

Nonmedical Waiver Frequently Asked Questions



Background:

In 2014, Michigan had the fourth highest vaccine exemption rate in the United States. To continue maintaining high vaccination coverage rates and slow the increase in nonmedical vaccine exemptions, Michigan changed its state Administrative Rules, effective January 1, 2015, to require parents/guardians to attend a vaccine education session at their health department before obtaining a nonmedical exemption. This rule applies to all children who are enrolled in licensed childcares, preschools, and Head Start programs as well as kindergarteners, 7th graders, and any newly enrolled students into a school district.

If a child does not have an up-to-date immunization record showing they are fully immunized, **or** is not in a dose waiting period, **or** does not have a medical contraindication on file, then the child should be excluded from school based on public health code guidance.

Frequently Asked Questions:

Why is this rule important?

High nonmedical waiver rates can leave communities susceptible to diseases such as measles, chickenpox, and pertussis (whooping cough) by undermining community or “herd” immunity. Herd immunity protects vulnerable children who cannot be vaccinated for medical reasons and children with compromised immune systems. Herd immunity can also slow the spread of disease if a high proportion of individuals in that community are immune to the disease. Immunization is one of the most effective ways to protect children from serious diseases and even death.

Who does this rule apply to?

The rule applies to parents/guardians seeking a nonmedical immunization waiver for their child/children who are enrolling in a public or private:

- Licensed childcare, preschool, and Head Start programs
- Kindergarten, 7th grade, and any newly enrolled student into the school district

What did the rule change?

Parents/guardians seeking to claim a nonmedical waiver are required to participate in an immunization-focused discussion with county health department staff. During the discussion, parents/guardians can bring up any immunization-related questions and/or concerns they may have. The staff will present evidence-based information regarding the risks of vaccine-preventable diseases and the benefits/potential risks (risks consisting mostly of moderate side effects) of vaccination. This rule preserves the ability of parents/guardians to obtain a nonmedical waiver following the completion of this required educational session.

What is a nonmedical immunization waiver?

New in 2023, the nonmedical immunization waiver is an electronic document and is housed in the Michigan Care Improvement Registry (MCIR). A certified paper waiver form may also be used. A nonmedical waiver allows parents/guardians to object to vaccines for philosophical, religious, and other reasons. It is completed and signed by parents on an official State of Michigan Nonmedical Waiver form provided by a county health department following an educational session detailing the benefits of vaccination and the risks of disease.

How does this rule affect Michigan's schools and licensed childcare programs?

- The rule requires schools and childcare programs to refer parents/guardians seeking a nonmedical waiver for immunizations to the county health department for immunization waiver education and waiver certification.
- Schools and childcare programs can only accept a current, un-altered, certified State of Michigan Immunization Waiver in MCIR or an un-altered, certified State of Michigan paper form.

Can a parent/guardian obtain a certified nonmedical waiver form from a school, childcare program, or healthcare provider?

No, a certified State of Michigan nonmedical waiver can only be obtained at a county health department.

How does a parent/guardian obtain a certified nonmedical waiver?

Based on the rule, parents/guardians are no longer permitted to submit an uncertified Immunization Waiver Form to the school or childcare program attended by their child/children. Parents/guardians are required to:

1. Contact their county health department to receive immunization waiver education and obtain a certified State of Michigan Immunization Waiver in MCIR or certified paper form.
2. If a paper form is obtained, submit the certified State of Michigan Immunization Waiver form to the school or childcare program attended by their child/children.
3. Paper waiver forms that are altered in any fashion (including information on the form that may be crossed out) cannot be accepted by schools or childcare programs.

What documentation are parents/guardians required to submit to the school or childcare program attended by their child/children?

Parents/guardians are required to submit:

- A complete immunization record **or**
- A physician (MD/DO)-signed State of Michigan Medical Contraindication Form **or**
- A current, certified State of Michigan Nonmedical Immunization Waiver Form

Students without a completed immunization record and/or a certified waiver form are subject to exclusion from school or childcare unless the student is in a "provisional" category. Children in the provisional category are defined as those who have received 1 or more doses of vaccine but need to wait the recommended time to receive the next dose.

Will the County Health Department make a copy of the waiver?

The county health department may make a copy of the waiver for their records and provide the parent/guardian with the original. Making a copy of the form is not a violation of the Family Educational Rights Privacy Act (FERPA), because the waiver education is conducted at the county health department before the parent/guardian provides the certified State of Michigan Immunization Waiver Form to the school. This form is an official State of Michigan Department of Health and Human Services document that records the waiver visit for the county health department.

What if a child has a medical contraindication to a vaccine?

The rule change did not affect the healthcare provider completing the medical contraindication form. A current State of Michigan Medical Contraindication Form (available at doctors' offices) must be completed and signed by a physician (MD/DO) and submitted to the school or childcare program.

Why does the rule for claiming a nonmedical waiver remove the healthcare provider from issuing the nonmedical waiver to the parent/guardian?

The rule is not intended to diminish the role of healthcare providers in educating parents and families on the importance of immunization. A strong provider recommendation is recognized as a powerful motivator for parents to comply with immunization recommendations. The rule forms a partnership between public health and private healthcare providers in a joint effort to decrease the number of school and daycare waivers in Michigan. Ideally, by having providers educate the parent/guardian on true medical contraindications and the county health department offer additional education on the risks of vaccine-preventable disease and benefits of vaccinations, we will see an increase in immunization rates. How does the healthcare provider handle a request from the parent/guardian to receive a nonmedical waiver form?

Healthcare providers are expected to:

1. Educate the parent/guardian about the risks of disease and benefits of vaccination.
2. Document refusals to vaccinate by having the parent/guardian fill out a Refusal to Consent to Vaccination form found at: www.aimtoolkit.org >search Refusal to Consent to Vaccination.
3. Refer all nonmedical waiver requests to the county health department for the parent/guardian to receive a certified nonmedical waiver form.
 - a. The nonmedical waiver form needs to be a certified State of Michigan, Michigan Department of Health and Human Services (MDHHS) Immunization Waiver Form.

Will the healthcare provider need to document vaccine refusal into the Michigan Care Improvement Registry (MCIR)?

Yes, the healthcare provider will need to:

1. Record the non-administered vaccine into MCIR indicating "medical" as the reason.
2. Maintain the Medical Contraindication form on file in the medical record system being used in the provider's office.

How does the healthcare provider handle a medical contraindication to a vaccine?

A current State of Michigan Medical Contraindication Form must be completed and signed by a physician (MD, DO).

Healthcare providers will need to:

1. Determine if there is a true medical contraindication or precaution to a vaccine.
 - a. A good resource is the CDC Child and Adolescent Immunization Schedule by Age which is posted online at: <https://www.cdc.gov/vaccines/schedules/hcp/imz/child-adolescent.html> which lists all precautions and contraindications.

2. If a true contraindication or precaution to a vaccine is present, complete the current State of Michigan Medical Contraindication Form.
 - a. The Medical Contraindication form is posted online at: www.michigan.gov/immunize.
> click on *Local Health Departments* > click on *Immunization Waiver Information*.
3. Give the Medical Contraindication Form to the parent/guardian to be turned into the school or childcare program (be sure to keep a copy for your files).

Note: If the child is in the dose waiting (provisional) period, a medical waiver is not necessary.

What happens if these specific waiver forms (listed above) are not used?

Only the current versions of the State of Michigan Medical Contraindication Form or Nonmedical Waiver Form can be accepted by schools and/or childcare programs. Additional waiver forms or the official State of Michigan forms that have been altered in any way cannot be accepted by schools or childcare programs. Students who do not comply with submitting proper forms are to be excluded from school or childcare unless they are in the dose waiting (provisional) period.

Where can I find more information?

For more information, please visit www.michigan.gov/immunize > click on *Local Health Departments* > click on *Immunization Waiver Information*.

- The above website provides a complete list of county health departments in Michigan, including phone numbers and addresses.
- The link below is to the MDHHS Communicable Disease Administrative Rules where much of the information referenced in this document can be found.
 - https://www.michigan.gov/documents/mdhhs/1472_2014-073CH_AdminCode_1_676105_7.pdf