



## DEPARTMENT OF HEALTH

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**Steven M. Neuhaus**  
*County Executive*

August 13, 2019

Dear School Superintendent:

On June 13, 2019 Governor Andrew M. Cuomo signed new legislation removing non-medical exemptions from school vaccination requirements for children attending public, private, or parochial school (pre-kindergarten through 12<sup>th</sup> grade), or child day care settings. Religious exemptions are no longer valid in New York State. To attend or remain in school or day care, students must receive the first age-appropriate dose in each immunization series within 14 days of the first day of school or day care. In addition, parents/legal guardians are required to show proof that they have appointments in place for the required follow-up doses within 30 days after the first day of school or day care. The deadline for follow-up doses depends on the vaccine and must be in accordance with the vaccine recommendations and guidelines of the ACIP. If a child has a medical contraindication to a specific immunization(s), the parent/legal guardian must provide a valid medical exemption form that is signed and confirmed annually by a New York State licensed physician.

You are responsible for promptly notifying the local health department when a student is not in compliance with Public Health Law §2164. You are also required to maintain a current list of susceptible (unvaccinated or undervaccinated) students at all times. Each year, the New York State Department of Health conducts an audit of schools for compliance with PHL §2164. Audits may be conducted remotely or in person. If during an audit a student is found to be out of compliance, he/she will be required to be excluded from school until they come into compliance. Noncompliant schools may be subject to civil penalties depending on the reason for the violation or noncompliance. "Education Law §310 provides that persons considering themselves aggrieved by an action taken at a school district meeting or by school authorities may appeal to the Commissioner of Education for a review of such action." While an appeal is pending before the Commissioner, a request for a "stay" may be submitted by the petitioner.

You may refer uninsured/underinsured students through 18 years of age to our Vaccines for Children (VFC) immunization clinics located in Goshen and Newburgh. Appointments can be scheduled by calling 845-360-6587. Please contact us if you need assistance reviewing medical exemptions or translating immunization records. If you do not have a New York State Immunization Information System (NYSIIS) or Citywide Immunization Registry (CIR) account, please contact us so that we may assist you. Thank you all for your continued work towards the health of the Orange County community.

Best regards,

Dr. Irina Gelman, DPM, MPH, PhDc  
Commissioner of Health

## References and Links:

1. Governor Andrew M. Cuomo Signed Legislation Removing Non-Medical Exemptions from School Vaccination Requirements: <https://www.governor.ny.gov/news/governor-cuomo-signs-legislation-removing-non-medical-exemptions-school-vaccination>
2. 2019-20 School Year New York State Immunization Requirements for School Entrance/Attendance: <https://www.health.ny.gov/publications/2370.pdf>
3. NYSDOH Frequently Asked Questions About Legislation Removing Non-Medical Exemptions from School Vaccination Requirements #1: [https://www.health.ny.gov/publications/2170/docs/nonmedical\\_vaccine\\_exemption\\_faq.pdf](https://www.health.ny.gov/publications/2170/docs/nonmedical_vaccine_exemption_faq.pdf)
4. NYSDOH Frequently Asked Questions About Legislation Removing Non-Medical Exemptions from School Vaccination Requirements #2: [https://health.ny.gov/publications/2170/docs/vaccine\\_requirements\\_faq.pdf](https://health.ny.gov/publications/2170/docs/vaccine_requirements_faq.pdf)
5. NYSDOH Medical Exemption Statement for Children 0-18 Years of Age Medical Exemption Form for School Attendance: <https://www.health.ny.gov/forms/doh-5077.pdf>
6. The ACIP Catch-up Immunization Schedule: <https://www.cdc.gov/vaccines/schedules/downloads/child/0-18yrs-child-combined-schedule.pdf>
7. General Best Practice Guidelines for Immunization: Best Practices Guidance of the Advisory Committee on Immunization Practices (ACIP) – Contraindications and Precautions: <https://www.cdc.gov/vaccines/hcp/acip-recs/general-recs/contraindications.pdf>
8. Webinar from July 29, 2019 Regarding Non-medical Exemptions: [https://health.ny.gov/prevention/immunization/schools/school\\_vaccines/docs/immunization\\_law\\_webinar.pdf](https://health.ny.gov/prevention/immunization/schools/school_vaccines/docs/immunization_law_webinar.pdf)
9. Information Regarding Appeals to the Commissioner: <http://www.counsel.nysed.gov/appeals/>