

Fact Sheet for Day Care Centers and Family Day Care Homes  
SB 792 (Mendoza) Vaccines for Day Care Workers

**What is Required**

Under SB 792, day care centers and family day care homes, as part of their licensure requirements, will have to maintain vaccination records for their employees and volunteers for influenza, pertussis, and measles as outlined below. Failure to maintain accurate records will be treated like any other violation of licensure requirements.

**Cost to Employees**

All the vaccines required in SB 792 are covered **at no cost** by insurance plans under the Affordable Care Act. Insured employees and volunteers can contact their primary care physician to receive the vaccine with no co-pay, regardless of any minimums or maximums in their plans. Uninsured employees should contact Covered California to sign up for the plan that works for them.

Employees can be vaccinated a variety of ways:

- Contact their primary care physician
- Contact their local health department:  
<http://www.cdph.ca.gov/programs/immunize/pages/californialocalhealthdepartments.aspx>
- Find private providers offering vaccines to the public:  
<http://www.vaccines.gov/getting/where/>

**Grace Period**

SB 792 does not go into effect until September 1, 2016. This will give day care centers a year from the time of its signing to the time of its implementation. It also allows local health departments to include day care workers in their annual summer vaccination campaigns.

SB 792 also allows a 30-day period of conditional employment. In other words, a person has 30 days after they begin working or volunteering to gather appropriate immunization records.

**Vaccinations Required**

***Influenza***

*Reasoning:* According to the California Department of Public Health (CDPH), “the flu can be a serious disease that can lead to hospitalization and sometimes even death. Anyone can get sick from the flu.” Furthermore, “children younger than 5, but especially younger than 2 years old” are at serious risk of complications from the flu. “Since 2004-2005, flu-related deaths in children reported to CDC during regular influenza seasons have ranged from 35 deaths (during

2011-2012) to over 150 deaths (during 2012-2013). However, during the 2009 H1N1 influenza pandemic, (April 15, 2009 to October 2, 2010), 348 pediatric deaths were reported to CDC.” Death and illness from the flu is preventable. Individuals with the flu can be contagious for 24 hours before showing signs of symptoms, which is why vaccination is important – it is not enough simply to refrain from working while ill.

*Annual Requirement:* Flu viruses change each year, which is why an annual vaccine is required. The vaccine is usually available in the fall, and early vaccination is recommended in order to prevent the spread of the flu. Under this bill, employees and volunteers will need to show that they have been vaccinated between August 1 and December 1 of each year.

*Opting out:* Employees may decline to receive the influenza vaccine.

**Record Keeping:** Employers must have **ONE** of the following records for each employee/volunteer:

- A copy of an immunization record for influenza dated between August 1 and December 1 of each year
- A statement from the employee’s physician that there is a medical reason not to vaccinate the employee
- A statement from the employee’s physician that the employee is already immune to influenza
- A signed statement from the employee stating that they have declined to be vaccinated against the flu

*Cost to employee:* Insured employees can receive the flu vaccine for free from their primary care physician. Uninsured employees have a variety of options. Influenza vaccines cost \$15 at Costco.

### ***Pertussis (Whooping Cough)***

*Reasoning:* According to CDPH, there were 11,114 reported cases of whooping cough with three infant deaths in 2014. Infants receive their first pertussis immunization at two months of age, but they are not fully immunized until they have received several doses. Infants too young to be immunized rely on those around them to maintain their immunity.

**Record Keeping:** Employers must have **ONE** of the following records for each employee and volunteer:

- A copy of an immunization record for pertussis
- A statement from the employee’s physician that there is a medical reason not to vaccinate the employee
- A statement from the employee’s physician that the employee is already immune to pertussis

*Cost to employee:* Insured employees can receive the pertussis vaccine for free from their primary care physician. Uninsured employees have a variety of options. Pertussis vaccines cost \$49 at Costco or \$55 at WalMart.

## ***Measles***

Reasoning: According to the CDC, “Measles can cause serious health complications, such as pneumonia or encephalitis, and even death. Children younger than 5 years of age and adults older than 20 years of age are at high risk of getting a serious case of measles. About 1 in 4 unvaccinated people in the U.S. who get measles will be hospitalized; 1 out of every 1,000 people with measles will develop brain swelling (encephalitis); 1 or 2 out of 1,000 people with measles will die, even with the best care.”

**Record Keeping: Employers must have **ONE** of the following records for each employee and volunteer:**

- A copy of an immunization record for measles
- A statement from the employee’s physician that there is a medical reason not to vaccinate the employee
- A statement from the employee’s physician that the employee is already immune to measles
- Proof that the employee was born before 1957 (according to the Advisory Council on Immunization Practices, “adults born before 1957 are generally considered immune to measles and mumps.”)

*Cost to employee:* Insured employees can receive the measles vaccine for free from their primary care physician. Uninsured employees have a variety of options. Measles vaccines cost \$79 at WalMart.