

# Sen. Nass: JCRAR suspends portions of DHS student immunization code

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Senator Steve Nass (R-Whitewater), Co-chairman of the Joint Committee for Review of Administrative Rules (JCRAR), issued the following statement announcing that the joint committee voted 6-4 to suspend parts of Wisconsin Administrative Code Department of Health Services (DHS) 144, relating to mandated student immunizations.

Specifically, the JCRAR suspension makes the following provisions unenforceable until at least April 2024:

## **Suspension of the following parts in DHS Ch. 144**

- 1) *Removes the meningitis vaccine (first and second doses) from the table of required immunizations (this is a new requirement). And removes other references in the rule related to requiring the meningitis vaccine.*
- 2) *Removes Varicella (Chicken Pox) and Meningococcal disease from the list of diseases for which DHS can exercise their "substantial outbreak" powers (these are new additions to that list).*
- 3) *Removes the new requirement that a physician, physician assistant, or advanced practice nurse prescriber must confirm a child's history of chicken pox in order for the student to be exempt from having to receive the vaccine. \*Previously, the administrative code required only a parent to document that their child had previously had chicken pox for the exemption to apply.*

"JCRAR, once again, met its oversight duty relating to the improper actions taken by DHS to enact binding administrative code provisions that were arbitrary and capricious, as well as, placing undue hardships on the families of this state.

JCRAR's suspension action restores the reasonable right of parents to make immunization decisions for their children regarding the meningitis vaccine and the process for exempting children that have had the chicken pox (Varicella) disease from the vaccination mandate."