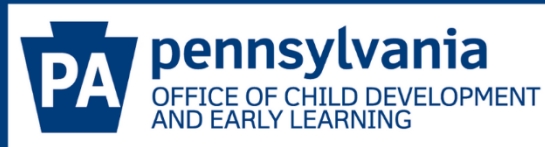


# ANNOUNCEMENT

C-22-07



Pennsylvania Office of Child Development and Early Learning  
Bureau of Early Learning Policy and Professional Development and Bureau of  
Certification Services

**Issue Date:** October 6, 2022

**Effective Date:** October 6, 2022

**Expiration Date:** N/A

**Subject:** Role of Department of Health (DOH) and Department of Human Services (DHS) in Ensuring Compliance with Immunization Regulations

**To:** All Department of Human Services (DHS) Certified Child Care Facilities; Early Learning Resource Centers (ELRCs); and OCDEL Early Learning Resource Center Program Representatives  
Department of Health Staff

**From:** Tracey Campanini  
Deputy Secretary, Office of Child Development & Early Learning

A handwritten signature in black ink that reads 'Tracey Campanini'. The signature is written in a cursive style and is positioned above the typed name and title.

## PURPOSE

The purpose of this announcement is to clarify the role of Department of Health (DOH) and Department of Human Services (DHS) Office of Child Development and Early Learning (OCDEL) in ensuring regulation compliance with immunization recommendations.

## BACKGROUND

55 Pa. Code Chapters §3270, §3280, and §3290 refer to Department of Health regulations located at 28 Pa. Code §27.77 (relating to immunization requirements for children in child care group settings). As such, OCDEL and DOH work together to ensure the health of children who receive care in a child care setting.

OCDEL is responsible for measuring compliance with the regulations as they pertain to Department of Human Services (DHS) certified child care facilities as stated in 55 Pa. Code Chapters §3270.131; §3280.131; and §3290.131. The following regulations apply to immunization compliance:

- 55 Pa. Code Chapters §3270.131(a) and §3280.131(a) state, “The operator shall require the parent of an enrolled child, including a child, a foster child and a relative of an operator or a facility person, to provide an initial health report no later than 60 days following the first day of attendance at the facility.”
- 55 Pa. Code Chapter §3290.131(a) states, “The operator shall require the parent of an enrolled child to provide an initial health report no later than 60 days following the first day of attendance at the facility.”
- 55 Pa. Code Chapters §3270.131(d)(5), §3280.131(d)(5), and §3290.131(d)(5) state, “The health report must include a review of the child’s immunized status according to recommendations of the Advisory Committee on Immunization Practices (ACIP).”
- 55 Pa. Code Chapters §3270.131(e), §3280.131(e), and §3290.131(e), state “The facility may not accept or retain an infant 2 months of age or older, a toddler or a preschool child at the facility for more than 60 days following the first day of attendance at the facility unless the parent provides written verification from a physician, physician’s assistant, CRNP, the Department of Health or a local health department of the dates (month, day and year) the child was administered immunizations in accordance with the recommendations of the ACIP.”
- 55 Pa. Code Chapters §3270.131(e)(1) and §3280.131(e)(1) state, “The facility shall require the parent to provide updated written verification from a physician, physician’s assistant, CRNP, the Department of Health or a local health department of ongoing vaccines administered to an infant, toddler, or preschool child in accordance with the schedule recommended by the ACIP.”
- 55 Pa. Code Chapter §3290.131(e)(1) states, “The facility shall require the parent to provide updated written verification from a physician, CRNP, the Department of Health or a local health department of ongoing vaccines administered to an infant, toddler or preschool child in accordance with the schedule recommended by the ACIP.”
- 55 Pa. Code Chapters §3270.131(e)(2)(i)(ii), §3280.131(e)(2)(i)(ii) and §3290.131(e)(2)(i)(ii) state, “Exemption from immunization must be documented as follows:
  - (i) Exemption from immunization for religious belief or strong personal objection equated to a religious belief must be documented by a written, signed and dated statement from the child’s parent or guardian. The statement shall be kept in the child’s record.

- (ii) Exemption from immunization for reasons of medical need shall be documented by a written, signed and dated statement from the child's physician, physician's assistant or CRNP. The statement shall be kept in the child's record."
- 55 Pa. Code Chapters §3270.131(e)(3), §3280.131(e)(3), and §3290.131(e)(3) state, "The facility shall implement dismissal policies in accordance with the Department of Health regulation in 28 Pa. Code § 27.77 (relating to immunization requirements for children in child care group settings)."
- 55 Pa. Code Chapters §3270.131(e)(4), §3280.131(e)(4), and §3290.131(e)(4) states, "The facility shall comply with the annual immunization reporting requirements in accordance with the Department of Health regulation in 28 Pa. Code § 27.77."

Department of Health (DOH) is responsible for compliance with the regulations as they pertain to children in child care group settings as stated in 28 Pa. Code Chapter §27.77. The following regulations apply to immunization compliance:

- 28 Pa. Code Chapter §27.77(a)(1) states, "The caregiver at a child care group setting may not accept or retain a child 2 months of age or older at the setting, for more than 60 days, unless the caregiver has received written objection to a child being vaccinated on religious grounds from a parent or guardian."
- 28 Pa. Code Chapter §27.77(a)(1)(i) states, "An initial written verification from a physician, the Department, or a local health department of the dates (month, day, and year) the child was administered any vaccines recommended by ACIP. The verification must also specify any vaccination not given due to medical condition of the child and state whether the condition is temporary or permanent. The verification must show compliance with the vaccination requirements in subsection (b)."
- 28 Pa. Code Chapter §27.77(a)(2) states, "If the caregiver receives a written verification under paragraph (1) explaining that timely vaccination did not occur due to a temporary medical condition, the caregiver shall exclude the child from the child care group setting after an additional 30 days unless the caregiver receives, within that 30-day period, written verification from a physician, the Department or a local health department that the child was vaccinated or that the temporary medical condition still exists. If the caregiver receives a written verification that vaccination has not occurred because the temporary condition persists, the caregiver shall require the presentation of a new verification at 30-day intervals. If a verification is not received as required, the caregiver shall exclude the child from the child care group setting and not readmit the child until the caregiver receives a verification that meets the requirements of this section."
- 28 Pa. Code Chapter §27.77(a)(4) states, "The caregiver shall ensure that a certificate of immunization is completed and signed for each child enrolled in the

child care group setting. The certificates shall be updated by the caregiver to include the information provided to the caregiver under subsection (a) when that additional information is received. The immunization status of each enrolled child shall be summarized and reported on an annual basis to the Department at the time prescribed by the Department and on the form provided by the Department.”

- 28 Pa. Code Chapter §27.77(b) states, “Each child enrolled in a child care group setting shall be immunized in accordance with ACIP standards in effect on January 1, 1999, governing the issuance of ACIP recommendations for the immunization of children.”

## DISCUSSION

When conducting a renewal inspection, OCDEL’s Bureau of Certification Services (BCS) is responsible for reviewing a random sample of the children’s files which include the health records. The certification representative will review the immunization documents and compare against the schedule recommended by the ACIP to determine if the health record is up to date or on a makeup schedule. If a child is missing an immunization(s), the certification representative will discuss this with the provider, issue a citation, and request a plan of correction.

There are exemptions that could affect administering immunizations for children in a child care setting. 55 Pa. Code Chapters §3270.131(e)(2)(i)(ii), §3280.131(e)(2)(i)(ii), and §3290.131(e)(2)(i)(ii) state, “That exemption from immunization must be documented as follows:

- (i) Exemption from immunization for religious belief or strong personal objection equated to a religious belief must be documented by a written, signed and dated statement from the child’s parent or guardian. The statement shall be kept in the child’s record.
- (ii) Exemption from immunization for reasons of medical need shall be documented by a written, signed and dated statement from the child’s physician, physician’s assistant or CRNP. The statement shall be kept in the child’s record.”

If a child’s record is not up to date due to one of the exemptions listed in 55 Pa. Code Chapters §3270.131(e)(2)(i)(ii), §3280.131(e)(2)(i)(ii), and §3290.131(e)(i)(ii) the facility will **not** be cited for non-compliance of the regulation for that specific child. The child’s record **must** be documented as stated in 55 Pa. Code Chapters §3270.131(e)(2)(i)(ii), §3280.131(e)(2)(i)(ii), and §3290.131(e)(i)(ii).

[Access the printable ACIP Immunization Schedule for children and adolescents on the CDC’s website.](#)

Department of Health (DOH) is also responsible for ensuring that children in child care group settings have the recommended immunizations as per ACIP. Current DOH procedure is to have representatives of DOH contact a random selection of Department

of Human Services (DHS) certified child care providers to conduct an annual review of immunization records. Due to confusion in completing and submitting the documents in the past and specifically during COVID by DHS certified child care providers, the on-site visit from DOH will support providers in meeting the requirements outlined in [28 Pa. Code Chapter §27.77\(a\)\(4\)](#).

Effective fiscal year (FY) 2022-2023, DOH will **not** audit a DHS certified child care provider in two consecutive years. The DOH annual review process is subject to change. DHS certified child care providers will be notified through a policy announcement of any updates and changes in the DOH annual review process.

To ensure compliance with DOH immunizations regulation pertaining to children in child care group settings as stated in 28 Pa. Code Chapter §27.77, tentatively between **August 2022** and **December 2022**, a representative from either state, county, or city<sup>1</sup> will contact a random selection of DHS certified child care providers via telephone to set up an appointment to visit the DHS certified child care facility. The visits will be in person due to DOH following Federal guidance that in person activities are to resume whenever possible. DOH will review the immunization records for all children between the ages of 2 to 59 months who are enrolled at the facility. At the time of the initial contact, the DOH representative will ask how many children between the ages of 2 to 59 months are enrolled at the facility, as the length of the visit is contingent on the number of children in this age range enrolled at the facility. During the visit, the immunization information will be entered into the CoCasa program (Comprehensive Clinical Assessment Software Application). A report will be generated from CoCasa supplying information on the status of each child enrolled at the facility who is **not** up to date on their immunizations.

The DOH representative will review the results with the DHS certified child care provider and will discuss what course of action is needed to bring the child(ren) up to date with their immunizations. At the conclusion of the visit, the DOH representative will provide a copy of the CoCasa report to the DHS certified child care facility. The DHS certified child care provider should use this report to take the necessary steps to bring the immunization records up to date.

The DOH representative will also discuss and review exemptions that affect a child's ability to follow ACIP recommendations. The CoCasa report will not include a child(ren) who meets the exemptions state in 55 Pa. Code Chapters §3270.131(e)(2)(i)(ii), §3280.131(e)(2)(i)(ii), and §3290.131(e)(i)(ii). During the visit, the DOH representative

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<sup>1</sup> Facilities located in Allegheny, Philadelphia, Erie, Bucks, Montgomery, Chester, and Delaware counties will be contacted by their county Department of Health. Facilities located in the cities of Allentown, Wilkes-Barre, York City, and Bethlehem will be contacted by their city Department of Health. All other facilities will be contacted by the State Department of Health.

will provide information and share resources that are available to the DHS certified child care provider to assist in ensuring that children's records are up to date.

The DOH representative will send a copy of the report generated by CoCasa for each facility that has a child(ren) with immunization records that are **not** up to date to DHS OCDEL. The report will include the name, date of birth, and a list of the vaccinations that are needed for each child who is **out of compliance** at the facility. The certification representative assigned to the DHS certified child care facility will conduct a review of the immunization record(s) for the child(ren) in question. The certification representative will discuss the record(s) with the DHS certified child care provider and, if at the time of the review, there are still noncompliance a citation will be issued and a request for a plan of correction to bring the child(ren)'s record into compliance will be made.

## Resources

DOH recently created an immunization tool called [Childhood Immunizations and Milestones from Birth to 6 Years Old](#) that can be used by DHS certified child care providers to assist in monitoring and tracking each child's immunization status. The DHS certified child care facility can use the tool to record the information from the written verification provided by a physician, physician's assistant, Certified Registered Nurse Practitioner (CRNP), the Department of Health or a local health department. The tool provides space to record the dates (month, day, and year) the child was administered the immunizations. This tool is an optional resource for DHS certified child care providers and may be kept in each child's file. When the tool is updated when a new immunization record is received for a child, it can assist in maintaining up to date child vaccination records.

Trainings for immunization requirements can be found on [the Professional Development \(PD\) Registry \(papdregistry.org\)](#). The following trainings are currently available on the PD Registry:

- #343116 – Immunization Self Learning Module – ECELS
- #343354 – Immunization: Strategies for Success in Early Care and Education Programs Webinar – ECELS.

One of the required health and safety topics included in pre-service training is Prevention and Control of Infectious Diseases (including immunization). The pre-service training is available on [the Better Kid Care \(BKC\) website](#).

Head Start Early Childhood Learning and Knowledge Center offers the following resources for child care providers:

- [Managing Infectious Diseases: Immunizations | ECLKC \(hhs.gov\)](#)
- [Child immunizations | ECLKC \(hhs.gov\)](#)

The Pennsylvania Department of Health offers childhood immunization resources on their website: [Infants and Children \(pa.gov\)](http://www.pa.gov/infants-and-children).

## NEXT STEPS

DHS Certified child care providers must:

1. Read this Announcement and share with appropriate staff.
2. Develop, communicate, and implement policies and procedures to adhere to regulations regarding compliance with immunization.
3. Direct all questions and comments to your [Regional Office](#).

Comments and Questions regarding this announcement should be directed to the child care provider's <a href="#">Regional Office of Child Development and Early Learning</a> :
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<b>Certification Regional Office of Child Development and Early Learning</b>
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Central Region 800-222-2117
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Northeast Region 800-222-2108
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Southeast North and Southeast South Region 800-346-2929
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Western Region 800-222-2149
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