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Fact Sheet for Day Care Centers and Family Day Care Homes SB 792 (Mendoza) Vaccines for Day Care Workers Effective September 1, 2016

What is Required

Under SB 792, day care centers and family day care homes, as part of their licensure requirements, will have to maintain vaccination records for their employees and volunteers for influenza, pertussis, and measles.

Grace Period

The new law includes a thirty day grace period so that employees or volunteers can start work while gathering their immunization records. The employee or volunteer simply needs to sign a statement attesting that they have received the required vaccinations.

Cost to Employees

All the vaccines required in SB 792 are covered *at no cost* by insurance plans under the Affordable Care Act. Insured employees can contact their primary care physician to receive the vaccine with no co-pay, regardless of any minimums or maximums in their plans. Uninsured employees should contact Covered California to sign up for the plan that works best for them, or can receive all three vaccines at their neighborhood drugstore or health clinic.

Employees can be vaccinated a variety of ways:

- Contact their primary care physician
- Contact their local health department:
<http://www.cdph.ca.gov/programs/immunize/pages/californialocalhealthdepartments.aspx>
- Find private providers offering vaccines to the public:
<http://www.vaccines.gov/getting/where/>

Vaccinations Required

Influenza

Reasoning: According to the California Department of Public Health (CDPH), “the flu can be a serious disease that can lead to hospitalization and sometimes even death. Anyone can get sick from the flu.” Furthermore, “children younger than 5, but especially younger than 2 years old” are at serious risk of complications from the flu. “Since 2004-2005, flu-related deaths in children reported to CDC during regular influenza seasons have ranged from 35 deaths (during 2011-2012) to over 150 deaths (during 2012-2013). However, during the 2009 H1N1 influenza pandemic, (April 15, 2009 to October 2, 2010), 348 pediatric deaths were reported to CDC.” Death and illness from the flu is preventable. Individuals with the flu can be contagious for 24 hours before showing signs of symptoms, which is why vaccination is important – it is not enough simply to refrain from working while ill.

Annual Requirement: Flu viruses change each year, which is why an annual vaccine is required. The vaccine is usually available in the fall, and early vaccination is recommended in order to prevent the spread of the flu. Under this bill, employees will need to show that they have been vaccinated between August 1 and December 1 of each year.

Opting out: Employees may decline to receive the influenza vaccine.

Record Keeping: Employers must have **ONE** of the following records for each employee or volunteer:

- A copy of an immunization record for influenza dated between August 1 and December 1 of each year
- A statement from the employee’s physician that there is a medical reason not to vaccinate the employee
- A signed statement from the employee stating that they have declined to be vaccinated against the flu

Pertussis (Whooping Cough)

Reasoning: According to CDPH, there were 11,114 reported cases of whooping cough with three infant deaths in 2014. Infants receive their first pertussis immunization at two months of age, but they are not fully immunized until they have received several doses. Infants too young to be immunized rely on those around them to maintain their immunity.

Record Keeping: Employers must have **ONE** of the following records for each employee or volunteer:

- A copy of an immunization record for pertussis
- A statement from the employee's physician that there is a medical reason not to vaccinate the employee
- A statement from the employee's physician that the employee is already immune to pertussis

Measles

Reasoning: According to the CDC, "Measles can cause serious health complications, such as pneumonia or encephalitis, and even death. Children younger than 5 years of age and adults older than 20 years of age are at high risk of getting a serious case of measles. About 1 in 4 unvaccinated people in the U.S. who get measles will be hospitalized; 1 out of every 1,000 people with measles will develop brain swelling (encephalitis); 1 or 2 out of 1,000 people with measles will die, even with the best care."

Record Keeping: Employers must have **ONE** of the following records for each employee or volunteer:

- A copy of an immunization record for measles
- A statement from the employee's physician that there is a medical reason not to vaccinate the employee
- A statement from the employee's physician that the employee is already immune to measles
- Proof that the employee was born before 1957 (according to the Advisory Council on Immunization Practices, "adults born before 1957 are generally considered immune to measles and mumps.")