

Compulsory Vaccines in West Virginia

Polices, Exemptions and Public Health Strategies

June 13, 2025

2025 Infectious Disease and Immunization Summit



- Review current landscape of compulsory vaccines.
- Review currently compulsory vaccines in West Virginia recent policy and process changes to compulsory vaccine exemptions.
- Address emerging challenges and future directions for compulsory vaccines in West Virginia.

- Between 1994 and 2023, routine childhood immunization has prevented 1.1 million deaths, 32 million hospitalizations, and more than 500 million cases of disease.
- Savings of \$3.7 trillion in societal costs.
- Certain infants cannot receive vaccines due to their age or specific health conditions.
- Herd immunity (community) occurs when nearly all individuals for whom vaccine is not contraindicated have been appropriately immunized.
- Herd immunity reduces the risk of disease or spread of disease to those who do not have direct benefit of immunization.

- All 50 states have laws requiring children attending public school are to be vaccinated against specific diseases.
- The 14th Amendment of the U.S. Constitution limits the federal government's ability to mandate vaccines.
- Diphtheria, tetanus, pertussis, polio, measles, rubella.
- All states allow for medical exemptions for children who cannot be vaccinated due to a medical condition. Some states also allow religious or philosophical exemptions.

History of Major Vaccine Requirements

1855



1900s



1963



History of Major Vaccine Requirements Continued

1977



1980

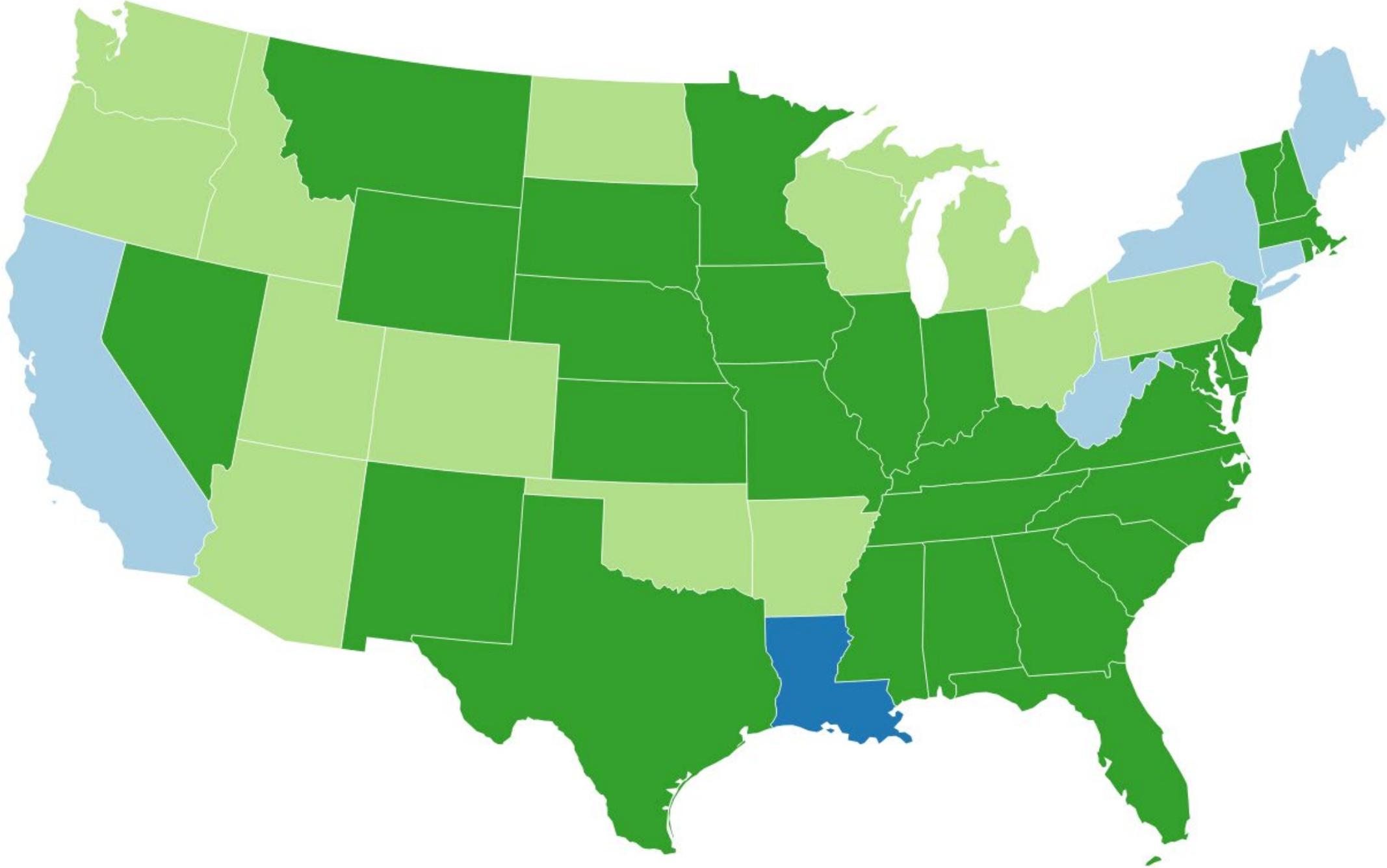


1998



2025 Exemption Policies for School Immunizations

■ No non-medical exemption ■ Personal exemption ■ Religious and personal exemption ■ Religious exemption

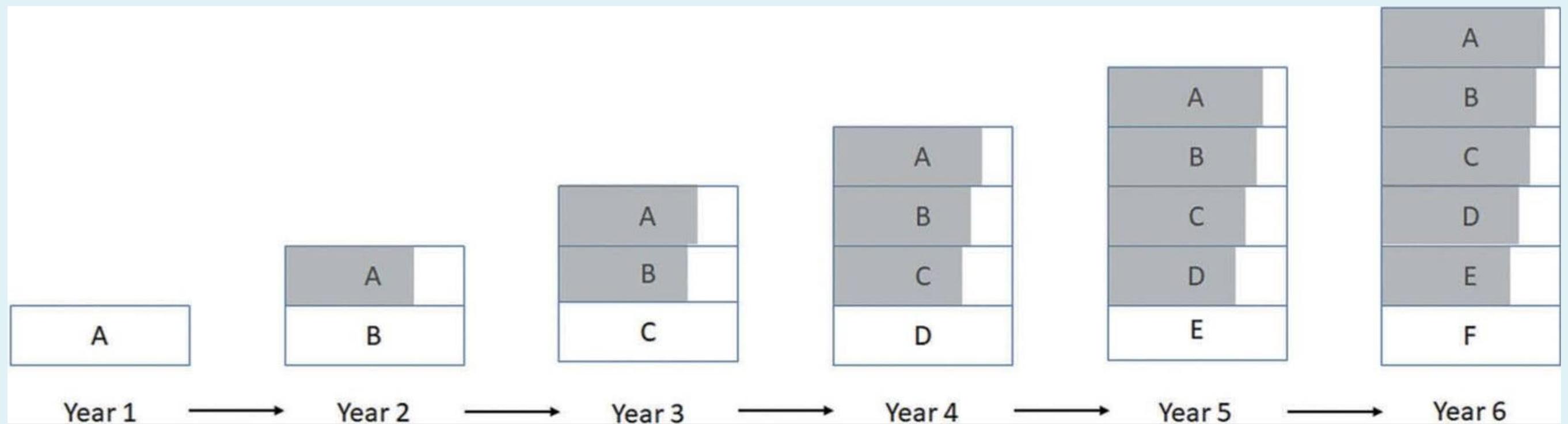


1. What states have no non-medical exemptions for school immunizations?



<https://directpoll.com/r?XDbzPBdVAP0I8aWO5SmzxlwnRF5NZBaeXF2HqyAyWwT0k4j>

Impact of Vaccination Coverage

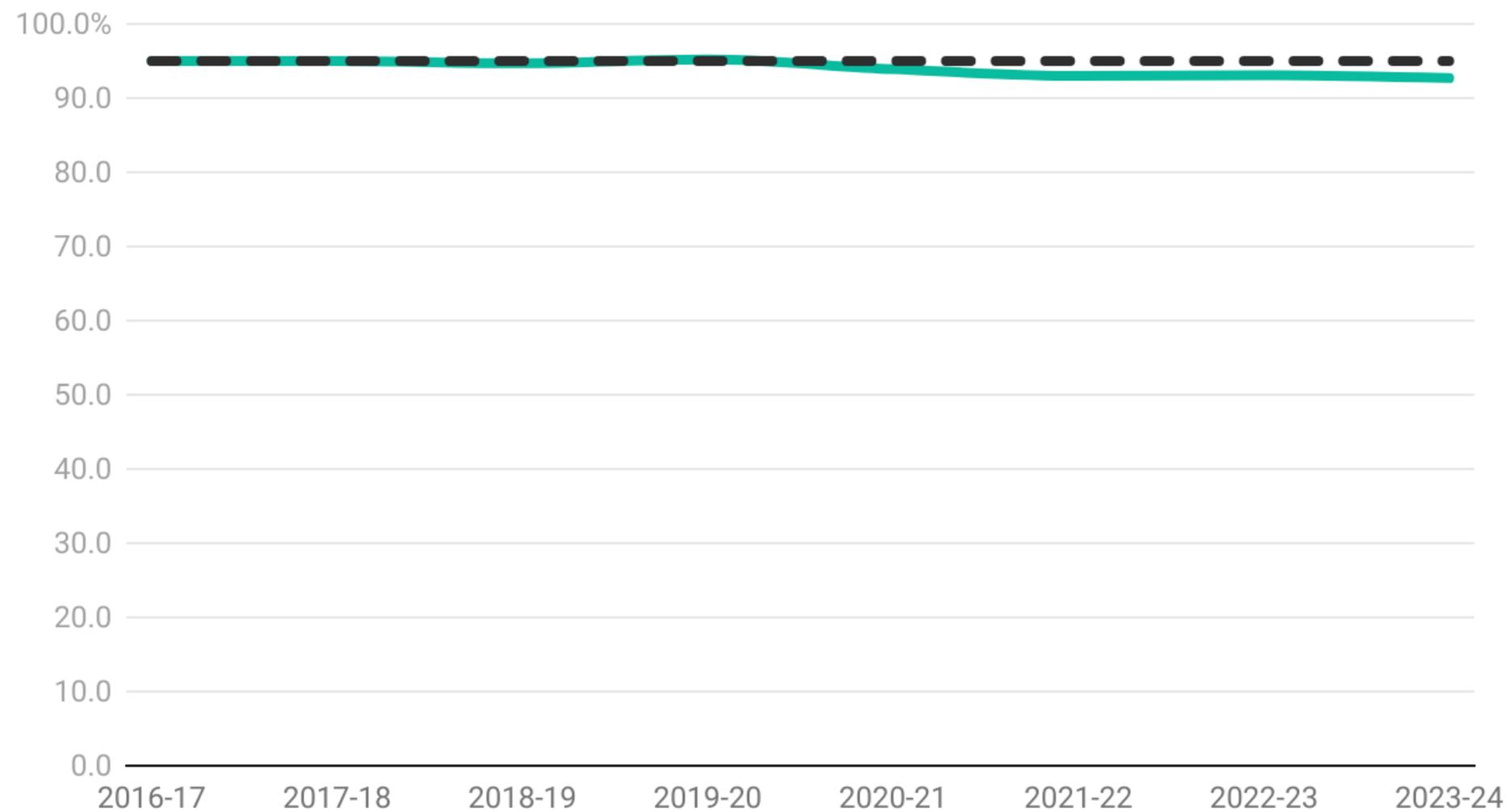


Impact of School Entry Immunization Requirements

- Increased vaccination coverage
- Timely vaccination
- Reduced disease outbreaks
- Herd immunity

US Vaccination Coverage Among Kindergarteners by School Year

— MMR, 2 doses — Target MMR Coverage (95%)

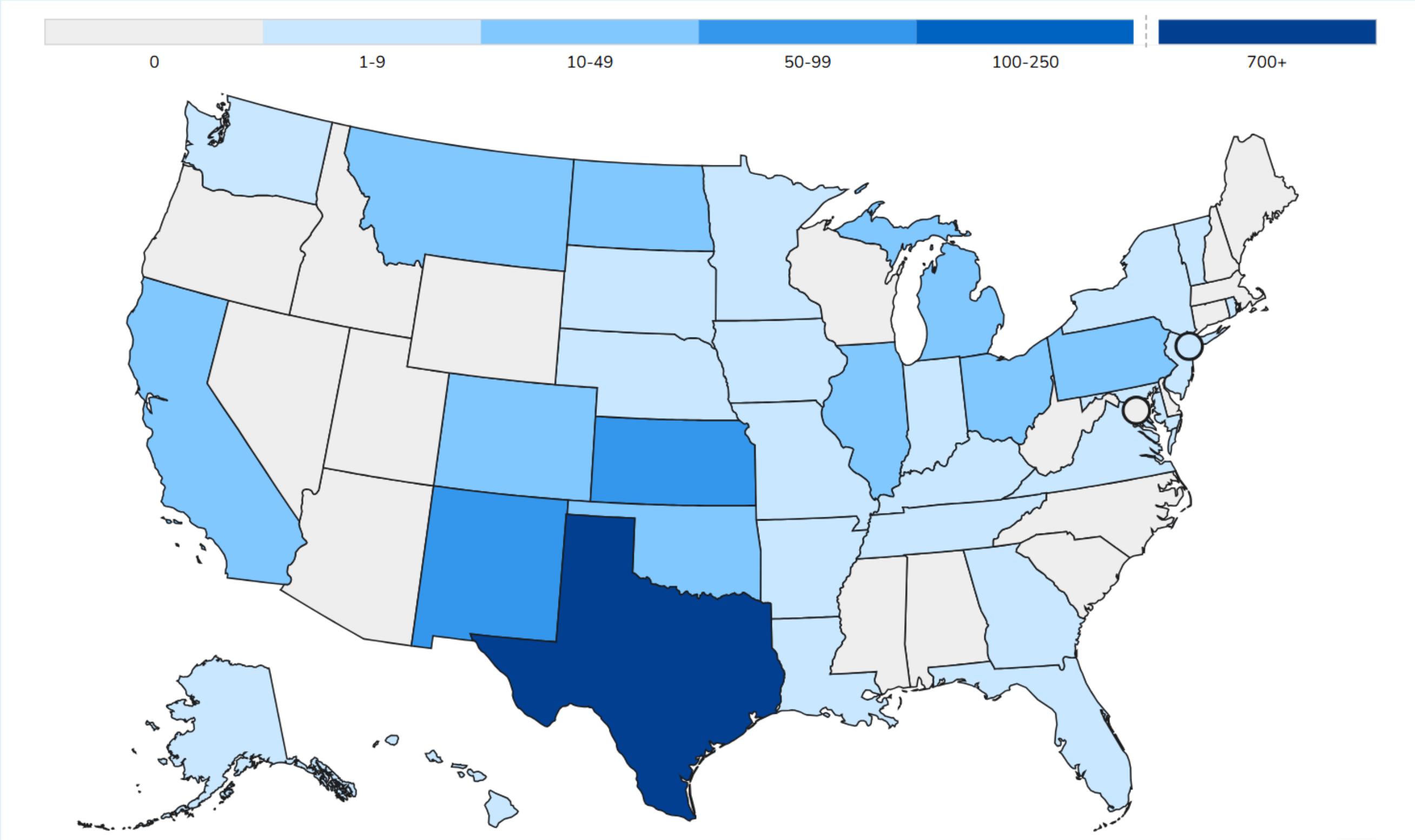


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Impacts of Lower Vaccine Coverage in Schools

- Increase number of students and teachers that get sick
- Potential for school closure due to illness
- Increased absenteeism
- Lower academic achievement from missing school

Measles Cases in 2025



Tetanus in an Unvaccinated Child

- Case of tetanus in an unvaccinated 6-year-old boy in Oregon
- Boy playing outside on a farm in 2017 when he cut his forehead
- Six days later he started having symptoms
- Required 57 days of inpatient care and 17 days of inpatient rehabilitation that cost over \$800,000
- With widespread use of Tdap, cases of Tetanus have declined by 95% and deaths by 99%



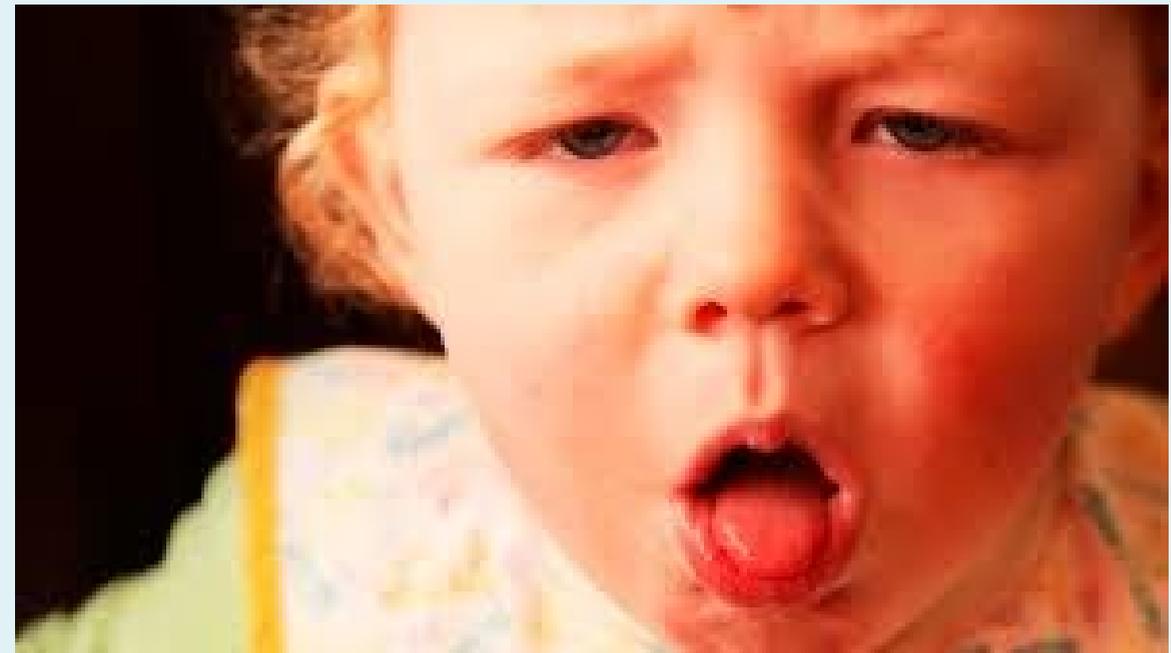
Measles Outbreak in Minnesota

- 75 cases identified in 5 months
- 91% of measles cases were unvaccinated, 28% were hospitalized
- Most transmission occurred in childcare settings with 8,490 individuals exposed
- Over 500 individuals were excluded from school or childcare
- The state spent \$2.3 million on the response



Risk of Measles and Pertussis Associated with Exemptions

- Population based, retrospective cohort study
- Children ages 3-18 years
- Colorado, 1987-1998
- Children with exemptions were 22.2 time more likely to acquire measles, 5.9 times more likely to acquire pertussis than were vaccinated children



Compulsory Vaccines in West Virginia

West Virginia Code §16-3-4 and 64CSR96

Children entering school for the first time in grades K-12 must show proof of immunization against diphtheria, pertussis, tetanus, polio, measles, mumps, rubella, varicella and hepatitis b, unless properly medically exempted

Vaccine	Requirements	Provisional Enrollment	Additional Information
DTaP/DTP Td/Tdap	Before admission, four doses required. One dose must be after the 4 th birthday.	After one dose, student may be allowed up 8 months to complete the series if necessitated by the minimum intervals of the vaccine schedule.	<ul style="list-style-type: none"> • Three doses only for children completing primary series at age 7 years and older. • Children exempted from the pertussis component of DTaP vaccine should receive DT vaccine instead, or if past 7th birthday, Td / Tdap vaccine, as applicable.
Polio (IPV)	Before admission, three doses required. One dose must be after the 4 th birthday.	After one dose, student may be allowed up 7 months to complete the series if necessitated by the minimum intervals of the vaccine schedule.	<ul style="list-style-type: none"> • If polio immunization series included both OPV and IPV, then a total 3 of 4 doses are required depending upon the age of the child.
Measles, Mumps & Rubella (MMR)	Before admission, two doses required. First dose must be after the 1 st birthday.	After one dose, student may be allowed up to 30 days to complete the series.	<ul style="list-style-type: none"> • Doses should be a minimum of 28 days apart.
Varicella	Before admission, two doses required. First dose must be after the 1 st birthday.	After one dose, children less than 13 years of age may be allowed up to 90 days to obtain 2 nd dose; children aged 13 years and older may be allowed up to 30 days to obtain the 2 nd dose.	<ul style="list-style-type: none"> • Children less than 13 years of age are recommended to have an interval of 12 weeks between the 1st and 2nd doses, however, an interval of at least 4 weeks is acceptable. • Children aged 13 years and older may receive the 2nd dose 28 days after the first dose. • Immunity may also be demonstrated through the legal guardian's written or verbal attestation of varicella (chickenpox) disease.
Hepatitis B	Before admission, three doses required. Last dose must be after the age of 6 months.	After one dose, student may be allowed up to 4 months to complete the series if necessitated by the minimum intervals of the vaccine schedule.	<ul style="list-style-type: none"> • Final dose is not valid if administered before 24 weeks / 6 months of age.

§64-95-3 Interpretive Rule

- Applies to all children enrolled in public, private, or parochial schools and regulated childcare centers.
- Consistent with the State Health Officer's authority to enforce public health laws of this State.
- Requires additional immunizations for public health purposes.
- Dosage and interval schedules are based on the most current recommendations issued by the US Department of Health and Human Services, Advisory Committee on Immunization Practices (ACIP), the American Academy of Pediatrics (AAP), the American Academy of Family Physicians (AAFP) and the Centers for Disease Control and Prevention (CDC).

§64-95-13 Recommended Vaccines

Influenza Vaccine

- Recommended annually for anyone 6 months of age or older
- Flu can be more dangerous than common cold for children
- Children younger than 5 years old and children with certain chronic health conditions are at higher risk for developing serious flu related complications

Human Papillomavirus (HPV)

- The only available vaccine that protects against certain cancers
- Recommended at age 11 or 12 years (vaccination can be started at age 9)

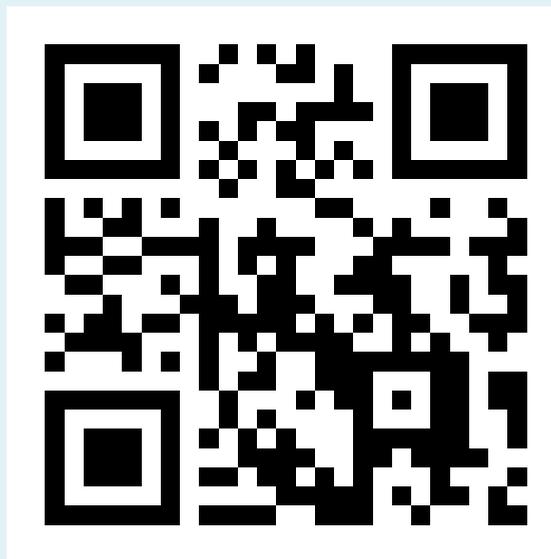
Other Vaccinations

- Other vaccines recommended for various high-risk populations in school setting
<https://www.cdc.gov/vaccines/hcp/imz-schedules/index.html>

§64-95-14 Compliance with the Law

- Child will have a record of immunizations or when immunization is contraindicated or there exists a specific precaution to vaccine.
- Child can be provisionally enrolled in school if he or she has received at least one dose of each of the required vaccines.
- Provisional enrollment may continue for the time medically necessary to complete missing vaccinations.
- At no time shall provisional enrollment exceed 8 months from school entry.
- Any child who is delinquent for any required vaccination or who has exceeded the provisional enrollment period will not be in compliance with the law and will be suspended from attending school until the appropriate vaccines are received.

2. Which vaccine is a requirement for school entry in West Virginia?



Medical Exemptions

- Immunization Officer must determine that a child is eligible for and issue an exemption.
- Child's physician must provide sufficient medical evidence that an immunization is contraindicated or there exists a certain precaution to a particular vaccine.
- Requests for temporary medical exemptions may not exceed 24 months from the time of the requested medical exemption.
- The Immunization Officer makes a determination based upon the most recent guidance from the ACIP, AAP, AAFP, and CDC.
- Determination for exemption will be made within 20 days of receipt of a complete request for an exemption.
- Parents/guardians will receive a written notice of the decision in simple and clear language and reasons for the effect of the determination.

Contraindications

- Conditions in a recipient that increases the risk for a serious adverse reaction to vaccination.
- Majority are temporary, vaccinations can often be administered at a later date when the condition no longer exists.

Precautions

- Conditions in a recipient that might increase the risk for a serious adverse reaction, might cause diagnostic confusion, or might compromise the ability of the vaccine to produce immunity.
- A person might experience a more severe reaction to the vaccine than would have otherwise been expected.

NOT Contradictions or Precautions

- Mild acute illness with or without fever
- History of penicillin allergy
- Religious beliefs
- Philosophical or personal beliefs
- Current antimicrobial therapy
- MTHFR mutation
- Exposure to an infectious disease

Request for Medical Exemption Form



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH
BUREAU FOR PUBLIC HEALTH
Commissioner's Office

Sherri A. Young, DO, MBA, FAAFP
Cabinet Secretary

Matthew Q. Christiansen, MD, MPH
Commissioner & State Health Officer

REQUEST FOR MEDICAL EXEMPTION FROM COMPULSORY IMMUNIZATION FORM

(Incomplete or non-legible forms will be returned)

Name of Student:	Birth Date:
Parent/Guardian:	Phone Number:
Address of Student:	
Name of School and County:	
School Nurse and Contact Information:	
Healthcare Provider Requesting Exemption:	
Address and Phone Number of Healthcare Provider:	

Select the immunizations for which the exemption is requested:

New school entry:

- | | | |
|-------------------------------------|----------------------------------|--------------------------------------|
| <input type="checkbox"/> Diphtheria | <input type="checkbox"/> Measles | <input type="checkbox"/> Varicella |
| <input type="checkbox"/> Tetanus | <input type="checkbox"/> Mumps | <input type="checkbox"/> Hepatitis B |
| <input type="checkbox"/> Pertussis | <input type="checkbox"/> Rubella | |
| <input type="checkbox"/> Polio | <input type="checkbox"/> MMR | |

7th Grade:

- Tdap Booster
 Meningococcal

12th Grade:

- Tdap Booster
 Meningococcal

Is the requested exemption:

- Permanent
 Temporary
 o Expected duration: _____

*** Continued on Page 2 ***

Why does this child need an immunization exemption? If the request is based on a previous reaction, please attach medical records. If the child is on immunosuppressive medication, please include relevant diagnosis and duration of therapy.

Is there further information you feel is relevant to this request?

Are the vaccinations documented in this child's record in the West Virginia Statewide Immunization Information System (WVSIS) complete?

- Yes
 No*
 Unsure*

*If No or Unsure, please include a copy of the child's immunization record with this request.

Requesting Healthcare Provider (Print Name) _____



350 Capitol Street, Room 125 • Charleston, West Virginia 25301 • 304.558.2188 • 304.558.1941 (fax) • dhhr.wv.gov

§64-95-17 Eligibility Process

- Physician must complete the Request for Medical Exemption form.
- Certification by the physician that the physical condition of the child is such that the immunization is contraindicated or there exists a specific precaution to a particular vaccine.
- Shall be supported by objective medical signs and laboratory findings.
- Other evidence from medical sources such as medical history, opinions and statements about the treatment the child has received.
- Physician has the burden of proving the exemption is necessary.

§64-95-17 Eligibility Process Continued

- The Immunization Officer will make reasonable efforts to notify physician of any deficiencies in the request, but it remains the responsibility of the physician to assure the request is complete.
- The Immunization Officer will make a request for evidence from the physician between 10 and 20 calendar days after the initial request. A follow-up request will be made if necessary to decide.
- Physician will have 10 calendar days from the date of the follow up request to reply.
- Where there are inconsistencies in the evidence that the Immunization Officer cannot resolve, despite efforts to obtain additional evidence, the Immunization Officer will decide based on the evidence available.

Review by the State Health Officer

- If the Immunization Officer's determination is in whole or in part unfavorable, the child's parent or guardian may request a review of the Immunization Officer's decision by the State Health Officer.
- Request for review by the State Health Officer must be submitted within 30 days after the date the child's parent or guardian receives notice of the determination.
- The child's parent or guardian may request an extension to allow more time to review in writing and must give the reason why the request for review was not filed within the stated time.
- The State Health Officer determination will be made within 30 days of receipt of the request for review.
- The State health Officer decision is final, unless the child's parent or guardian requests a hearing within 45 days of the receipt of the State Health Officer's determination.

Request for Review by State Health Officer Form



Request for Review of Denied Medical Exemption Request

Date: _____
Parent Name: _____
Address: _____ E-mail Address: _____
City: _____ State: _____ Zip: _____ Phone: _____
Child's Name: _____ Date of Birth: ____/____/____
Child's Age: _____ County of School: _____
Date of Immunization Health Officer Exemption Request Denial: _____

Below: Please explain what you feel the State Health Officer should consider as the basis for reversing the decision of the Immunization Health Officer. (Attach additional information as necessary)

Parent Signature: _____ Date: _____
(May be typed for E-mail)

May be sent by **Mail:** West Virginia Department of Health and Human Resources
Bureau for Public Health
Attention: State Health Officer
350 Capitol Street Room 702, Charleston, WV 25301

or **Fax:** (304)-558-1035

or **E-mail:** vaccineexemption@wv.gov

West Virginia's Vaccine Bill History



- The debate of vaccine exemptions, have been a recurring theme in West Virginia's legislative efforts in recent years.
- During the 2025 legislative session, lawmakers in West Virginia made efforts to loosen the state's exemplary vaccination law, including bills that would have allowed private and parochial schools to have their own vaccine requirements.
- No vaccine bills passed during the 2025 legislative session.

West Virginia's Executive Order 7-25

- Allows for religious exemptions for school vaccines.
- Required that the Bureau for Public Health establishes a process for objections to compulsory school immunization for schools and childcare centers.
- Directs the Bureau for Public Health to take no action to enforce the compulsory school immunization requirements.
- A total of 331 religious exemption requests were received since January 14, 2025.

Requesting a Religious Exemption

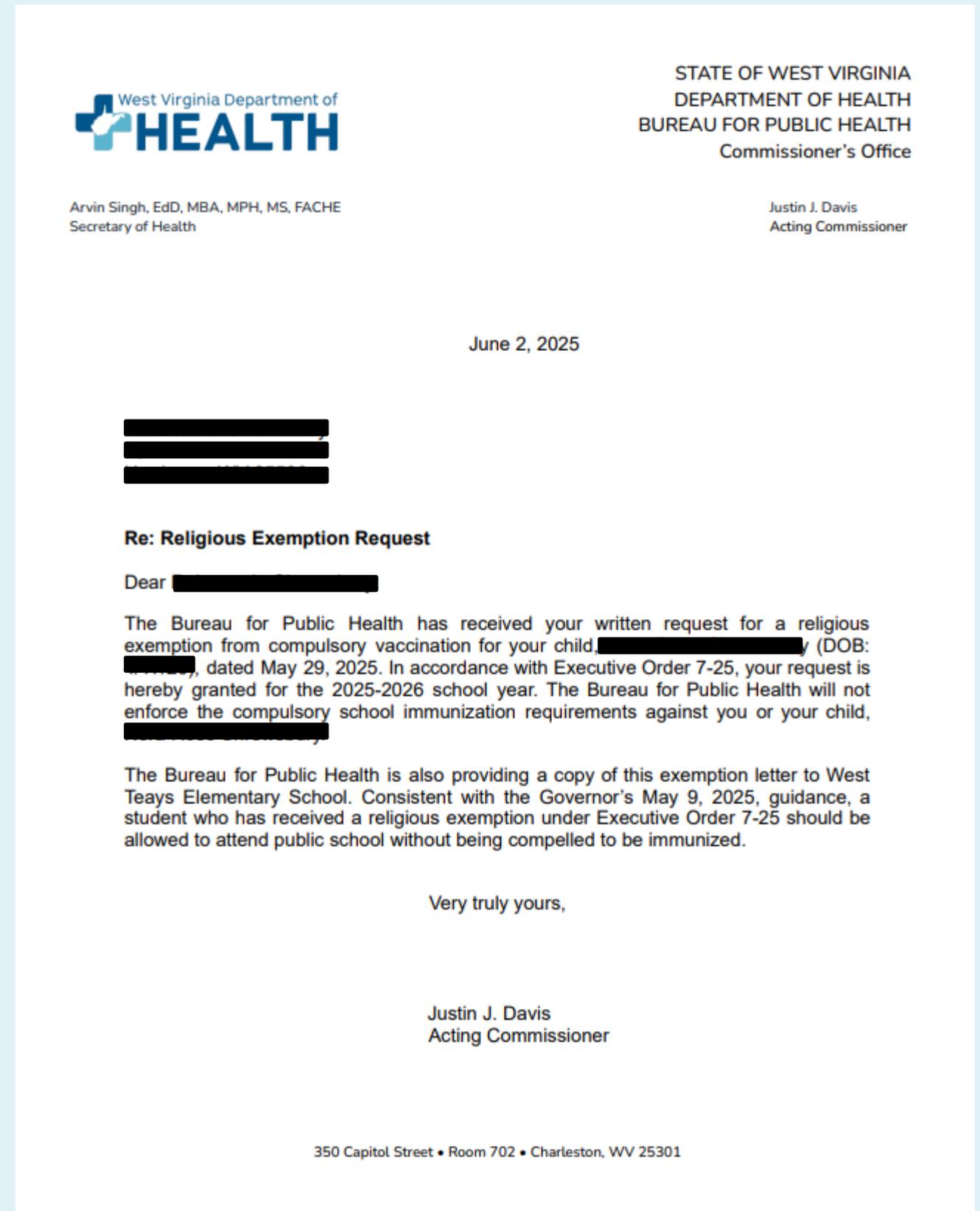
Parents and guardians may obtain an exemption by sending a signed letter to VaccineExemption@wv.gov

- Name and date of birth of the student requesting religious exemption
- Name parent/guardian of student
- Name of school parent/guardian intends to enroll student in
- Mailing address of parent/guardian of student
- Wet signature

Religious Exemption Process



- Exemptions will be granted on a school year basis.
- Exemptions processed prior to May 9, 2025, will have to renew their request for the 2025-26 school year.
- Letters will be mailed to parent or guardian requesting the exemption.
- School/childcare will receive a copy of the letter.



3. What is Not required currently to request a religious exemption in West Virginia?



<https://directpoll.com/r?XDbzPBdXCR2KAcYQ7Uo1zKypTH7PbDcgZH4JS0C0YyV2m6l>

Website for Requesting Religious Exemptions



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& Prevention Services

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Religious and Philosophical Exemptions

On January 14, 2025, Governor Morrisey signed Executive Order 7-25 allowing for religious exemptions from compulsory school vaccines for K-12 public, private and parochial schools, and State-regulated child care centers. The West Virginia Department of Health does not oversee exemptions from the immunization requirements of other institutions including employers and colleges, universities, and vocational programs.

Parents of students may request a religious exemption by sending a signed letter to VaccineExemption@wv.gov, a dedicated email account established for receiving and processing exemption requests. Religious exemption requests will be reviewed in the order received and will be granted on a school year basis. Parents who have received an exemption during the 2024-2025 school year should renew their request for an exemption for the 2025-2026 school year.

Parents/guardians of the student requesting a religious exemption will receive a letter at their provided mailing address notifying them whether the request has been granted, and a copy of the exemption letter will be provided to the school where the student is to be enrolled.

In order for religious exemption requests to be processed, please include the following in the signed letter:

- Name and date of birth of student requesting religious exemption
- Name of parent/guardian of student
- Name of school or childcare center parent/guardian intends to enroll student in
- Mailing address of parent/guardian of student

NOTE: Letters shall include a wet signature. A wet signature is a signature made on a physical document with a pen, seal, or other identifying mark.

Compulsory Vaccine Requirements Crossroads

Emerging Challenges to compulsory vaccine requirements:

1. Executive action and legal disputes
2. Legislative pushback
3. Public health concerns

Future Directions

- Judicial clarification
- Legislative deliberations
- Public engagement

Now What...

- WV Department of Education has issued guidance to county school systems that they follow the current compulsory school vaccination law that does not permit religious exemptions for students.
- The executive order only directs the actions of the Bureau for Public Health which is under his purview.
- The Department of Health will continue to comply with the executive order by providing letters to parent/guardians that the department will take no action against compulsory vaccine requirements.
- The Bureau for Public Health does not enforce who enters schools, that authority lies with the WV Department of Education.

Contact Information



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State Epidemiologist

Bureau for Public Health

West Virginia Department of Health

350 Capitol Street, Room 703

Charleston, WV 25301

304-352-5260 | dhhr.wv.gov