



Notice of Intent to Adopt Rules

A copy of the proposed rules may be obtained at <http://rules.wyo.gov>

Revised May 2018

1. General Information

a. Agency/Board Name*		
b. Agency/Board Address	c. City	d. Zip Code
e. Name of Agency Liaison		f. Agency Liaison Telephone Number
g. Agency Liaison Email Address		
h. Date of Public Notice		i. Comment Period End Date
j. Public Comment URL or Email Address:		
k. Program		

* By checking this box, the agency is indicating it is exempt from certain sections of the Administrative Procedure Act including public comment period requirements. Please contact the agency for details regarding these rules.

2. Legislative Enactment

For purposes of this Section 2, "new" only applies to regular rules promulgated in response to a Wyoming legislative enactment not previously addressed in whole or in part by prior rulemaking and does not include rules adopted in response to a federal mandate.

a. Are these rules new as per the above description and the definition of "new" in Chapter 1 of the Rules on Rules?

No. Yes. Please provide the Chapter Numbers and Years Enacted
(eg: 2015 Session Laws Chapter 154):

3. Rule Type and Information

a. Provide the Chapter Number, Title, and Proposed Action for Each Chapter.
Please use the Additional Rule Information form for more than 10 chapters, and attach it to this certification.

Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed
Chapter Number:	Chapter Name:	<input type="checkbox"/> New	<input type="checkbox"/> Amended	<input type="checkbox"/> Repealed

4. Public Comments and Hearing Information

a. A public hearing on the proposed rules has been scheduled. No. Yes. Please complete the boxes below.

Date:	Time:	City:	Location:
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b. What is the manner in which interested persons may present their views on the rulemaking action?

By submitting written comments to the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

A public hearing will be held if requested by 25 persons, a government subdivision, or by an association having not less than 25 members. Requests for a public hearing may be submitted:

To the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

c. Any person may urge the Agency not to adopt the rules and request the Agency to state its reasons for overruling the consideration urged against adoption. Requests for an agency response must be made prior to, or within thirty (30) days after adoption, of the rule, addressed to the Agency and Agency Liaison listed in Section 1 above.

5. Federal Law Requirements

a. These rules are created/amended/revoked to comply with federal law or regulatory requirements. No. Yes. Please complete the boxes below.

Applicable Federal Law or Regulation Citation:

Indicate one (1):

The proposed rules meet, but do not exceed, minimum federal requirements.

The proposed rules exceed minimum federal requirements.

Any person wishing to object to the accuracy of any information provided by the Agency under this item should submit their objections prior to final adoption to:

To the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

6. State Statutory Requirements

a. Indicate one (1):

The proposed rule change *MEETS* minimum substantive statutory requirements.

The proposed rule change *EXCEEDS* minimum substantive statutory requirements. Please attach a statement explaining the reason that the rules exceed the requirements.

b. Indicate one (1):

The Agency has complied with the requirements of W.S. 9-5-304. A copy of the assessment used to evaluate the proposed rules may be obtained:

By contacting the Agency at the physical and/or email address listed in Section 1 above.

At the following URL: _____

Not Applicable.

7. Additional APA Provisions

a. Complete all that apply in regards to uniform rules:

These rules are not impacted by the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j).

The following chapters do not differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j):

_____ (Provide chapter numbers)

These chapters differ from the uniform rules identified in the Administrative Procedure Act, W.S. 16-3-103(j) (see Statement of Principal Reasons).

_____ (Provide chapter numbers)

b. Checklist

The Statement of Principal Reasons is attached to this Notice and, in compliance with *Tri-State Generation and Transmission Association, Inc. v. Environmental Quality Council*, 590 P.2d 1324 (Wyo. 1979), includes a brief statement of the substance or terms of the rule and the basis and purpose of the rule.

If applicable: In consultation with the Attorney General's Office, the Agency's Attorney General representative concurs that strike and underscore is not required as the proposed amendments are pervasive (Chapter 3, *Types of Rules Filings*, Section 1, Proposed Rules, of the Rules on Rules).

8. Authorization

a. I certify that the foregoing information is correct.

<i>Printed Name of Authorized Individual</i>	
<i>Title of Authorized Individual</i>	
<i>Date of Authorization</i>	

CHAPTERS 1, 3, 5

Wyoming Immunization Program Intent to Amend Current Rules

Statement of Reasons

The Wyoming Department of Health proposes to adopt the following Revised Rules pursuant to the provisions of Wyo. Stat. Ann. §§ 14-4-116, 21-4-309, 35-1-240, and 35-4-139.

By revising Chapter 1 the Agency accomplishes the following:

1. Updated definitions for “Authorized user”, “Provider profile”, and “Publicly-supplied vaccine”;
2. Addition of definitions for “Contraindication”, “Interoperability”, “Responsible Authority”, and “School District”.
3. Removal of definitions for “Health Level Seven” as this is no longer used in any of the Rules.

By revising Chapter 3, the Agency accomplishes the following:

1. In Section 4:
 - a. (4)(a)(xiii) Addition of Meningococcal (Serogroups A, C, W, and Y) for entry into schools effective August 1, 2020;
 - b. Addition of the following statements to ensure correct application of the Rules:
 - i. (4)(c) “Within 30 calendar days upon entry, each child attending a Wyoming child caring facility or preschool must be immunized against the VPDs listed in subsection (a) for which he or she is eligible based on age, according to the ACIP schedule.”
 - ii. (4)(d) “Within 30 calendar days upon entry into any grade, each child attending a Wyoming School (K-12) must be immunized against the VPDs listed in subsection (a) for which he or she is eligible based on age, according to the ACIP schedule.”
 - iii. (4)(e) “Each child transferring into a Wyoming School (K-12) shall, within 30 days upon entry, meet all immunization requirements in this Chapter.”
2. In Section 5:
 - a. (5)(a)(iii) Revision of the statement to allow for acceptance of records certified by any licensed physician whether licensure is in U.S. or not.
 - b. (5)(b)(vi) Addition of the following statement “Certification by a licensed physician, his representative, or by any public health authority.” This is one element to be used to identify an immunization record that can be accepted.
3. Section 6 has been updated to eliminate unnecessary language and to align conditions under which a history of varicella can be verified to standards set by the Centers for

Disease Control and Prevention. This section has also been updated to define what can be accepted as “written diagnosis or verification” of disease.

4. Section 7 has been split into three sections. Section 7 now includes language applicable to all waiver types.
5. Sections 8 and 9 are new but contain language previously found in Section 7. Section 8 is specific to Religious Waivers while Section 9 is specific to Medical Waivers.

By revising Chapter 5, the Agency accomplishes the following:

1. Removal of unnecessary language and reference to a Provider Agreement which is no longer needed;
2. Updated to reflect correct processes and responsibilities; and
3. Reorganization of content.

As required by W.S. 16-3-103(a)(i)(G), these rules meet minimum substantive state statutory requirements.

Chapter 1

Definitions and General Provisions

Section 1. Authority. The Wyoming Department of Health (Department) promulgates this chapter under the authority granted by Wyoming Statutes §§ 14-4-116, 21-4-309, 35-1-240, 35-4-101, and 35-4-139.

Section 2. Purpose. This chapter provides the definitions, general provisions, and incorporated references for *Rules, Wyoming Department of Health, Wyoming Immunization Program*. This chapter applies to all chapters promulgated under these rules.

Section 3. Definitions.

(a) Except as otherwise specified, the terminology used in these rules is the standard terminology and has the standard meaning used in healthcare, including the National Immunization Program and the Vaccines for Children (VFC) Program.

(b) For the purpose of these rules, the following definitions shall apply:

(i) “Administrator” means the principal or head administrator of a school or director of a child caring facility.

(ii) “Authorized user” means an individual who is employed by an organization that is registered with the Department and for which access to the Wyoming Immunization Information System (WY IIS) has been requested and granted.

(iii) “Child” means an individual who is attending a child caring facility or school (kindergarten through 12th grade).

(iv) “Child caring facility” as defined in W.S. 14-4-101(vi).

(v) “Contraindication” means a condition in a recipient that increases the risk for a serious adverse reaction.

(vi) “Electronic Health Record (EHR)” means a longitudinal electronic record of patient health information generated by one or more encounters in any care delivery setting.

(vii) “Immunization Unit Manager” means the individual appointed by the Department to manage the Wyoming Vaccinates Important People (WyVIP) Program, the WY IIS, and mandatory immunization requirements.

(viii) “Interoperability” means, in healthcare, the ability of different information technology systems and software applications to communicate, exchange data, and use the information that has been exchanged.

(ix) “Parent” means the legal guardian or custodian of a minor child, the minor child’s natural parent, or if the minor child has been legally adopted, the adoptive parent.

(x) “Primary health care provider” as defined in W.S. 35-22-402(c)(xiv).

(xi) “Provider agreement” means the legal agreement developed by the Department that is required for a primary health care provider to enroll in the WyVIP Program.

(xii) “Provider Profile” means the form utilized by the Department to capture the number of eligible children served by a primary health care provider enrolled in the WyVIP Program.

(xiii) “Publicly-funded vaccine” refers to a vaccine purchased with state funds and that is distributed to primary health care providers enrolled in the WyVIP Program.

(xiv) “Responsible authority” means an individual employed by an organization who is responsible for ensuring authorized users comply with the IIS Terms and Conditions of Use (IIS Terms) and who agrees to these IIS Terms on behalf of the organization.

(xv) “School” means the following entities:

(A) “A charter school within a school” as defined in W.S. 21-3-302(a)(i);

(B) “Elementary school” as defined in W.S. 21-13-101(iv);

(C) “High school” as defined in W.S. 21-13-101(vi);

(D) “Kindergarten” as defined in W.S. 21-13-101(viii);

(E) “Middle school” as defined in W.S. 21-13-101(vii);

(F) “New charter school” as defined in W.S. 21-3-302(a)(iv);

(G) “Parochial, church or religious school” as defined in W.S. 21-4-101(a)(iv);

(H) “Preschool” means any other institution that is not a child caring facility and occurs prior to entry into kindergarten; and

(I) “Private school” as defined in W.S. 21-4-101(a)(iii).

(xvi) “School district” as defined in W.S. 21-3-302(a)(v).

Section 4. General Provisions.

(a) In the event of a contested case under these rules, *Rules, Office of Administrative Hearings, General Agency, Board of Commission Rules, Ch. 2 (2014)*, incorporated by reference under section 5 of this chapter, shall apply unless otherwise provided for under these rules.

(b) The Department may issue policy and procedure manuals to further facilitate interpretation of and compliance with the Wyoming Immunization Program Rules. These manuals are found at <https://health.wyo.gov/publichealth/immunization/> and made available by the Department upon request.

Section 5. Incorporation by Reference.

(a) For any code, standard, rule, or regulation incorporated by reference in these rules:

(i) The Department has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (b) of this section; and

(iii) The incorporated code, standard, rule, or regulation may be found at <https://health.wyo.gov/publichealth/immunization/> and is maintained and made available by the Department for public inspection and copying at cost at the same location.

(b) The Department incorporates the following codes, standards, rules, and regulations into these rules by reference. These incorporated references are identified as:

(i) Referenced in Section 4(a) of this chapter is *Rules, Office of Administrative Hearings, General Agency, Board of Commission Rules, Ch. 2 (2014)*, also known as the Uniform Rules for Contested Case Practice and Procedure adopted by the Office of Administrative Hearings, effective October 17, 2014, and found at: <http://rules.wyo.gov/>;

(ii) Referenced in Chapter 2, Section 9(b)(x) of these rules is Wyoming Department of Health, Vaccine Restitution Policy (November 1, 2017), available at https://health.wyo.gov/publichealth/immunization/statutes_rules/;

(iii) Referenced in Chapter 2, Section 9(b)(x) of these rules is Wyoming Department of Health, Fraud and Abuse Policy (November 1, 2017), available at https://health.wyo.gov/publichealth/immunization/statutes_rules/;

(iv) Referenced in Chapter 2, Section 9(b)(vii) of these rules is National Childhood Vaccine Injury Act of 1986, 42 U.S.C. §§ 300aa-1 through 300aa-34 (2010);

(v) Referenced in Chapter 2, Section 9(b)(i) of these rules is Centers for Disease Control and Prevention, Vaccine Storage and Handling Toolkit (January 2019), available at https://health.wyo.gov/publichealth/immunization/statutes_rules/;

(vi) Referenced in Chapter 2, Section 9(b)(v) of these rules is Centers for Disease Control and Prevention, Epidemiology and Prevention of Vaccine-Preventable Diseases (J. Hamborsky et al. eds., 13th ed. 2015 & Supp. 2017), available at <https://www.cdc.gov/vaccines/pubs/pinkbook/index.html>;

(vii) Referenced in Chapter 3, Section 4 of these rules is Centers for Disease Control and Prevention, Advisory Committee on Immunization Practices, Recommended Immunization Schedule for Children and Adolescents Aged 18 or Younger (February 5, 2019), available at https://health.wyo.gov/publichealth/immunization/statutes_rules/;

(viii) Referenced in Chapter 5, Section 4 of these rules is Centers for Disease Control and Prevention, Immunization Information System Functional Standards, v4.0 (August 2017), available at https://health.wyo.gov/publichealth/immunization/statutes_rules/;

(ix) Referenced in in Chapter 5, Section 6(d), Section 7, Section 8(c), Section 9, and Section 10 of these rules is the Wyoming Department of Health, IIS Terms and Conditions of Use (February 2019), available at https://health.wyo.gov/publichealth/immunization/statutes_rules/; and

(x) Referenced in Chapter 5, Section 8(b) and Section 10 of these rules is Wyoming Department of Health, IIS: Access Control Policy (May 15, 2018), available at https://health.wyo.gov/publichealth/immunization/statutes_rules/.

Chapter 1

Definitions and General Provisions

Section 1. Authority. The Wyoming Department of Health (Department) promulgates this chapter under the authority granted by Wyoming Statutes ~~Wyo. Stat. Ann.~~ §§ 14-4-116, 21-4-309, 35-1-240, 35-4-101, and 35-4-139.

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(a) Except as otherwise specified, the terminology used in these rules is the standard terminology and has the standard meaning used in healthcare, including the National Immunization Program and the Vaccines for Children (VFC) Program.

(b) For the purpose of these rules, the following definitions shall apply:

(i) “Administrator” means the principal or head administrator of a school or director of a child caring facility.

(ii) “Authorized user” means an individual who is ~~granted access to the Wyoming immunization information system (WY IIS) for the purpose of managing immunization records of individuals falling within his administrative or clinical responsibilities employed by an organization that is registered with the Department and for which access to the Wyoming Immunization System (WY IIS) has been requested and granted.~~

(iii) “Child” means an individual who is attending a child caring facility or school (kindergarten through 12th grade).

(iv) “Child caring facility” as defined in ~~Wyo. Stat. Ann. W.S.~~ § 14-4-101(vi) ~~16(a)~~.

(v) “Contraindication” means a condition in a recipient that increases the risk for a serious adverse reaction.

(vi) “Electronic Health Record (EHR)” means a longitudinal electronic record of patient health information generated by one or more encounters in any care delivery setting.

~~(vi) “Health Level Seven (HL7) standard protocol” means the framework and standards for the exchange, integration, sharing, and retrieval of electronic health information.~~

(vii) “Immunization Unit Manager” means the individual appointed by the Department to manage the Wyoming Vaccinates Important People (WyVIP) Program, the WY

IIS, and mandatory immunizations requirements.

(viii) “Interoperability” means, in healthcare, the ability of different information technology systems and software applications to communicate, exchange data, and use the information that has been exchanged.

(~~ix~~^{viii}) “Parent” means the legal guardian or custodian of a minor child, the minor child’s natural parent, or if the minor child has been legally adopted, the adoptive parent.

(ix) “Primary health care provider” as defined in ~~Wyo. Stat. Ann. W.S. § 35-22-402(c)(xiv)~~.

(xi) “Provider agreement” means the legal agreement developed by the Department that is required for a primary health care provider to enroll in the WyVIP Program.

(xii) “Provider Pprofile” means the form document utilized by the Department to capture the number of eligible children patients served by a primary health care provider enrolled in the WyVIP Program ~~office as a means to compare projected vaccine needs with actual vaccine orders and inventory.~~

(xiii) “Publicly-funded~~supplied~~ vaccine” ~~means refers to a state-purchased vaccine purchased vaccine provided by the Department with state funds and that is distributed to primary health care providers enrolled in the WyVIP Program.~~

(~~xxiv~~) “Responsible authority” means an individual employed by an organization who is responsible for ensuring authorized users comply with the IIS Terms and Conditions of Use (IIS Terms) and who agrees to these IIS Terms on behalf of the organization.

(~~xiv~~ⁱⁱ) “School” means the following entities:

(A) “A charter school within a school” as defined in W.S. § 21-3-302(a)(i);

(B) ~~“Elementary school” as defined in Wyo. Stat. Ann. W.S. § 21-13-101(iv)~~;

(C) “High school” as defined in ~~Wyo. Stat. Ann. W.S. § 21-13-101(vi)~~;

(D) “Kindergarten” as defined in ~~Wyo. Stat. Ann. W.S. § 21-13-101(viii)~~;

(E) “Middle school” as defined in ~~Wyo. Stat. Ann. W.S. § 21-13-101(vii)~~;

(F) “New charter school” as defined in W.S. § 21-3-302(a)(iv);

(G) “Parochial, church or religious school” as defined in W.S. § 21-4-

101(a)(iv);

(H) “Preschool”, ~~which~~ means any other institution that is not a child caring facility and occurs prior to entry into kindergarten; and

(I) “Private school” as defined in W.S. 21-4-101(a)(iii).

(xv) “School district” as defined in W.S. 21-3-302(a)(v).

Section 4. General Provisions.

(a) In the event of a contested case under these rules, *Rules, Office of Administrative Hearings, General Agency, Board of Commission Rules*, Ch. 2 (2014), incorporated by reference under section 5 of this chapter, shall apply unless otherwise provided for under these rules.

(b) The Department may issue policy and procedure manuals to further facilitate interpretation of and compliance with the Wyoming Immunization Program Rules. These manuals are found at <https://health.wyo.gov/publichealth/immunization/> and made available by the Department upon request.

Section 5. Incorporation by Reference.

(a) For any code, standard, rule, or regulation incorporated by reference in these rules:

(i) The Department has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (b) of this section; and

(iii) The incorporated code, standard, rule, or regulation may be found at <https://health.wyo.gov/publichealth/immunization/> and is maintained and made available by the Department for public inspection and copying at cost at the same location.

(b) The Department incorporates the following codes, standards, rules, and regulations into these rules by reference. These incorporated references are identified as:

(i) Referenced in Section 4(a) of this chapter is *Rules, Office of Administrative Hearings, General Agency, Board of Commission Rules*, Ch. 2 (2014), also known as the Uniform Rules for Contested Case Practice and Procedure adopted by the Office of Administrative Hearings, effective October 17, 2014, and found at: <http://rules.wyo.gov>;

(ii) Referenced in Chapter 2, Section 9~~(ba)~~(xi) of these rules is Wyoming Department of Health, Vaccine Restitution Policy (~~IMM-001~~)(November Jan-1, 2017), available at https://health.wyo.gov/publichealth/immunization/statutes_rules/~~https://health.wyo.gov/public~~

~~health/immunization;~~

(iii) Referenced in Chapter 2, Section 9(~~ba~~)(~~xi~~) of these rules is Wyoming Department of Health, Fraud and Abuse Policy (~~IMM-002~~) (~~November May-1, 2017~~), available at ~~https://health.wyo.gov/publichealth/immunization/statutes_rules/~~<https://health.wyo.gov/publichealth/immunization/>;

(iv) Referenced in Chapter 2, Section 9(~~ab~~)(~~viii~~)(~~x~~) of these rules is National Childhood Vaccine Injury Act of 1986, 42 U.S.C. §§ 300aa-1 through 300aa-34 (2010);

(v) Referenced in Chapter 2, Section 9(~~ba~~)(~~xi~~) of these rules is Centers for Disease Control and Prevention, Vaccine Storage and Handling Toolkit (~~January 2019~~~~June 2016~~), available at ~~https://health.wyo.gov/publichealth/immunization/statutes_rules/~~<https://www.cdc.gov/vaccines/hep/admin/storage/toolkit/index.html>;

(vi) Referenced in Chapter 2, Section 9(~~ba~~)(~~vi~~) of these rules is Centers for Disease Control and Prevention, Epidemiology and Prevention of Vaccine-Preventable Diseases (J. Hamborsky et al. eds., 13th ed. 2015 & Supp. 2017), available at <https://www.cdc.gov/vaccines/pubs/pinkbook/index.html>;

(vii) Referenced in Chapter 3, Section 4(~~b~~) of these rules is Centers for Disease Control and Prevention, Advisory Committee on Immunization Practices, Recommended Immunization Schedule for Children and Adolescents Aged 18 or Younger (~~February 5, 2019~~~~Feb. 10, 2017~~), available at: ~~https://health.wyo.gov/publichealth/immunization/statutes_rules/~~<https://www.cdc.gov/vaccines/s/schedules/downloads/child/0-18yrs-child-combined-schedule.pdf>;

(viii) Referenced in Chapter 5, Section 4 of these rules is Centers for Disease Control and Prevention, Immunization Information System Functional Standards, ~~v4.0 2013-2017~~ (~~Feb. 2016~~~~August 2017~~), available at: ~~https://health.wyo.gov/publichealth/immunization/statutes_rules/~~<https://www.cdc.gov/vaccines/programs/iis/func-stds.html>; and

(ix) Referenced in Chapter 5, Section 6(d), Section 7, Section 8(c), Section 9, and Section 10 of these rules is the Wyoming Department of Health, IIS Terms and Conditions of Use (~~February 2019~~), available at https://health.wyo.gov/publichealth/immunization/statutes_rules/; and

(ix) Referenced in Chapter 5, Sections 8(~~be~~), 9(~~a~~)(~~ii~~)(~~A~~), and Section 10(~~11~~)(~~b~~)(~~i~~) of these rules is Wyoming Department of Health, IIS: Access Control Authorized-User Policy (~~IMM-003~~) (~~May 15, 2017~~~~8~~), available at: ~~https://health.wyo.gov/publichealth/immunization/statutes_rules/~~<https://health.wyo.gov/publichealth/immunization/>; and

(xi) Referenced in Chapter 5, Section 14 of these rules is Wyoming-

~~Department of Health, Creating/Editing IIS Information from an Official Immunization Record Policy (IMM-004) (May 1, 2017), available at: <http://health.wyo.gov/publichealth/immunization/>.~~

Chapter 3

Mandatory Immunizations for Children Attending Schools and Child Caring Facilities

Section 1. Authority. The Wyoming Department of Health (Department) promulgates this chapter under the authority granted by Wyoming Statutes §§ 14-4-116, 21-4-309, 35-1-240, and 35-4-101.

Section 2. Purpose. This chapter establishes the mandatory immunization requirements for a child to attend a school or child caring facility according to W.S. 14-4-116 and 21-4-309.

Section 3. Applicability.

- (a) This chapter applies to a child:
 - (i) Attending a school, full or part time;
 - (ii) Participating in a school sanctioned activity or program; or
 - (iii) Attending a child caring facility, full or part time.

Section 4. Minimum Immunization Requirements.

- (a) A child must be immunized against the following vaccine-preventable diseases (VPDs):
 - (i) Diphtheria;
 - (ii) *Haemophilus influenzae* type b;
 - (iii) Hepatitis B;
 - (iv) Measles;
 - (v) Mumps;
 - (vi) Pertussis;
 - (vii) Polio;
 - (viii) Pneumococcal;
 - (ix) Rotavirus;

- (x) Rubella;
- (xi) Tetanus;
- (xii) Varicella; and
- (xiii) Effective August 1, 2020, Meningococcal (Serogroups A, C, W, and Y).

(b) The administration of a vaccine required under subsection (a) of this section, including the number of doses that a child must have at any given age and the minimum intervals between these doses, must be in accordance with the Advisory Committee on Immunization Practices (ACIP), Recommended Immunization Schedule for Children and Adolescents Aged 18 or Younger (ACIP Schedule), which has been incorporated by reference under Chapter 1 of these rules. The Department will amend this incorporated reference as necessary to reflect updated ACIP recommended immunization schedules. A vaccine administered up to four (4) days prior to the minimum age listed for that vaccine is considered compliant with the ACIP Schedule.

(c) Within 30 calendar days upon entry, each child attending a Wyoming child caring facility or preschool shall be immunized against the VPDs listed in subsection (a) for which he or she is eligible for based on age in accordance with the ACIP schedule.

(d) Within 30 calendar days upon entry into any grade, each child attending a Wyoming school (kindergarten through-12th grade) shall be immunized against the VPDs listed in subsection (a) for which he or she is eligible for based on age in accordance with the ACIP schedule.

(e) Each child transferring into a Wyoming school (kindergarten through 12th grade) shall, within 30 days upon entry, meet all immunization requirements in this Chapter.

(f) A child who has completed an immunization series following the minimum intervals in accordance with an ACIP Recommended Immunization Schedule published at the time of administration or the immunization rules in effect at the time of administration, is considered immunized against the relevant vaccine-preventable disease if the number of vaccine doses the child received conforms to the requirements of subsection (b) of this section.

Section 5. Proof of Immunization.

- (a) The following qualifies as documentary proof of immunization:
 - (i) An immunization record generated from the Immunization Information System (IIS) established by the Department or any other State Department of Health;
 - (ii) An immunization record certified by a primary health care provider;
 - (iii) An immunization record certified by a licensed physician, or the physician's designee; or

- (iv) An immunization record certified by a public health authority.
- (b) An immunization record must include the following information:
 - (i) The source of the record;
 - (ii) The child's name;
 - (iii) The child's date of birth;
 - (iv) The name of each vaccine administered;
 - (v) The month, day and year each vaccine was administered; and
 - (vi) Certification by a licensed physician, his designee, or by a public health authority.
- (c) The proof of immunization must establish that the minimum immunization requirements under Section 4 of this chapter have been satisfied and all immunizations are valid.

Section 6. Evidence of Immunity.

(a) The following may be submitted as evidence of a child's immunity against a vaccine-preventable disease and in lieu of the documentary proof of immunization required for the particular vaccine-preventable disease:

(i) Laboratory evidence of immunity or laboratory confirmation of disease for measles, mumps, rubella, hepatitis B, varicella, or all 3 serotypes of poliomyelitis found in the polio vaccines; or

(ii) A written diagnosis or verification of a history of varicella or herpes zoster by a physician or the physician's designee.

(A) To verify a history of varicella, a health care provider shall inquire about an epidemiologic link to another typical varicella case or to a laboratory confirmed case, or evidence of laboratory confirmation, if testing was performed at the time of acute disease.

(B) A child who has neither an epidemiologic link nor laboratory confirmation of varicella may not be considered as having a valid history of disease.

(b) Written diagnosis or verification includes:

(i) A complete Verification of Disease Statement, found at <https://health.wyo.gov/publichealth/immunization> and made available by the Department upon request; or

(ii) A signed statement from a physician, certifying diagnosis or verification of a history of varicella or herpes zoster by a physician or the physician's designee.

Section 7. Waivers to the Mandatory Immunizations.

(a) The State or County Health Officer shall grant a waiver to a child upon submission of written evidence of religious objection or medical contraindication. In the event a child submits written evidence in a form that the State or County Health Officer determines does not comply with Sections 8 and 9 of this chapter, the State or County Health Officer shall determine whether to grant a waiver consistent with *Lepage v. State of Wyo., Dep't of Health*, 2001 WY 26, 18 P.3d 1177 (Wyo. 2001), and *Jones ex rel. Jones v. State of Wyo., Dep't of Health*, 2001 WY 28, 18 P.3d 1189 (Wyo. 2001).

(b) A waiver granted under this section is limited in scope to the immunizations referenced in the submitted written evidence of religious objection or medical contraindication.

(c) If the immunization requirements under Section 4 of this chapter are amended to include a new immunization, a previously-granted waiver under this section does not apply to the newly required immunization. If the newly required immunization is objected to on religious or medical grounds, a new waiver must be requested in accordance with this section.

(d) A waiver issued by another state does not qualify as written evidence of religious objection or medical contraindication. A new waiver must be requested in accordance with this section.

(e) A child granted a religious or medical waiver by the State or County Health Officer may continue to attend a school or child caring facility unless there is a vaccine-preventable disease outbreak pursuant to Chapter 4, Section 7 of these rules.

(f) If a parent objects to the State or County Health Officer's decision on a request for a religious or medical waiver, the parent may request a review and final decision by the State Health Officer. The child shall remain in school during the review process unless there is a vaccine-preventable disease outbreak pursuant to Chapter 4, Section 7 of these rules.

(g) A County Health Officer shall provide a copy of each approved waiver to the Department within thirty (30) days of the approval.

Section 8. Religious Waiver Requests.

(a) A waiver of an immunization required under Section 4 of this chapter must be granted if written evidence of a genuine religious objection is submitted to the State or County Health Officer by the child's parent. Written evidence of religious objection includes:

(i) A completed Religious Waiver Request, found at <https://health.wyo.gov/publichealth/immunization> and made available by the Department upon request; or

(ii) A signed statement from the child's parent, certifying religious objection to the administration of a specific immunization.

Section 9. Medical Waiver Requests.

(a) A waiver of an immunization required under Section 4 of this chapter must be granted if written evidence of medical contraindication is submitted to the State or County Health Officer by the child's parent. Written evidence of medical contraindication includes:

(i) A completed Medical Waiver Request, found at <https://health.wyo.gov/publichealth/immunization> and made available by the Department upon request; or

(ii) A signed statement from a licensed physician certifying the medical contraindication to the administration of any required immunization that includes the following:

- (A) An effective date;
- (B) The physician's name, signature, license number, and state of licensure;
- (C) The child's name and date of birth;
- (D) Whether the contraindication is permanent or temporary; and
- (E) A description of the medical contraindication.

Section 10. Parent Responsibilities.

(a) A parent shall submit the following documentation of a child's immunization status to the school or child caring facility administrator, or the administrator's designee within thirty (30) calendar days after the date of entry.

- (i) Documentary proof of immunization pursuant to Section 5 of this chapter;
- (ii) Evidence of immunity pursuant to Section 6 of this chapter; or
- (iii) An approved religious or medical waiver pursuant to Section 7 of this chapter.

(b) A child without the required documentation will not be permitted to attend a school or child caring facility for more than thirty (30) calendar days after the date of entry.

(c) A parent may request conditional enrollment for the child by submitting written documentation from a primary health care provider, the primary health care provider's designee,

or a public health authority specifying the following:

(i) The child has received at least the first dose in each immunization series and has age-appropriate appointments to complete the immunization series according to Chapter 3 of these rules; or

(ii) The child is obtaining serologic tests within thirty (30) calendar days of notification by the parent that such testing has been requested; or

(iii) The child's serologic test(s) are negative, and therefore the child in question has appointments to be immunized within thirty (30) calendar days of notification to the parent to complete, or begin completion of the immunization series in accordance with Chapter 3 of these rules.

(d) Conditional enrollment may only be granted by a school or child caring facility administrator in accordance with Chapter 4, Section 6 of these rules.

(e) A parent may provide consent to a school or child caring facility administrator or the administrator's designee to access the child's immunization record in the IIS in accordance with Chapter 4, Section 8.

Section 11. Emancipated or Adult-Aged Children. The duties imposed upon and rights granted to a parent under this chapter apply to an emancipated or adult-aged child attending school, full or part-time, or participating in school sanctioned activities.

Chapter 3

Mandatory Immunizations for Children Attending Schools and Child Caring Facilities

Section 1. Authority. The Wyoming Department of Health (Department) promulgates this chapter under the authority granted by ~~Wyo. Stat. Ann.~~ Wyoming Statutes §§ 14-4-116, 21-4-309, 35-1-240, and 35-4-101.

Section 2. Purpose. This chapter establishes the mandatory immunization requirements for a child to attend a school or child caring facility according to ~~Wyo. Stat. Ann.~~ §§ 14-4-116 and 21-4-309.

Section 3. Applicability.

- (a) This chapter applies to a child:
 - (i) Attending a school, full or part time;
 - (ii) Participating in a school sanctioned activity or program; or
 - (iii) Attending a child caring facility, full or part time.

Section 4. Minimum Immunization Requirements.

(a) A child must be immunized against the following vaccine-preventable diseases (VPDs):

- (i) Diphtheria;
- (ii) *Haemophilus influenzae* type b;
- (iii) Hepatitis B;
- (iv) Measles;
- (v) Mumps;
- (vi) Pertussis;
- (vii) Polio;
- (viii) Pneumococcal;
- (ix) Rotavirus;

- (x) Rubella;
- (xi) Tetanus; ~~and~~
- (xii) Varicella; and
- (xiii) Effective August 1, 2020, Meningococcal (Serogroups A, C, W, and Y).

(b) The administration of a vaccine required under subsection (a) of this section, including the number of doses that a child must have at any given age and the minimum intervals between these doses, must be in accordance with the Advisory Committee on Immunization Practices (ACIP), Recommended Immunization Schedule for Children and Adolescents Aged 18 or Younger (ACIP Schedule), which has been incorporated by reference under Chapter 1 of these rules. The Department will amend this incorporated reference as necessary to reflect updated ACIP recommended immunization schedules. ~~(c)~~—A vaccine administered up to four (4) days prior to the minimum age listed for that vaccine is considered compliant with the ACIP Schedule.

(c) Within 30 calendar days upon entry, each child attending a Wyoming child caring facility or preschool, must be immunized against the VPDs listed in subsection (a) for which he or she is eligible for based on age in accordance with the ACIP schedule.

(d) Within 30 calendar days upon entry into any grade, each child attending a Wyoming school (kindergarten through 12th grade), must be immunized against the VPDs listed in subsection (a) for which he or she is eligible for based on age in accordance with the ACIP schedule.

(e) Each child transferring into a Wyoming school (kindergarten through 12th grade) shall, within 30 days upon entry, meet all immunization requirements in this Chapter.

~~(f)~~ A child who has completed an immunization series following the minimum intervals in accordance with an ACIP Recommended Immunization Schedule published at the time of administration or the immunization rules in effect at the time of administration, is considered immunized against the relevant vaccine-preventable disease if the number of vaccine doses the child received conforms to the requirements of subsection (b) of this section.

Section 5. Proof of Immunization.

- (a) The following qualifies as documentary proof of immunization:
 - (i) An immunization record generated from the Immunization Information System (IIS) established by the Department or any other State Department of Health;
 - (ii) An immunization record certified by a primary health care provider;
 - (iii) An immunization record certified by a licensed physician licensed in the ~~United States,~~ or the physician's designee; or

- (iv) An immunization record certified by a public health authority.
- (b) An immunization record must include the following information:
 - (i) The sSource of the record;
 - (ii) The cChild's name;
 - (iii) The cChild's date of birth;
 - (iv) The nName of each vaccine administered; ~~and~~
 - (v) The mMonth, day and year each vaccine was administered; and-
 - (vi) Certification by a licensed physician, his designee, or by a public health authority.
- (c) The proof of immunization must establish that the minimum immunization requirements under Section 4 of this chapter have been satisfied and all immunizations are valid.

Section 6. Evidence of Immunity.

(a) The following may be submitted as evidence of a child's immunity against a vaccine-preventable disease and in lieu of the documentary proof of immunization required for the particular vaccine-preventable disease:

(i) Laboratory evidence of immunity or laboratory confirmation of disease A-
~~positive serologic test~~ for measles, mumps, rubella, hepatitis B, varicella, or all 3 serotypes of poliomyelitis found in the polio vaccines; or

(A) ~~—A serology result reported as equivocal is not acceptable evidence of immunity.~~

(ii) A written diagnosis or verification of a history of varicella or herpes zoster by a physician or the physician's designee.

(A) To verify a history of varicella, a health care providers shall ~~should~~ inquire about an epidemiologic link to another typical varicella case or to a laboratory confirmed case, or evidence of laboratory confirmation, if testing was performed at the time of acute disease.

(B) A child who has neither an epidemiologic link nor laboratory confirmation of varicella may not be considered as having a valid history of disease.

(b) Written diagnosis or verification includes:

(i) A complete Verification of Disease Statement, found at

<https://health.wyo.gov/publichealth/immunization> and made available by the Department upon request; or

(ii) A signed statement from a physician, certifying diagnosis or verification of a history of varicella or herpes zoster by a physician or the physician's designee.

Section 7. Waivers to the Mandatory Immunizations.

~~(a) — A waiver of an immunization required under Section 4 of this chapter must be granted if written evidence of a religious objection is submitted to the State or County Health Officer by the child's parent. Written evidence of religious objection includes:~~

~~(i) — A complete and signed religious waiver form, found at <https://health.wyo.gov/publichealth/immunization> and made available by the Department upon request; or~~

~~(ii) — A signed statement from the child's parent, certifying religious objection to the administration of a specific immunization.~~

~~(b) — A waiver of an immunization required under Section 4 of this chapter must be granted if written evidence of medical contraindication is submitted to the State or County Health Officer by the child's parent. Written evidence of medical contraindication includes:~~

~~(i) — A complete and signed medical waiver request form, found at <https://health.wyo.gov/publichealth/immunization> and made available by the Department upon request; or~~

~~(ii) — A signed statement from a licensed physician certifying the medical contraindication to the administration of any required immunization that includes the date issued; the physician's name, signature, license number, and state of licensure; the child's name and date of birth; and a statement that a specific immunization is medically contraindicated.~~

~~(ae) The State or County Health Officer shall grant a waiver to a child upon submission of written evidence of religious objection or medical contraindication. In the event a child submits written evidence in a form that the State or County Health Officer determines does not comply with Sections 8 and 9 of this chapter subsections (a) or (b) of this subsection, the State or County Health Officer shall determine whether to grant a waiver consistent with *Lepage v. State of Wyo., Dep't of Health*, 2001 WY 26, 18 P.3d 1177 (Wyo. 2001), and *Jones ex rel. Jones v. State of Wyo., Dep't of Health*, 2001 WY 28, 18 P.3d 1189 (Wyo. 2001).~~

~~(bd) A waiver granted under this section is limited in scope to the immunizations referenced in the submitted written evidence of religious objection or medical contraindication.~~

~~(ce) If the immunization requirements under Section 4 of this chapter are amended to include a new immunization, a previously-granted waiver under this section does not apply to the newly required immunization. If the newly required immunization is objected to on religious or medical grounds, a new waiver must be requested in accordance with this section.~~

(df) A waiver issued by another state does not qualify as written evidence of religious objection or medical contraindication. A new waiver must be requested in accordance with this section.

(eg) A child granted a religious or medical waiver by the State or County Health Officer may continue to attend a school or child caring facility unless there is a vaccine-preventable disease outbreak pursuant to Chapter 4, Section 76 of these rules.

(fh) If a parent objects to the State or County Health Officer's decision on a request for a religious or medical waiver, the parent may request a review and final decision by the State Health Officer. The child shall remain in school during the review process unless there is a vaccine-preventable disease outbreak pursuant to Chapter 4, Section 7 of these rules.

(gi) A County Health Officer shall provide a copy of each ~~the County Health Officer's~~ approved waiver exemptions to the Department within thirty (30) days of the approval.

~~(j) All approved waivers will be recorded in the HIS unless the parent submits a Use and Disclosure Restriction (F-12) form found at <https://health.wyo.gov/admin/privacy> and made available by the Department upon request.~~

Section 8. Religious Waiver Requests.

(a) A waiver of an immunization required under Section 4 of this chapter must be granted if written evidence of a genuine religious objection is submitted to the State Health Officer or a County Health Officer by the child's parent. Written evidence of religious objection includes:

(i) A completed Religious Waiver Request, found at <https://health.wyo.gov/publichealth/immunization> and made available by the Department upon request; or

(ii) A signed statement from the child's parent certifying religious objection to the administration of a specific immunization.

Section 9. Medical Waiver Requests.

(a) A waiver of an immunization required under Section 4 of this chapter must be granted if written evidence of medical contraindication is submitted to the State Health Officer or a County Health Officer by the child's parent. Written evidence of medical contraindication includes:

(i) A completed Medical Waiver Request, found at <https://health.wyo.gov/publichealth/immunization> and made available by the Department upon request; or

(iii) A signed statement from a licensed physician certifying the medical contraindication to the administration of any required immunization that includes the following:

(A) An effective date;

(B) The physician's name, signature, license number, and state of

licensure:

- (C) The child's name and date of birth;
- (D) Whether the contraindication is permanent or temporary; and
- (E) A description of the medical contraindication.

Section 810. Parent Responsibilities.

(a) A parent shall submit the following documentation of a child's immunization status to the school or child caring facility administrator, or the administrator's designee within thirty (30) calendar days after the date of entry.

- (i) Documentary proof of immunization pursuant to Section 5 of this chapter;
- (ii) Evidence of immunity pursuant to Section 6 of this chapter; or
- (iii) An approved religious or medical waiver pursuant to Section 7 of this chapter.

(b) A child without the required documentation will not be permitted to attend a school or child caring facility for more than thirty (30) calendar days after the date of entry.

(c) A parent may request conditional enrollment for the child by submitting written documentation from a primary health care provider, the primary health care provider's designee, or a public health authority specifying the following:

- (i) The child has received at least the first dose in each immunization series and has age-appropriate appointments to complete the immunization series according to Chapter 3 of these rules; or
- (ii) The child is obtaining serologic tests within thirty (30) calendar days of notification by the parent that such testing has been requested; or
- (iii) The child's serologic test(s) are negative, and therefore the child in question has appointments to be immunized within thirty (30) calendar days of notification to the parent to complete, or begin completion of the immunization series in accordance with Chapter 3 of these rules.

(d) Conditional enrollment may only be granted by a school or child caring facility administrator in accordance with Chapter 4, Section 6 of these rules.

(e) A parent may provide consent to a school or child caring facility administrator or the administrator's designee to access the child's immunization record in the IIS in accordance with Chapter 4, Section 8.

Section 119. Emancipated or Adult-Aged Children. The duties imposed upon and rights granted to a parent under this chapter apply to an emancipated or adult-aged child attending school, full or part-time, or participating in school sanctioned activities.

Chapter 5

Wyoming Immunization Information System

Section 1. Authority. The Wyoming Department of Health (Department) promulgates this chapter under the authority granted by Wyoming Statutes §§ 35-1-240 and 35-4-101.

Section 2. Purpose. This chapter establishes the Wyoming Immunization Information System (WY IIS).

Section 3. Applicability. This chapter applies to the WY IIS established by the Department, its administrators, public health care organizations, enrolled organizations and their staff, schools, child caring facilities and authorized users.

Section 4. Functional Standards. The WY IIS shall meet the Centers for Disease Control and Prevention (CDC) Immunization Information System Functional Standards, which have been incorporated by reference under Chapter 1 of these rules.

Section 5. Mandatory Reporting of Immunization Information.

- (a) A primary health care provider that administers immunizations shall:
 - (i) Register with the Department using the method established by the Department;
 - (ii) Report immunization information for each patient to the WY IIS using one of the following methods:
 - (A) Direct entry into the WY IIS; or
 - (B) Secure transmission of electronic files from an electronic health record (EHR) system in accordance with the format, process and specifications established by the Department.
 - (iii) Ensure that submitted immunization information is accurate and meets the data quality threshold established by the Department. This includes correcting and re-sending rejected immunization messages within the time frame established by the Department.

Section 6. Organization Eligibility.

- (a) An organization may be granted access to the WY IIS if it:
 - (i) Is not included on the Office of Inspector General (OIG) List of Excluded Individuals and Entities (LEIE); and
 - (ii) Is in good standing with the Secretary of State's Office.

(b) To retain access, an organization shall display an ongoing need to access the WY IIS for the following purposes:

- (i) To enter or transmit immunization information;
- (ii) To determine appropriate immunization;
- (iii) To confirm compliance with mandatory immunization requirements;
- (iv) To control disease outbreaks;
- (v) For treatment purposes; or
- (vi) For program oversight.

(c) The Department shall approve a request for organizational access to the WY IIS if the Department finds that the organization is able to satisfy the conditions imposed under this chapter.

(d) If an organization's request is approved, a responsible authority for the organization shall agree to the IIS Terms and Conditions of Use (IIS Terms) prior to any users being granted access to the WY IIS.

Section 7. Responsible Authority. The responsible authority of an organization shall ensure that each authorized user understands and complies with the IIS Terms.

Section 8. Authorized Users.

(a) An individual is eligible to become an authorized user if the individual:

- (i) Is not included on the OIG LEIE; and
- (ii) Is a current employee of the eligible organization.

(b) If the Department approves an individual to become an authorized user following verification of eligibility, the Department shall assign the authorized user an access level in accordance with the IIS Access Control Policy, which has been incorporated by reference under Chapter 1 of these rules.

(c) An authorized user shall agree to and comply with the IIS Terms according to the frequency and method established by the Department.

Section 9. IIS Access for Schools and Child Caring Facilities.

(a) A school district or a child caring facility administrator may request access to the WY IIS for the following purposes:

(i) To confirm compliance with the mandatory immunization requirements established in Chapter 4 of these rules for enrolled children;

(ii) To fulfill the mandatory reporting requirements, if a school administers vaccines; and

(iii) To fulfill the annual audit of immunization status for all children required by the Department.

(b) A school administrator shall ensure that each authorized user understands and complies with the IIS Terms and acts in accordance with the responsibilities outlined in Chapter 4, Section 8.

(c) A child caring facility administrator shall ensure that each authorized user understands and complies with the IIS Terms and acts in accordance with the responsibilities outlined in Chapter 4, Section 9.

(d) An authorized user shall agree to the IIS Terms according to the frequency and method established by the Department.

Section 10. Suspension and Termination. The Department may suspend or terminate access to the WY IIS if the conditions imposed under this chapter, or the IIS Terms, the IIS Access Control Policy or other Department policies are not met.

Section 11. Use and Disclosure Restriction. A patient or parent may request an exclusion of his or his child's immunization information from the WY IIS using the form and process established by the Department. Immunization information shall be maintained in aggregate format.

Chapter 5

Wyoming Immunization Information System

Section 1. Authority. The Wyoming Department of Health (Department) promulgates this chapter under the authority granted by Wyoming Statutes ~~Wyo. Stat. Ann. §§~~ 35-1-240 and 35-4-101.

Section 2. Purpose. This chapter establishes the Wyoming Immunization Information System (WY IIS).

Section 3. Applicability. This chapter applies to the WY IIS established by the Department, its administrators, public health care organizations, enrolled organizations and their staff, schools, child caring facilities and authorized users.

Section 4. Functional Standards. ~~(a)~~—The WY IIS shall meet the Centers for Disease Control and Prevention (CDC) Immunization Information System Functional Standards, ~~2013–2017, effective December 14, 2012, and updated February 2016,~~ which have been incorporated by reference under Chapter 1 of these rules.

Section 5. Mandatory Reporting of Immunization Information.

(a) A primary health care provider that administers immunizations shall:

(i) Register with the Department using the method established by the Department.

(ii) Report immunization information for each patient to the WY IIS using one of the following methods:

(A) Direct entry into the WY IIS; or

(B) Secure transmission of electronic files from an electronic health record (EHR) system in accordance with the format, process and specifications established by the Department.

(iii) Ensure that submitted immunization information is accurate and meets the data quality threshold established by the Department. This includes correcting and re-sending rejected immunization messages within the time frame established by the Department.

Section 65. Organization Eligibility and Enrollment.

(a) An organization may be granted access to the WY IIS if it: shall enroll with the HS as determined by the Department if the organization:

(i) Is not included on the Office of Inspector General (OIG) List of

~~Excluded Individuals and Entities (LEIE); and Employs, is owned or controlled by a primary health care provider that administers vaccines; or~~

~~(ii) Is in good standing with the Secretary of State's Office. Contracts with an organization that employs a primary health care provider that administers vaccines.~~

(b) To retain access, an organization shall display an ongoing need to access the WY IIS for the following purposes: An organization may enroll with the IIS if the organization:

~~(i) To enter or transmit immunization information; Is not included on the Office of Inspector General (OIG) List of Excluded Individuals and Entities (LEIE); and~~

~~(ii) To determine appropriate immunization; Displays an ongoing need to access data from the IIS for the purpose of treatment, payment, or operations.~~

(iii) To confirm compliance with mandatory immunization requirements;

(iv) To control disease outbreaks;

(v) For treatment purposes; or

(vi) For program oversight.

~~(c) To enroll with the IIS, a responsible authority or the responsible authority's designee for the organization shall:~~

~~(i) Submit a request for organizational enrollment using the form and process established the Department;~~

~~(ii) Identify an individual as the organizational contact for the IIS;~~

~~(iii) Identify facilities under the jurisdiction of the organization that are requesting access to the IIS; and~~

~~(iv) Identify an individual to serve as the facility contact for each facility under the jurisdiction of the enrolled organization.~~

(d) The Department shall approve a request for organizational access to enrollment with the WY IIS if the Department finds that the organization is able to satisfy the conditions imposed under this chapter.

(e) If an the organization's request ishas been approved for enrollment with the IIS, a responsible authority for the organization shall agree to the IIS Terms and Conditions of Use (IIS Terms)complete an enrollment agreement prior to any users being granted access to the WY IIS.

Section 76. Responsible Authority Organization Contact. The responsible authority of an organization shall ensure that each authorized user understands and complies with the IIS Terms. ~~(a) An organization contact for an enrolled organization shall facilitate the completion of the IIS enrollment agreement.~~

Section 7. Facility Contact Responsibilities

~~(a) A facility contact shall complete the following for their facility using the forms and process established by the Department:~~

- ~~(i) Requests for authorized users;~~
- ~~(ii) Change request to authorized user access levels; and~~

~~Report authorized users no longer employed by the organization within 24 hours.~~

~~(iii)~~

Section 8. Authorized Users. Eligibility and Access

~~(a) A facility contact may request for an individual to become an authorized user using the form and process established by the Department.~~

~~(a) An individual is eligible to become an authorized user if the individual:~~

- (i) Is not included on the OIG LEIE; and
- (ii) Is a current employee of an eligible organization.

(b) If the Department approves an individual to become an authorized user following verification of eligibility ~~and the source of the request~~, the Department shall assign the authorized user an access level in accordance with the IIS Access Control~~Authorized User~~ Policy (IMM-003), which has been incorporated by reference under Chapter 1 of these rules.

(c) An authorized user shall agree to and comply with the IIS Terms according to the frequency and method established by the Department.

~~Section 9. — Authorized User Responsibilities~~

- (a) ~~An authorized user shall:~~
 - (i) ~~Agree to the End User License Agreement according to the frequency and method established by the Department; and~~
 - (ii) ~~Act in accordance with:~~
 - (A) ~~The IIS Authorized User Policy (IMM-003); and~~
 - (B) ~~The standards required by applicable law for the security of protected health information.~~
- (b) ~~An authorized user may only access the IIS for the following purposes:~~
 - (i) ~~To enter immunization information;~~
 - (ii) ~~To determine appropriate immunization;~~
 - (iii) ~~To confirm compliance with mandatory immunization requirements;~~
 - (iv) ~~To control disease outbreaks;~~
 - (v) ~~For treatment purposes; or~~
 - (vi) ~~For program oversight.~~

~~Section 10. — IIS Interoperability~~

(a) ~~To achieve interoperability between the IIS and the electronic health record (EHR) system utilized by the organization or its facilities, a responsible authority or his designee for the organization shall:~~

(i) ~~Submit a request for interoperability with the IIS using the form and process established the Department; and~~

- (ii) ~~Identify an individual to serve as the project lead for each facility.~~
- (b) ~~The facility project lead shall:~~
 - (i) ~~Identify a project team for the facility;~~
 - (ii) ~~Demonstrate the EHR system's ability to comply with the Health Level Seven (HL7) protocol specifications established by the Department; and~~
 - (iii) ~~Ensure compliance with the interoperability processes and procedures established by the Department.~~

Section 11. —Mandatory Reporting of Immunization Information

- (b) ~~A primary health care provider that administers immunizations shall:~~
 - (i) ~~Report immunization information to the IIS within thirty (30) days of administration using one of the following methods:~~
 - (A) ~~Direct online entry into the IIS;~~
 - (B) ~~Secure transmission of electronic files from an EHR using HL7 messaging in accordance with the specifications established by the Department; or~~

~~Submission of a data file in the format established by the~~
~~Department;~~
~~and~~
 - (C)
 - (ii) ~~Ensure that submitted immunization information is accurate and meets the data quality threshold established by the Department.~~

Section 12. —Suspension and Termination

- (a) ~~The Department may suspend or terminate an organization's or facility's enrollment with the IIS if the organization or facility is unable to satisfy the conditions imposed under this chapter or the enrollment agreement.~~
- (b) ~~The Department may suspend or terminate an authorized user's access to the IIS if the authorized user violates the following:~~
 - (i) ~~IIS Authorized User Policy (IMM-003);~~
 - (ii) ~~End User License Agreement; or~~
 - (iii) ~~Any other Department policy.~~

Section 13. — Patient Consent

(a) ~~A patient or parent, may request an exclusion of his or his child's immunization information from the IIS by completing the Use and Disclosure Restriction (F-12) form available at <https://health.wyo.gov/admin/privacy/> and made available by the Department upon request.~~

~~(i) The Department may not retain individually identifiable information in the IIS for a patient listed on an approved Use and Disclosure Restriction (F-12) form.~~

~~(ii) Immunization information shall be maintained in aggregate format.~~

Section 914. IIS Access for Schools and Child Caring Facilities.

(a) A school district or a child caring facility administrator may enroll request access to with the WY IIS for the following purposes: ~~of meeting the requirements established in Chapter 4 of these rules.~~

(i) To confirm compliance with the mandatory immunization requirements established in Chapter 4 of these rules for enrolled children;

(ii) To fulfill the mandatory reporting requirements, if a school administers vaccines; and

(iii) To fulfill the annual audit of immunization status for all children required by the Department.

(b) A school administrator shall ensure that each authorized user understands and complies with the IIS Terms and acts in accordance with the responsibilities outlined in Chapter 4, Section 8. ~~A school or child caring facility administrator may request for an individual to become an authorized user in accordance with Section 8 of this chapter.~~

(c) A child caring facility administrator shall ensure that each authorized user understands and complies with the IIS Terms and acts in accordance with the responsibilities outlined in Chapter 4, Section 9. ~~A school or child caring facility administrator is responsible for ensuring that authorized users act in accordance with Chapter 4, Sections 8 and 9 of these rules.~~

(d) An authorized user shall agree to the IIS Terms according to the frequency and method established by the Department.

Section 15. — Creating/Editing IIS Records

~~The Department may designate an authorized user to enter immunization information into the IIS from an immunization record in accordance with the Department's policy for Creating/Editing IIS Records from an Official Immunization Record Policy (IMM 004), which has been incorporated by reference under Chapter 1 of these rules.~~

Section 102. Suspension and Termination.

~~(a) The Department may suspend or terminate access to the WY IIS if an organization's or facility's enrollment with the IIS if the organization or facility is unable to satisfy the conditions imposed under this chapter, or the IIS Terms, the IIS Access Control Policy or other Department policies are not met-enrollment agreement.~~

~~(b) The Department may suspend or terminate an authorized user's access to the IIS if the authorized user violates the following:~~

- ~~(iv) HS Authorized User Policy (IMM-003);~~
- ~~(v) End User License Agreement; or~~
- ~~(vi) Any other Department policy.~~

Section 11. Use and Disclosure Restriction. A patient or parent may request an exclusion of his or his child's immunization information from the WY IIS using the form and process established by the Department. Immunization information shall be maintained in aggregate format.

Section 16. — Public Health Emergency

~~When the State Health Officer authorizes the ordering of vaccines in response to a public health emergency, a primary health care provider who receives or administers such vaccines shall enter immunization information into the IIS within the time frame designated by the State Health Officer.~~