



SB 792: Process and Implementation

Health Officers Association of California, Sponsor
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Origin

- California Conference of Local Health Officers
Communicable Disease Control and Prevention Committee
- Preventing the spread of the flu



Process

- SB 792 introduced by Senator Tony Mendoza February 27, 2015
- Passed
 - Six committees
 - Two floor votes
- Signed into law October 11, 2015
- Survived
 - Lines of opponents (*sometimes*)
 - Hostile amendments
- Goes into effect September 1, 2016



Who does SB 792 apply to?

- All Licensed Day Cares and Pre-schools
 - Day Care Centers
 - Family Day Care Homes
 - NOT License-Exempt Day Care Providers
- Employees, Teachers, and Volunteers
 - *“Volunteer” means any nonemployee who provides care and supervision to children in care.*
 - *Bill Text: Commencing September 1, 2016, a person shall not be employed or volunteer at a day care center if he or she has not been immunized against influenza, pertussis, and measles.*

What does SB 792 require?

- Flu vaccine
 - Annually between August 1 and December 1
 - Exemption: May sign a declination statement
- Measles vaccine
 - Required to be vaccinated according to ACIP guidelines
 - Medical exemption allowed
 - Exemption if employee can show immunity
- Pertussis vaccine
 - Required to be vaccinated according to ACIP guidelines
 - Medical exemption allowed
 - Exemption if employee can show immunity

Compliance

- Part of existing licensure inspection
- Only repeat violations are fined
- Existing law: *“the department shall notify the day care center in writing of all deficiencies in its compliance ... and shall set a reasonable length of time for compliance by the center. Upon a finding of noncompliance, the department may levy a civil penalty which shall be paid to the department each day until the department finds the center in compliance.”*
- Civil penalty is between \$25 and \$50 per day.



Cost

- Covered under ACA for all individuals with insurance
- Individuals without insurance should contact Covered California and/or local health department
- Out-of-pocket costs at vaccinating pharmacies:
 - Flu: \$15
 - Pertussis: \$50
 - Measles: \$80



Grace Periods

- One year between signing and implementation
- Each employee/volunteer has 30 days after starting work to gather paperwork
- Only repeat violations are fined



Any Questions?

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