

# WEST VIRGINIA SECRETARY OF STATE

KEN HECHLER

## ADMINISTRATIVE LAW DIVISION

Form #7

FILED

17 AUG 27 PM 3:48

### NOTICE OF AN EMERGENCY RULE

AGENCY: Department of Health TITLE NUMBER: 64

CITE AUTHORITY: §16-3-4, West Virginia Code

EMERGENCY AMENDMENT TO AN EXISTING RULE: YES , NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: \_\_\_\_\_

TITLE OF RULE BEING AMENDED: \_\_\_\_\_

IF NO, SERIES NUMBER OF RULE BEING FILED AS AN EMERGENCY: 58

TITLE OF RULE BEING FILED AS AN EMERGENCY: Immunization  
Criteria for Transfer Students.

THE ABOVE RULE IS BEING FILED AS AN EMERGENCY RULE TO BECOME EFFECTIVE UPON FILING.

THE FACTS AND CIRCUMSTANCES CONSTITUTING THE EMERGENCY ARE AS FOLLOWS:

The 1987 Legislature established in S. B. 491, passed March 12, 1987, effective June 10, 1987, that individuals transferring into West Virginia schools from schools outside the state can be provisionally enrolled prior to completion of all immunizations according to criteria established by the Director of Health. Immunizations are required for diphtheria, poliomyelitis, measles, rubella, tetanus and whooping cough (pertussis) subject to medical exemptions.

The Director believes that in order to prevent substantial harm to the public interest, it is necessary to have these criteria in effect as close as possible to the beginning of the school year. This will permit out-of-State transfer students to be admitted at the beginning of the school year rather than experiencing problems caused by late admissions.

Use Additional Sheets If Necessary.

*David K. Heydinger, M.D.*  
David K. Heydinger, M.D. *Aut.*  
Director

FILED IN THE OFFICE OF  
THE SECRETARY OF STATE  
THIS DATE Aug 27, 1987  
ADMINISTRATIVE LAW DIVISION

[EMERGENCY]

TITLE 64

WEST VIRGINIA LEGISLATIVE RULES  
DEPARTMENT OF HEALTH

Immunization Criteria for Transfer Students

Series 58

1987

[EMERGENCY]

WEST VIRGINIA LEGISLATIVE RULES  
DEPARTMENT OF HEALTH

Immunization Criteria for Transfer Students

64 CSR 58

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[EMERGENCY]  
TITLE 64  
WEST VIRGINIA LEGISLATIVE RULES  
DEPARTMENT OF HEALTH  
Series 58

Title: Immunization Criteria for Transfer Students

Section 1. General

1.1. Scope - This rule establishes minimum immunization criteria for provisional enrollment in school of children transferring from a school outside the state.

1.2. Authority - This rule is issued by the director of health under the authority of and is related to Chapter 16, Article 3, Section 4 of the West Virginia Code.

1.3. Filing Date -

1.4. Effective Date -

Section 2. Application - This rule applies only to students who are transferring into a West Virginia school from a school outside the state.

Section 3. Minimum Criteria for Provisional Enrollment

3.1. No transfer student, except for a medical exemption, shall be allowed to enter a West Virginia school without at least one dose of diphtheria and tetanus toxoids and pertussis vaccine (DTP) or adult tetanus and diphtheria toxoids (Td) or pediatric diphtheria and tetanus toxoids (DT) based on age appropriateness, one dose of live or killed poliomyelitis vaccine, one dose of measles vaccine and one dose of rubella vaccine.

3.2. Transfer students to West Virginia schools shall have ninety days from the date of admission in which to complete a minimum of three doses of diphtheria and tetanus toxoids and pertussis vaccine (DTP) or pediatric diphtheria and tetanus toxoid (DT) or adult tetanus and diphtheria toxoids (Td) and three doses of poliomyelitis vaccine or be excluded from school.