compliance.

Penalties

- If any students out of compliance with PHL Section 2164 are discovered during the audit, then the NYSDOH will require the students be excluded from school until they comply with the law.
- NYSDOH will determine the cause of a school's violation or noncompliance and, where appropriate, seek civil penalties from noncompliant schools.

Expanded Compliance Activities

- NYSDOH Bureau of Immunization plans to expand the School Assessment Unit by adding a School Audit Team (recruitment underway)
 - This team would conduct remote audits of schools via email and fax using NYSIIS for immunization record review whenever possible.

Expectations for LHDs

- LHDs are NOT expected to take on an enforcement role that they haven't had before (“shut down” schools, etc.).
- However, LHDs are critical partners and will provide essential support to State agencies, as well as community/healthcare provider education and outreach.

Appeals

- Education Law §310(6-a) allows an appeal to the Commissioner of the State Education Department from persons considering themselves aggrieved by an action taken by “a principal, teacher, owner or other person in charge of any school in denying a child admission to, or continued attendance at, such school for lack of proof of required immunizations in accordance with” Public Health Law §2164. Such appeal may include a request for a “stay” of the school’s action while the appeal is pending before the Commissioner. Information regarding the appeal process is available at: <http://www.counsel.nysed.gov/appeals/>.
- There is no appeal process for child day care programs. Programs must be in compliance with all applicable laws.

Resource Materials

Materials Released Regarding the Non-Medical Exemption Legislation

- 6/14/19 Joint Statement from NYS Department of Health, State Education Department and Office of Children and Family Services
- 6/18/19 Frequently Asked Questions (FAQ) About Legislation Removing Non-Medical Exemptions from School Vaccination Requirements
- 7/22/19 Second FAQ document further clarifying Vaccination Requirements Applicable to All Students

Available at: <https://www.health.ny.gov/publications/2170/>

Additional Materials

One page simplified document:

New Law on School Vaccination Requirements

<https://www.health.ny.gov/publications/2196.pdf>

New Law on School Vaccination Requirements

Removing Nonmedical Exemption

On June 13, 2019, Governor Andrew M. Cuomo signed legislation removing nonmedical exemptions from school vaccination requirements for children to help protect the public from the worst measles outbreak in more than 25 years.

What does the new law do?

The new law no longer allows a religious exemption to the requirement that children be vaccinated against measles and other diseases to attend either:

- public, private or parochial school (for students in pre-kindergarten through 12th grade), or
- day care.

Deadlines for vaccination under the new law

For children who are attending school or day care this summer:

Within 14 days of the first day of school or day care – children must receive the first age-appropriate dose in each immunization series to attend or remain in school or day care.

Within 30 days after the first day of school or day care – parents or guardians of such children must show that they have appointments for all required follow-up doses. The deadlines for follow-up doses depend on the vaccine.

For children entering or attending school or day care in the fall:

Within 14 days of the first day of school or day care – children must receive the first age-appropriate dose in each immunization series to attend or remain in school or day care.

Within 30 days after the first day of school or day care – parents or guardians of such children must show that they have appointments for all required follow-up doses. The deadlines for follow-up doses depend on the vaccine.

Catch-up Immunization Schedule to continue to attend school or day care:

The New York State Department of Health expects children to receive all required doses listed on [Table 2](#) at the following link:

<https://www.cdc.gov/vaccines/schedules/downloads/child/0-18yrs-child-combined-schedule.pdf>

Additional Resources

2019-20 School Year - New York State Immunization Requirements for School Entrance/Attendance

https://www.health.ny.gov/publications/2370_2019.pdf

Center for Disease Control and Prevention (CDC)
Advisory Committee on Immunization Practices (ACIP)
Recommended Schedule (Table 1) and Catch-up schedule (Table 2)

<https://www.cdc.gov/vaccines/schedules/hcp/imz/child-adolescent.html>

<https://www.cdc.gov/vaccines/schedules/downloads/child/0-18yrs-child-combined-schedule.pdf>

Thank you!