

**2021 Annual Review of
Statutory Childhood Immunization Requirements**

Prepared By

Division of Immunization, Office of Epidemiology

Virginia Department of Health

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Summary

The Virginia Department of Health (VDH) completed the annual review of Virginia's statutory childhood immunization requirements (§32.1-46) and found that all but the influenza vaccine requirement are in alignment with the current [Recommended Immunization Schedule developed for Children and Adolescents Aged 18 years or Younger](#) published by the Centers for Disease Control and Prevention (CDC) in the Morbidity and Mortality Weekly Report. Additionally, the COVID-19 vaccine is recommended by the Advisory Committee on Immunization Practices (ACIP), CDC, the American Academy of Pediatrics (AAP), and the American Academy of Family Physicians (AAFP); however, it has not been added to the Recommended Immunization Schedule developed for Children and Adolescents Aged 18 Years or Younger, which was published on February 12, 2021. This schedule is revised at the beginning of each new year.

Introduction

Vaccines help protect the health and well-being of children and adolescents. They work by safely presenting weak or dead disease causing germs or portions of disease causing germs to an individual, which allows the individual to create antibodies and develop immunity before they come into contact with actual germs that can cause disease. When exposed to the actual germ in the future, their body's immune system recognizes the germ and can work quickly and effectively to prevent severe illness ("Vaccine Basics," 2017). Vaccination is particularly helpful in preventing illnesses in daycare and school settings where there is close contact among individuals. When enough of the population is vaccinated against a specific disease, the germ cannot spread as easily. This protects everyone, including those who are most vulnerable because they are too young to get vaccinated or have weak immune systems ("Vaccines Protect Your Community," 2017).

The ACIP recommends immunization schedules and the CDC, ACIP, AAP, and AAFP approve and/or adopt them. Each state determines its own laws to establish vaccination requirements for children attending daycare and school.

Background

The Virginia legislature requires the State Board of Health to perform an annual review of childhood immunization requirements in Virginia. Virginia Code (Code), §32.1-46, requires that (1) "the parent, guardian, or person standing in loco parentis shall cause such child to be immunized in accordance with the [Immunization Schedule](#) developed and published by CDC, [ACIP](#), [AAP](#), and [AAFP](#)"; (2) "required immunizations for attendance at a public or private elementary, middle or secondary school, child care center, nursery school, family day care home or developmental center must be those set forth in the State Board of Health Regulations (Regulations) for the Immunization of School Children"; and (3) the Board's Regulations shall require, at a minimum, certain specified vaccines.

Multiple factors influence decisions to require immunizations for school attendance including ACIP recommendations, fiscal considerations, feasibility of implementing the requirement(s), and administrative burdens that may be associated with such requirements.

Findings

VDH reviewed the Commonwealth’s immunization requirements for school attendance and compared them to the recommendations set forth by ACIP. A description of the differences identified are shown in Table 1:

Vaccine	ACIP, CDC, AAP, and AAFP Recommendations	CDC Recommended Immunization Schedule	Virginia Requirements for School Attendance
Influenza	Routine vaccination annually for all children/adolescents age six (6) months and older. Children age six (6) months to eight (8) years who have not received two (2) doses of annual influenza vaccine before July 1, 2021 should receive two doses separated by four (4) weeks.	Routine vaccination annually for all children/adolescents age six (6) months and older. Children age six (6) months to eight (8) years who have not received two (2) doses of annual influenza vaccine before July 1, 2021 should receive two (2) doses separated by four (4) weeks.	Not required.
COVID-19	All children 5 years of age and up are recommended to complete a full vaccine series. As of November 2, 2021 this includes two (2) doses of Pfizer mRNA 21 days apart.	COVID-19 has been added to the CDC immunization schedule webpage but not yet added to Table 1, Recommended Child and Adolescent Immunization Schedule for ages 18 years or younger, United States, 2021.	Not required.

Influenza Vaccine

Influenza, commonly called “flu”, is a contagious respiratory illness caused by influenza viruses. It can cause mild to severe illness. Serious outcomes of flu infection can result in hospitalization or death. Some people, such as older people, young children, and people with certain health conditions, are at high risk of serious flu complications. VDH investigated 127 influenza outbreaks during the 2019-20 flu season, and six (6) influenza-associated pediatric deaths were reported.

Virginia Code does not have a requirement for influenza vaccination for daycare or school attendance. In 2010, ACIP expanded the recommended schedule for the influenza vaccine to include that all persons older than six (6) months of age should receive seasonal influenza vaccine annually. Seven (7) states require annual influenza vaccine for daycare attendance.

Influenza vaccination coverage estimates indicate that 70.3% of Virginia children aged six (6) months to 17 years received vaccine in the 2019-20 influenza season, compared to 63.8% of children nationally.

Requiring influenza vaccine annually for all children for daycare and/or school attendance would have significant cost to VDH, the Virginia Department of Medical Assistance Services and school systems. It would also be complex to implement a requirement for school attendance because the new annual vaccine typically does not become available until late August or September, coinciding with the start of the school year.

COVID-19 Vaccine

SARS-CoV-2 is the virus that causes COVID-19. People with COVID-19 might not have any symptoms. If they do have symptoms, these can range from mild to severe illness, including death. Symptoms can include fever, chills, cough, shortness of breath or difficulty breathing, fatigue (feeling very tired), muscle or body aches, headache, sore throat, or new loss of taste or smell, stuffy or runny nose, nausea or vomiting, and diarrhea. These symptoms may appear 2-14 days after exposure. Since its inception, variants have evolved causing increased transmissibility and severity in illness.

As of November 5, 2021, three manufacturers have developed COVID-19 vaccines that are available in the United States and recommended by the CDC. In August 2021, one of those vaccines received full licensure from the Federal Drug Administration (FDA) for those 16 years of age or older; the remainder are still under an Emergency Use Authorization (EUA) by the FDA. The COVID-19 vaccine has been available to people 16 years of age and up since December 2020, 12-15 years olds since May 2021, and 5-11 years old since November 2021.

In Virginia as of November 5, 2021, there were 136,473 cases of COVID-19 in children 0-17 years of age, 993 hospitalizations and 11 deaths. The current fully vaccinated coverage rate in children 12-17 years in Virginia is 60% as of November 5, 2021.

Studies have shown that the COVID-19 vaccines available in the U.S. are safe and highly effective. Virginia Code does not have a requirement for the COVID-19 vaccination for daycare or school attendance. In 2021, ACIP added its recommendation for the COVID-19 vaccine to its immunization webpage; however, it has not been added to the immunization schedule. The schedule is updated in February each year.

Conclusions

The Code, §32.1-46, includes a requirement that the parent, guardian, or person standing in loco parentis shall cause such child to be immunized in accordance with the Immunization Schedule developed and published by the CDC, ACIP, AAP, and the AAFP. Two vaccines for daycare or school attendance recommended by these organizations are not in alignment with

Virginia's childhood immunization statutes, influenza and COVID-19. In order to align Virginia's requirements with the recommendations of these organizations, VDH would need to amend the Regulations for Immunization of School Children.

References

Vaccine Basics. (2017, December). Retrieved June 17, 2019, from <https://www.vaccines.gov/basics>.

Vaccines Protect Your Community. (2017, December). Retrieved June 17, 2019, from <https://www.vaccines.gov/basics/work/protection>.

Human Papillomavirus (HPV) Vaccination Report: Working Together to Reach National Goals for HPV Vaccination. May 2019. CDC.