

LCB File No. T033-01

**PROPOSED TEMPORARY REGULATION OF THE
STATE BOARD OF HEALTH**

NOTICE OF INTENT TO ACT UPON A TEMPORARY REGULATION

NOTICE OF PUBLIC WORKSHOPS

NOTICE IS HEREBY GIVEN that the State Health Division will hold public workshops to consider amendments to the Nevada Administrative Code (NAC) 392.105 and 394.190. The purpose of these workshops are to receive comments from all interested persons regarding changes to these regulations declaring that Hepatitis A, Hepatitis B and Varicella (chickenpox) are communicable diseases and vaccination against these diseases are a requirement for school entry. The workshops will be held on the following dates, times, and locations:

March 27,2001
10:00AM
The Enterprise Library
25 E. Shelbourne Ave.
Las Vegas, NV

March 29, 2001
12:00PM
Washoe County District Health Department
Central Conference Room
1001 E. 9th Street
Reno, NV

These proposed regulation changes will be presented at the June 15, 2001, Board of Health meeting. This meeting will be held at the Clark County Health District, Clemens Room, 625 Shadow Lane, Las Vegas, Nevada, at 9:00 A.M.

**PROPOSED AMENDMENTS REQUIRING VACCINATION AGAINST HEPATIS A,
HEPATITIS B AND VARICELLA FOR SCHOOL ENTRY**

Currently there are no vaccination requirements for school entry for hepatitis A, hepatitis B and varicella. The proposed amendment to Chapters 392.105 and 394.190 involves declaring that hepatitis A, hepatitis B and varicella (chickenpox) are communicable diseases and vaccination against these diseases are a requirement for school entry.

Nevada is one of eight (8) states that does not have a mandatory hepatitis B law for school entry. To effectively reduce the endemic transmission of hepatitis B in the United States, the Centers for Disease Control and Prevention (CDC) recommends that states adopt school entry laws for this purpose. Hepatitis B vaccination has been recommended in Nevada at birth since 1992. This amendment should have little fiscal impact as most children are already vaccinated against hepatitis B by school age. Currently, the Nevada Immunization Program recommends that all children 0-18 years of age be vaccinated against hepatitis B, but this is not a school entry requirement.

In October 1999, the Advisory Committee on Immunization Practices (ACIP) recommended the routine vaccination of hepatitis A for children in states, counties, and communities that are twice the 1987-1997 national average (i.e., ≥ 20 cases per 100,000 population). Nevada was one of eleven (11) states that exceeded this rate (21 cases per 100,000 population). Average costs (direct and indirect) of hepatitis A in children range from \$433- \$1,492 per case less than 18 years. Health departments incur substantial costs in providing post-exposure prophylaxis to an average of 11 contacts per case. Nevada is currently recommending routine vaccination for preschool children 2-5 years. The retail cost of the vaccine is \$30 per dose. Hepatitis A is a one-dose primary series followed by a booster dose in 6-12 months. Although many children will have been vaccinated against hepatitis A before school entry, the fiscal impact of this amendment is undetermined. Many children will need vaccination against hepatitis A for school entry if this amendment is adopted.

Varicella or "chickenpox" is a highly contagious disease and is the leading cause of death due to a vaccine preventable disease in children and adolescents less than 20 years of age. Many states have adopted school entry laws requiring vaccination against varicella. In 1997 the Nevada Immunization Program recommended that all children 12-18 months of age be vaccinated against varicella including an adolescent cohort from 11-12 years of age. Nevada's 1999-2000 varicella immunization coverage level for two-year-olds was 56%. The retail cost of varicella vaccine is \$46 per dose for this one dose series. Although many children will have been vaccinated against varicella before school entry, the fiscal impact of this amendment is undetermined. Many children will need varicella vaccination for school entry if this amendment is adopted. Unvaccinated children ≥ 13 years of age need two doses.

The adoption of these regulation changes should not create an economic or operational impact on providers or other small business entities.

The proposed regulation changes will have a beneficial impact for the public by reducing the incidence of vaccine preventable diseases in the community due to hepatitis A, hepatitis B and varicella.

An increase demand for state-supplied vaccines may be created by the adoption of these regulation changes. There will be no economic impact to the State Immunization Program for the enforcement of these regulation changes. Enforcement is performed by Nevada's School Districts and should be easily incorporated with other vaccine requirements for school entry at little or no cost.

The proposed regulation changes do not overlap another state or local government agency's regulations.

Federal law does not require the proposed regulation changes and there are no federal regulations that regulate the same activity.

The proposed regulation changes neither establish a new fee nor increase an existing fee.

Members of the public may make oral comments at this meeting. Persons wishing to submit written testimony or documentary evidence in excess of two typed, 8-1/2" x 11" pages must submit the material to Bob Salcido, no later than May 25, 2001 at the following address:

Nevada State Health Division
505 E. King Street, Room 304
Carson City, NV 89701

Members of the public who are disabled and require special accommodations or assistance at the workshop are to notify Bob Salcido, Immunization Program Manager, in writing at the Bureau of Disease Control & Intervention Services, 505 E. King Street, Room 304, Carson City, Nevada 89701-3701, no later than March 20, 2001.

A copy of this notice and the proposed regulation amendments are on file for inspection at the following locations during normal business hours:

Bureau of Disease Control and Intervention Services, Room 103, Carson City, NV, 89701-3701
(775) 684-5900

Clark County Health District, Immunization Program, 620 Shadow Lane, Las Vegas, NV, 89127
(702) 383-1351

Washoe County District Health Department, Immunization Program, 1001 E. 9th Street, Reno, NV, 89520 (775) 328-2446

Bureau of Community Health Services, 3656 Research Way, Suite 32, Carson City, NV, 89706
(775) 687-6944

Copies may be obtained in person, by mail, or by calling (775) 684-5900. Copies are also available for review at all physical locations of program offices (see above) or the following main public libraries in each county:

- Carson City Library, 900 North Roop St., Carson City, NV 89701
- Churchill County Library, 533 S. Main St., Fallon, NV 89406
- Clark County Library, 4020 Maryland Parkway, Las Vegas, NV 89119
- Douglas County Library, 1625 Library Lane, (PO Box 337), Minden, NV 89423
- Elko County Library, 720 Court St., Elko, NV 89801
- Goldfield Public Library (Esmeralda Co.), Corner of Crook and Ramsey, (PO Box 430) Goldfield, NV 89013
- Eureka Branch Library, 10190 Monroe St., Eureka, NV 89316
- Humboldt County Library, 85 East 5th St., Winnemucca, NV 89445
- Battle Mountain Branch Library (Lander Co.), 6255 Broad St., Battle Mountain, NV 89820
- Lincoln County Library, 63 Maine St., (PO Box 330), Pioche, NV 89043
- Lyon County Library, 20 Nevin Way, Yerington, NV 89447
- Mineral County Library, 125 A St., (PO Box 1390), Hawthorne, NV 89415
- Pershing County Library, 125 Central, (PO Box 781), Lovelock, NV 89419

- Storey County Library, 95 South R St., (PO Box 14), Virginia City, NV 89440
- Tonopah Public Library (Nye Co.), 171 Central, (PO Box 449), Tonopah, NV 89049
- Washoe County Library, 301 South Center St., (PO Box 2151), Reno, NV 89505
- White Pine County Library, 950 Campton St., Ely, NV 89301

Per NRS 233B.064(2), upon adoption of any regulations, the agency, if requested to do so by an interested person, either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption, and incorporate therein its reason for overruling the consideration urged against its adoption.

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Nevada State Health Division
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Copies of the notice and proposed regulations are on file for inspection and/or may be copied at all main county public libraries or at the following locations during normal business hours:

Nevada State Health Division
505 E. King Street, Room 103
Carson City, NV 89701

Nevada State Library and Archives
100 S. Stewart Street
Carson City, NV

Copies may also be obtained in person, by mail, or by calling the Immunization Program at (775) 684-5900 (Carson City). Members of the public who are disabled and require special accommodations or assistance at the workshop are to notify Bob Salcido, in writing, at the Bureau of Disease Control & Intervention Services, 505 E. King Street, Room 304, Carson City, Nevada 89701-3701, no later than March 20, 2001.

LCB File No. T033-01

**PROPOSED TEMPORARY REGULATION OF THE
STATE BOARD OF HEALTH**

Proposed Amendments to NAC 392.105 and NAC 394.190

392.105 Immunization against mumps, hepatitis A, hepatitis B and varicella

1. The state board of health hereby declares the diseases of mumps, hepatitis A, hepatitis B and varicella to be ~~+~~ communicable diseases.
2. Unless excused because of religious belief or medical condition, a child may not be enrolled in a public school in this state unless he has been immunized against the mumps, hepatitis A, hepatitis B and varicella.

(Added to NAC by Bd. Of Health, eff. 6-30-88)

394.190 Immunization against mumps, hepatitis A, hepatitis B and varicella

1. The state board of health hereby declares the diseases of mumps, hepatitis A, hepatitis B and varicella to be ~~+~~ communicable diseases.
2. Unless excused because of religious belief or medical condition, a child may not be enrolled in a private school in this state unless he has been immunized against the mumps, hepatitis A, hepatitis B and varicella.

(Added to NAC by Bd. Of Health, eff. 6-30-88)