



CITY OF PHILADELPHIA  
DEPARTMENT OF PUBLIC HEALTH

PASSED:

BOARD OF HEALTH: 6/13/2019  
LAW DEPARTMENT: 6/14/2019  
RECORDS DEPARTMENT:

**AMENDMENT TO REGULATIONS GOVERNING THE IMMUNIZATION AND  
TREATMENT OF NEWBORNS, CHILDREN AND ADOLESCENTS**

**WHEREAS**, the Board of Health recognizes the need to protect infants, children and adolescents from preventable diseases; and

**WHEREAS**, childcare group settings provide many opportunities for the transmission of communicable diseases, especially respiratory viruses, due to the limited ability of young children to control their respiratory secretions; and

**WHEREAS**, early childhood immunizations are an effective method of reducing morbidity and mortality caused by vaccine-preventable diseases; and

**WHEREAS**, susceptible infants and children are subject not only to the effects of communicable diseases, such as influenza, but may also be responsible for the transmission of disease to other susceptible persons in childcare group settings; and

**WHEREAS**, Title 6 of The Philadelphia Code, entitled "Health Code," authorizes the Department of Public Health, in accordance with regulations promulgated by the Board, to require the immunization of any person against any communicable disease designated by the Board as one for which immunization is effective; and

**WHEREAS**, implementing an influenza immunization requirement for childcare attendees is an important and effective strategy for assuring that infants and young children are protected against influenza at a time when they are at highest risk for severe disease; and

**WHEREAS**, implementing an influenza immunization requirement for daycare attendees is an important and effective strategy for preventing outbreaks of influenza in congregate childcare settings;

NOW, THEREFORE, the Board of Health hereby amends the Board's *Regulations Governing the Immunization and Treatment of Newborns, Children and Adolescents* to read as follows (additions in ***Bold Italics*** and deletions in ~~Strikethrough~~):

REGULATIONS GOVERNING THE IMMUNIZATION AND TREATMENT OF  
NEWBORNS, CHILDREN AND ADOLESCENTS

\* \* \*

**1. DEFINITIONS**

In these Regulations, the following definitions apply:

\* \* \*

*(h) Health care provider.* An individual who is authorized to practice some component of the healing arts by a license, permit, certificate or registration issued by a ~~Commonwealth of Pennsylvania~~ ***state*** licensing agency or board.

\* \* \*

**2. IMMUNIZATION REQUIREMENTS FOR ATTENDING SCHOOL**

\* \* \*

*(d) Timing of Required Vaccine Doses.* ***For students entering Kindergarten through 12th grade, at least one dose of all required vaccines must be received by the first day of school. If a child does not have all required doses of a vaccine, she/he must, within the first 5 days of school:***

*(1) Receive the next dose of a required vaccine if medically appropriate; or*

*(2) Have a parent / guardian provide a medical plan, if the next dose isn't the final dose of the series; or*

*(3) Have a parent / guardian provide a medical plan, if the next dose is not medically appropriate.*

**3. IMMUNIZATION REQUIREMENTS FOR CHILDCARE SETTINGS**

\* \* \*

*(b) Annual influenza immunization given in compliance with the requisite dose and schedule of any U.S. Food and Drug Administration-approved influenza vaccine is required for childcare attendance of all 6 - 59 month old children at any public or private childcare group setting in the*

**City of Philadelphia.**

**(1) One dose of a licensed influenza vaccine must be received between August 1st - December 31st of each calendar year while attending a childcare group setting.**

**(2) A second influenza vaccine dose within four weeks of the first dose may be recommended for some children. Receipt of the second dose is not required for childcare attendance.**

**(bc) Caregiver responsibilities.** For each child enrolled in a childcare group setting, the person in charge of the group setting shall ensure that a record of immunization is provided for each child enrolled in the childcare group setting by a healthcare provider, or designee, setting forth the vaccines the child has received and their dates of administration (month, day and year). The person in charge of the group setting shall ensure that the records are updated on a regular basis. The immunization status of each enrolled child shall be available for review by the Department, upon request.

\* \* \*

**(ed) Exemptions.** Immunization requirements for childcare settings do not apply with respect to:

**(1) Children who are known by the caregiver to attend a kindergarten, elementary school or high school in Philadelphia.**

**(2) A caregiver who does not serve as a caregiver for at least 40 hours during any one month period.**