

SB 792 REQUIRES PROOF OF IMMUNIZATION FOR DAY CARE EMPLOYEES AND VOLUNTEERS EFFECTIVE SEPTEMBER 1, 2016

A new law going into effect on September 1, 2016 will require day care center employees and volunteers to show that they have been immunized against influenza, pertussis and measles.

Signed into law last year, SB 792 (Chapter 807, Statutes of 2015) provides, “person shall not be employed or volunteer at a day care center if he or she has not been immunized against influenza, pertussis and measles.” With regard to influenza, the statute requires each employee and volunteer to receive a vaccination between August 1 and December 1 of every year.

The law allows a person who needs time to obtain and provide immunization records to be employed conditionally for 30 days upon signing and submitting a written statement attesting that he or she has been immunized as required.

LIMITED EXCEPTIONS

The law contains a few limited exceptions. A person is exempted from the vaccination requirements if he or she submits a written statement from a licensed physician, either:

- Declaring that because of his or her physical condition or medical circumstances, immunization is not safe; or
- Providing that he or she has evidence of current immunity to influenza, pertussis and measles.

With regard to the influenza vaccination only, a person may be exempted if:

- The person submits a written declaration that he or she has declined the influenza vaccination, or
- The person was hired after December 1 of the previous year and before August 1 of the current year. This exemption applies only to the influenza vaccine during the first year of employment or volunteering.

REQUIRED DOCUMENTATION

Day care centers are required by the new law to maintain documentation of the required immunizations or exemptions from immunization in the person’s personnel record that is maintained by the day care center.

Day care centers should be ready to collect proofs of vaccination from employees and volunteers at the beginning of the school year.

REIMBURSEMENT OF COSTS

Some clients have asked if volunteers or teachers may be reimbursed for the cost of obtaining these vaccinations. The statute has no provision for the reimbursement of vaccine costs.

For questions regarding this *Briefing*, please contact your Keenan Account Manager.

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