

[From <http://nj.gov/health/cd/college.htm>]

**Communicable Disease Service
Vaccine Preventable Disease Program
Subchapter 6: Higher Education Immunization
(N.J.A.C. 8:57-6.1 to 8:57-6.18)**

N.J.A.C. 8:57-6 HIGHER EDUCATION IMMUNIZATION (current as of August 14, 2006)

8:57-6.1. Applicability

- (a) This subchapter shall apply to all new or continuing full- and part-time undergraduate and graduate students enrolled in a program of study leading to an academic degree at any public or independent institution of higher education in New Jersey.
- (b) Two-year institutions shall apply these rules only to those students entering the college for the first time and registering for 12 or more credit hours of course study per semester/term.
- (c) Four-year institutions shall apply the rules to all full- or part-time students enrolled in a program leading to an academic degree.
- (d) Two-year institutions and Thomas Edison State College shall not be required to apply the meningococcal rule at N.J.A.C. 8:57-6.6 and 6.7.

8:57-6.2. Exemptions

- (a) A student shall be exempt from immunization requirements for medical or religious reasons, provided that he or she meets the criteria as set forth at N.J.A.C. 8:57-6.11 and 8:57-6.12, respectively.
- (b) In addition, an exemption may be made, at the discretion of the institution, for the following categories of students:
 - 1. Students born before 1957 for the measles, mumps, and rubella (MMR) vaccination requirements only;
 - 2. Students enrolled in a program for which students do not congregate, on campus, whether for classes or to participate in institution-sponsored events, such as those enrolled in programs for individualized home study or conducted entirely via electronic media.
- (c) Nothing in this subchapter shall be construed as limiting the authority of a New Jersey institution of higher education to establish additional requirements for student immunizations

and documentation that such institution shall determine appropriate and which is recommended by the Advisory Committee on Immunization Practices (ACIP) of the United States Public Health Service.

8:57-6.3 Required immunization; measles

(a) Each student entering college for the first time after September 1, 1995 shall have received two doses of a live measles-containing vaccine, or any vaccine combination containing live measles vaccine, that was administered after 1968. The first dose shall have been administered on or after the student's first birthday and the second dose shall have been administered no less than one month after the first dose.

(b) A student vaccinated with a killed measles-containing vaccine, or an unknown vaccine prior to 1968, shall be revaccinated or produce laboratory proof of measles immunity.

(c) A student who presents documented laboratory evidence of measles immunity shall not be required to receive measles vaccine.

8:57-6.4 Required immunization; mumps

(a) Each student entering college for the first time after September 1, 1995 shall have received one dose of live mumps virus vaccine, or any vaccine combination containing live mumps virus vaccine. The vaccine shall have been administered on or after the student's first birthday.

(b) A student who presents documented laboratory evidence of mumps immunity shall not be required to receive mumps vaccine.

8:57-6.5 Required immunization; rubella

(a) Each student entering college for the first time after September 1, 1995 shall have received one dose of live rubella virus vaccine, or any vaccine combination containing live rubella virus vaccine. The vaccine shall have been administered on or after the student's first birthday.

(b) A student who presents documented laboratory evidence of rubella immunity shall not be required to receive rubella vaccine.

8:57-6.6. Required immunization; meningococcal

Each new student entering a four-year college or university, for the first time after September 1, 2004 and who resides in a campus dormitory, shall receive one dose of meningococcal vaccine as condition of attendance at that institution, except as provided in N.J.A.C. 8:57-6.11 and 6.12.

8:57-6.7. Required information: meningococcal disease and meningococcal vaccine

(a) Each new student entering any New Jersey four year college or university after September 1, 2001, and prior to matriculation, shall be provided information on meningococcal disease to, at a minimum, include its nature and severity, causes, disease prevention and treatments, and the availability of a meningococcal vaccine to prevent disease.

(b) Each student shall receive a response form, or a similar form, from the college which documents the receipt of the meningococcal information and their response to the information provided.

(c) Each student not returning the meningococcal response form shall not be subject to the provisional admission requirements set forth at N.J.A.C. 8:57-6.9(b) and (c).

8:57-6.8. Institutional responsibility for enforcement

(a) All New Jersey institutions of higher education shall require evidence of immunization as a prerequisite to enrollment of all students except those who meet the exemption requirements set forth at N.J.A.C. 8:57-6.2(b), 6.11 and 6.12 or those students enrolled in two-year institutions who are registered for fewer than 12 credit hours per semester/term.

(b) All New Jersey institutions of higher education shall identify to the Department of Health and Senior Services an institutional official responsible for the administration and enforcement of this subchapter and for the maintenance of immunization records.

(c) All New Jersey institutions of higher education shall enforce student compliance with this subchapter within 60 days of enrollment.

8:57-6.9. Provisional admission

(a) A student may be registered in an institution of higher education on a provisional basis for his or her first term if the required immunization documentation is not available at the time of registration.

(b) Prior to registration for the second term, a student shall either present documentation of immunization or proof of immunity in accordance with the requirements of this subchapter or be reimmunized.

(c) A student in provisional status may be temporarily excluded from classes and from participation in institution-sponsored activities during a vaccine-preventable disease outbreak or threatened outbreak. This decision shall be made by the institution in consultation with the Commissioner, Department of Health and Senior Services or his or her designee. This exclusion shall continue until the outbreak is over or until proof of the student's immunization or immunity is furnished.

8:57-6.10. Documents accepted as evidence of immunization

(a) The following documents shall be accepted as evidence of a student's immunization history provided that the type of immunization and the date when each immunization was administered is listed:

1. An official school immunization record or copy thereof from any primary or secondary school, or institution of higher education, indicating compliance with the immunization requirements set forth at N.J.A.C. 8:57-6.3, 6.4, 6.5, and 6.6; or
2. A record from any public health department indicating compliance with the immunization requirements set forth at N.J.A.C. 8:57-6.3, 6.4, 6.5, and 6.6; or
3. A record or an official college affidavit form signed by a physician licensed to practice medicine or osteopathy in any jurisdiction of the United States or in any foreign country, an advanced practice nurse (certified registered nurse practitioner or clinical nurse specialist), or any other licensed health professional approved by the Department of Health and Senior Services, which indicated compliance with the immunization requirements set forth at N.J.A.C. 8:57-6.3, 6.4, 6.5, and 6.6.

8:57-6.11. Medical exemptions

(a) A student shall not be required to have any specific immunizations(s) which are medically contraindicated.

(b) A written statement submitted to the institution from a physician licensed to practice medicine or osteopathy, or an advanced practice nurse (certified registered nurse practitioner or clinical nurse specialist) in any jurisdiction of the United States, or in any foreign country, indicating that an immunization is medically contraindicated for a specific period of time, and setting forth the reason(s) for the medical contraindication, based upon valid medical reasons as enumerated by the most recent recommendations of the Advisory Committee on Immunization

Practices (ACIP) of the United States Public Health Service, shall exempt a student from the specific immunization requirements for the stated period of time.

1. The guidelines identified in (b) above are available from the Advisory Committee on Immunization Practices, U.S. Public Health Service, Centers for Disease Control and Prevention, Atlanta, GA 30333.

(c) The physician's or an advanced practice nurse's (certified registered nurse practitioner or clinical nurse specialist) statement shall be retained as part of the student's immunization record and shall be reviewed annually by the institution to determine whether the exemption shall remain in effect for the next year. When the student's medical condition permits immunization, this exemption shall thereupon terminate and the student shall be required to obtain the immunization(s) from which he or she has been exempted.

(d) A student with medical exemptions to receiving specific immunizations may be temporarily excluded from classes and from participating in institution-sponsored activities during a vaccine-preventable disease outbreak or threatened outbreak. This decision shall be made by the institution in consultation with the Commissioner, Department of Health and Senior Services or his or her designee. This exclusion shall continue until the outbreak is over or until proof of the student's immunization or immunity is furnished.

8:57-6.12. Religious exemptions

(a) A student shall be exempted from mandatory immunization if the student objects thereto in a written statement submitted to the institution, signed by the student, explaining how the administration of immunizing agents conflicts with the student's religious beliefs.

(b) This statement shall be kept by the institution as part of the student's immunization record.

(c) A student with a religious exemption from receiving immunizing agents may be temporarily excluded from classes and from participating in institution-sponsored activities during a vaccine-preventable disease outbreak or threatened outbreak. This decision shall be made by the institution in consultation with the Commissioner, Department of Health and Senior Services or his or her designee. This exclusion shall continue until the outbreak is over.

8:57-6.13. Institutional records required

(a) All New Jersey institutions of higher education shall maintain records of immunizations on each student in a format either specified or approved by the Department. Each record shall indicate the date of each required immunization, laboratory evidence of immunity, or, where applicable, the requisite documents, as required pursuant to N.J.A.C. 8:57-6.11 or 6.12 pertaining to any medical or religious exemptions.

(b) All New Jersey institutions of higher education shall maintain immunization record forms in a manner which allows accessibility to health officials, yet insures the confidentiality of the student's other records. Student immunization histories may be entered into an institution's secure electronic database.

(c) All four year institutions of higher education shall also collect and maintain documentation of the meningitis information/education, meningococcal vaccination, and the response of each new student in a format either specified or approved by the Department of Health and Senior Services.

(d) All New Jersey institutions of higher education shall, upon request of a student who is transferring to another institution, send the student's original record of immunization, or an authenticated copy thereof, or electronically print out an authenticated copy of the student's immunization history in the same manner as a college transcript, with any attached statements, to the other institution.

(e) All New Jersey institutions of higher education shall, upon request, release to a student his or her immunization records or an authentic electronic printout of that record. Request for such records shall be honored for three years following a student's graduation, termination, transfer, or departure from the institution.

8:57-6.14. Reports to be submitted to the Department of Health and Senior Services

(a) A report of the immunization status of students in every institution shall be sent each year to the Department of Health and Senior Services. This report shall be submitted by the official designated pursuant to N.J.A.C. 8:57-6.8(b) to be responsible for the administration and enforcement of this subchapter and for the maintenance of immunization records.

(b) The form for the annual immunization status report shall be provided by the Department of Health and Senior Services.

(c) The report shall document the total number of students who are specifically covered by the applicable education or vaccination requirements of this subchapter relevant to that institution, the number of students who are vaccinated, the number of students with medical exemptions, the number of students with religious exemptions, and the number of students not receiving required immunizations.

(d) The report shall be submitted by December 1 of the academic year beginning in September of the same year after the review of all appropriate immunization records.

(e) Each four year institution of higher education shall also submit an annual meningococcal report provided by the Department of Health and Senior Services by December 1, for each academic year which begins in September of the same year.

(f) The annual meningococcal report from each four year institution shall document, at a minimum, the total number of new students, the number of new students' responses received, and the number of new students vaccinated.

8:57-6.15. Records available for inspection

All institutions shall maintain centralized records of their students' immunization status. Upon 24 hours notice, those records shall be made available for inspection by authorized representatives of the Department of Health and Senior Services or the local board of health in whose jurisdiction the institution of higher education is located.

8:57-6.16. Providing immunization

(a) Each institution may administer the vaccines required by, or referred to within this subchapter for these students who are unable to obtain vaccine documentation or obtain the measles, mumps, or meningococcal vaccines from their own health providers.

(b) Each four-year institution shall offer the meningococcal vaccine through the institution's student health service or by a contractual agreement with a community health care provider.

8:57-6.17. Reporting requirements

Each New Jersey institution of higher education shall report the suspected presence of any reportable communicable disease, as identified at N.J.A.C. 8:57-1.3 and N.J.A.C. 8:57-1.4, to the local health officer having jurisdiction over the locality in which such institution is located.

8:57-6.18. Modifications in the event of an outbreak

In the event of an outbreak or threatened outbreak, the Commissioner, Department of Health and Senior Services, his or her designee, or local health officers may modify the immunization requirements as set forth in this subchapter to meet the emergency. These modifications may include obtaining immunization documentation or requiring specific immunizations for each student not covered by this subchapter. Each student failing to meet these additional requirements may be temporarily excluded from classes and from participating in institution-sponsored activities. This exclusion shall continue until the outbreak is over or until proof of the student's immunization or immunity is furnished.

[From <http://www.njleg.state.nj.us/2002/Bills/PL02/58 .HTM>]

CHAPTER 58

AN ACT requiring hepatitis B vaccinations for students in high school and at institutions of higher education and supplementing Title 18A of the New Jersey Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

C.18A:61D-8 Findings, declarations relative to hepatitis B vaccinations.

1. The Legislature finds and declares that:

a. Hepatitis B is a serious viral disease that attacks the liver and can cause lifelong infection, cirrhosis of the liver, liver cancer, liver failure and even death; after tobacco, hepatitis B is the world's leading known cause of cancer;

b. Hepatitis B virus is spread through blood and other body fluids and has been shown in some instances to remain infectious on environmental surfaces for at least a month at room temperature; in some settings, the virus can be up to 100 times more contagious than the virus that causes AIDS;

c. Individuals are at greater risk of hepatitis B virus infection who: have multiple sex partners; use injection drugs; have household contact with an individual who has lifelong hepatitis B infection; and travel to areas of the world where hepatitis B is common;

d. In 1999, an estimated 80,000 individuals in the United States were infected with the hepatitis B virus, and one out of 20 individuals in the United States will be infected with the virus at some time in their lives; approximately 30% of individuals who are infected show no signs or symptoms and can unknowingly pass the virus to others;

e. The highest rate of hepatitis B disease occurs in individuals 20 to 49 years of age; in 1998, 205 hepatitis B cases were reported in New Jersey, with 60% of those occurring in individuals 25 to 44 years of age;

f. Hepatitis B vaccine, which has been available since 1982, prevents hepatitis B disease and its serious consequences; the federal Centers for Disease Control and Prevention recommends routine vaccination of individuals zero to 18 years of age for hepatitis B;

g. As of September 2001, the New Jersey Department of Health and Senior Services requires hepatitis B immunization prior to school entry for all children in the State, with a sixth grade catch-up dose for those not already immunized; and

h. Since the hepatitis B immunization requirement for school entry in the State was recently adopted and the highest rates of hepatitis B infection in the nation and State are occurring in individuals between 20 and 50 years of age, it is appropriate for the State to require every high school student, and each new student enrolling on a full-time basis in a program leading to an academic degree at an institution of higher education in the State, to be vaccinated for hepatitis B.

C.18A:61D-9 Hepatitis B vaccination required for certain students at institutions of higher education.

2. a. Beginning with the 2008-09 school year, a new student enrolling in a program leading to an academic degree at a public or private institution of higher education in this State, who

registers for 12 or more credit hours of course study per semester or term, shall be vaccinated for hepatitis B within nine months of attendance as a condition of continued attendance at that institution, except as provided in section 4 of this act.

b. A student shall present evidence of the vaccination required pursuant to this section to the institution in a manner prescribed by the institution.

c. The Department of Health and Senior Services shall require each public or private institution of higher education in this State to offer the vaccination required pursuant to this section to its students through the institution's student health services program or through a contractual agreement with a community health care provider.

d. The Commissioner of Health and Senior Services shall adopt rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to carry out the purposes of subsections a., b. and c. of this section and sections 3 and 4 of this act.

C.18A:40-21.1 Hepatitis B vaccination required for public, private school students in grades nine through twelve.

3. The Commissioner of Health and Senior Services shall require the immunization of a child for hepatitis B as a condition of enrollment in grades nine through 12.

b. Beginning with the 2003-2004 school year, a principal, director or other person in charge of a public or private school in this State shall not knowingly admit or retain in grades nine through 12 a child whose parent or guardian has not submitted acceptable evidence of the child's immunization for hepatitis B prior to or during enrollment in ninth grade, as provided by regulation of the Commissioner of Health and Senior Services.

c. The Commissioner of Health and Senior Services shall adopt rules and regulations pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to carry out the purposes of this section.

C.18A:61D-10 Exemption from vaccination.

4. A student shall not be required to receive a vaccination pursuant to section 2 or 3 of this act based upon one of the following:

a. a written statement submitted to the secondary school or institution of higher education, as applicable, by a licensed physician indicating that the vaccine is medically contraindicated for a specific period of time and the reasons for the medical contraindication, based upon valid medical reasons as determined by regulation of the Commissioner of Health and Senior Services, which shall exempt the student from the vaccination for the stated period of time; or

b. a written statement submitted to the secondary school or institution of higher education, as applicable, by the student, or the student's parent or guardian if the student is a minor, explaining how the administration of the vaccine conflicts with the bona fide religious tenets or practices of the student, or the parent or guardian, as appropriate; except that a general philosophical or moral objection to the vaccination shall not be sufficient for an exemption on religious grounds.

5. This act shall take effect immediately.

Approved August 3, 2002.