

Existing VMEs:

VMEs given to a school (not electronically - just the existing printed letter or form) prior to January 1, 2021, will be valid and accepted, and won't need to be entered under the new electronic database system.

BUT, these must be issued by the doctor prior to Jan 1, 2020. So, THIS year - 2019.

Grandfathering: current exemptions are only valid until a child reaches the next grade span: Birth to preschool, TK/K through 6th grade, 7th to 12th grade. You WILL lose your VME once your child hits the next grade span.

The next school year (starting in August 2020) is the last school year that you can use your old (2019 or earlier) paper medical exemption. Everyone in a school for August 2020 will be able to remain in school for the rest of that grade span. So, if your child gets into preschool in 2020, he is good up until you try to get in Kinder. If in Kinder or TK in Aug 2020, he is good until the end of 6th. If in 7th in Aug 2020, he is good until he graduates high school. There is no way to get a valid exemption that you will be able to use to get your child past one of these checkpoints (TK/Kinder or 7th grade) after the Aug 2020 school year. For example, if a child is in 4th grade, he will lose his exemption at the end of 6th, and there's no way around this. If a child is now 3 and in preschool, he will lose the exemption when you try to get into Kinder in 2021.

*****Starting Jan 1, 2021, if you didn't get an old paper VME in 2019 or earlier, you will not be admitted to a new school or re-admitted to a school unless you go through the NEW electronic VME system with a new appointment and new VME under the new CDC guidelines - see below.

It is unclear at this time what this means for kids changing to a new school between 8th and 9th grade or from 5th to a new middle school for 6th grade, or changing schools in general. It seems that such a move, as it is to a new school, will invalidate your current exemption. Securing your child in a Junior High now that continues into high school would avoid this problem. Regardless of if you are staying in the same school, hitting the TK/Kinder and the 7th grade checkpoint invalidates your current VME.

It is likely that VMEs written by a doctor under medical board probation or who subsequently comes under probation will be revoked. Opinions vary as to when and how this will happen. You will be notified by your school if and when this happens. IF you wish to get a VME from another doctor (one who is not under investigation or probation) you MUST get one by the end of 2019. Any written after 2019 will likely be later revoked.

NEW electronic VMEs:

By Jan 1, 2021, a new electronic system will be in place by which a doctor will submit a new VME into the CAIR electronic database in the CDPH. CDPH will then submit the form electronically to the school or print and send the form to the school if needed. This will be the only form accepted - current VME letters or forms will not be. IF you currently have a paper VME in a school, that shall remain effective until you hit a checkpoint (unless from a doctor under probation).

The form shall require the doctor's info, the name of the child's primary doctor (if different), the child's and parent's info, a physical exam, explanation as to why the physician is doing the VME if they aren't the primary doctor, how long the doctor has been treating the child, a description of the medical basis for exemption, temporary for 1 year or permanent (permanent ones will expire at a gradespan checkpoint though), parental authorization for the child's medical records to be released to the medical board,

By Jan 1, 2021, CDPH shall create a system to monitor immunization and VMEs levels at schools and will annually review all schools to identify schools with an immunization rate of less than 95% and doctors who have submitted five or more VMEs in a calendar year starting Jan 1, 2020. If a school does not report immunization and VMEs data, all VMEs at that school will be reviewed.

VMEs that do not meet CDC/ACIP/AAP criteria will be flagged. CDPH may contact the doctor for more info. The CDPH officer will decide to accept or reject the VME based on these criteria. The officer may consider "other contraindications or precautions, including family history" if it is "consistent with the relevant standard of care." Which likely means CDC criteria, but it will still be at the officer's discretion.

VMEs issued prior to Jan 1, 2020, shall not be revoked under this system unless it was issued by a doctor that has been subject to medical board discipline.

****So, the 95% or 5 or more exemption rule, if invoked at a school, will NOT result in old grandfathered VMEs being revoked. These are fine.

If revoked, the child must commence vaccination within 30 days in order to stay in school. The revocation can be appealed within this 30 day time frame. During the appeal process, the child may remain in school without vaccines. It is not clear how many days or months this appeal process may take. The appeal goes to the secretary of health and human services and is reviewed by a panel appointment by the secretary. The VME will be judged based on CDC/ACIP/AAP criteria of contraindications and precautions.

If CDPH thinks a doctor poses a threat to public health, he or she shall be reported to the medical board and cant write more exemptions. If a doctor is accused of wrongdoing related to immunization standards of care, VMEs won't be accepted from that doctor until the accusation is resolved or the doctor's probation is over.

*****This can result in previously grandfathered VMEs then getting revoked.

CDPH may review any electronic exemptions in the database that they deem necessary to protect public health.