

## Chapter 1 Definitions and General Provisions

### **Section 1. Authority.**

The Wyoming Department of Health (Department) promulgates this chapter under the authority granted by Wyo. Stat. Ann. §§ 14-4-116, 21-4-309, 35-1-240, 35-4-101, and 35-4-139.

### **Section 2. Purpose.**

This chapter provides the definitions, general provisions, and incorporated references for *Rules, Wyoming Department of Health, Wyoming Immunization Program*. This chapter applies to all chapters promulgated under these rules.

### **Section 3. Definitions.**

(a) Except as otherwise specified, the terminology used in these rules is the standard terminology and has the standard meaning used in healthcare, including the National Immunization Program and the Vaccines for Children (VFC) Program.

(b) For the purpose of these rules, the following definitions shall apply:

(i) “Administrator” means the principal or head administrator of a school or child caring facility.

(ii) “Authorized user” means an individual who is granted access to the Wyoming immunization information system (WY IIS) for the purpose of managing immunization records of individuals falling within his administrative or clinical responsibilities.

(iii) “Child” means an individual who is attending a child caring facility or school.

(iv) “Child caring facility” as defined in Wyo. Stat. Ann. § 14-4-116(a).

(v) “Electronic Health Record (EHR)” means a longitudinal electronic record of patient health information generated by one or more encounters in any care delivery setting.

(vi) “Health Level Seven (HL7) standard protocol” means the framework and standards for the exchange, integration, sharing, and retrieval of electronic health information.

(vii) “Immunization Unit Manager” means the individual appointed by the Department to manage the Wyoming Vaccinates Important People (WyVIP) Program, the WY IIS, and mandatory immunizations.

(viii) “Parent” means the legal guardian or custodian of a minor child, the minor child’s natural parent, or if the minor child has been legally adopted, the adoptive parent.

(ix) “Primary health care provider” as defined in Wyo. Stat. Ann. § 35-22-402(c)(xiv).

(x) “Provider agreement” means the legal agreement developed by the Department that is required for a primary health care provider to enroll in the WyVIP Program.

(xi) “Provider profile” means the document utilized by the Department to capture the number of eligible patients served by a provider office as a means to compare projected vaccine needs with actual vaccine orders and inventory.

(xii) “Publicly-supplied vaccine” means a state-purchased vaccine provided by the Department to primary health care providers enrolled in the WyVIP Program.

(xiii) “School” means the following entities:

- (A) “A charter school within a school” as defined in § 21-3-302(a)(i);
- (B) “Elementary school” as defined in Wyo. Stat. Ann. § 21-13-101(iv);
- (C) “High school” as defined in Wyo. Stat. Ann. § 21-13-101(vi);
- (D) “Kindergarten” as defined in Wyo. Stat. Ann. § 21-13-101(viii);
- (E) “Middle school” as defined in Wyo. Stat. Ann. § 21-13-101(vii);
- (F) “New charter school” as defined in § 21-3-302(a)(iv);
- (G) “Parochial, church or religious school” as defined in § 21-4-101(a)(iv);
- (H) Preschool, which means any other institution that is not a child caring facility and occurs prior to entry into kindergarten; and
- (I) “Private school” as defined in 21-4-101(a)(iii).

#### **Section 4. General Provisions**

(a) In the event of a contested case under these rules, *Rules, Office of Administrative Hearings, General Agency, Board of Commission Rules*, Ch. 2 (2014), incorporated by reference under section 5 of this chapter, shall apply unless otherwise provided for under these rules.

(b) The Department may issue policy and procedure manuals to further facilitate interpretation of and compliance with the Wyoming Immunization Program Rules. These manuals are found at <https://health.wyo.gov/publichealth/immunization/> and made available by the Department upon request

## **Section 5. Incorporation by Reference**

(a) For any code, standard, rule, or regulation incorporated by reference in these rules:

(i) The Department has determined that incorporation of the full text in these rules would be cumbersome or inefficient given the length or nature of the rules;

(ii) The incorporation by reference does not include any later amendments or editions of the incorporated matter beyond the applicable date identified in subsection (b) of this section; and

(iii) The incorporated code, standard, rule, or regulation may be found at <https://health.wyo.gov/publichealth/immunization/> and is maintained and made available by the Department for public inspection and copying at cost at the same location.

(b) The Department incorporates the following codes, standards, rules, and regulations into these rules by reference. These incorporated references are identified as:

(i) Referenced in Section 4(a) of this chapter is *Rules, Office of Administrative Hearings, General Agency, Board of Commission Rules*, Ch. 2 (2014), also known as the Uniform Rules for Contested Case Practice and Procedure adopted by the Office of Administrative Hearings, effective October 17, 2014, and found at: <http://rules.wyo.gov>;

(ii) Referenced in Chapter 2, Section 9(a)(xi) of these rules is Wyoming Department of Health, Vaccine Restitution Policy (IMM-001)(Jan. 1, 2017), available at <https://health.wyo.gov/publichealth/immunization>;

(iii) Referenced in Chapter 2, Section 9(a)(xi) of these rules is Wyoming Department of Health, Fraud and Abuse Policy (IMM-002) (May 1, 2017), available at <https://health.wyo.gov/publichealth/immunization>;

(iv) Referenced in Chapter 2, Section 9(a)(ix) of these rules is National Childhood Vaccine Injury Act of 1986, 42 U.S.C. §§ 300aa-1 through 300aa-34 (2010);

(v) Referenced in Chapter 2, Section 8(a)(xi) of these rules is Centers for Disease Control and Prevention, Vaccine Storage and Handling Toolkit (June 2016), available at <https://www.cdc.gov/vaccines/hcp/admin/storage/toolkit>;

(vi) Referenced in Chapter 2, Section 9(a)(vi) of these rules is Centers for Disease Control and Prevention, Epidemiology and Prevention of Vaccine-Preventable Diseases (J. Hamborsky et al. eds., 13th ed. 2015 & Supp. 2017), available at <https://www.cdc.gov/vaccines/pubs/pinkbook/index.html>;

(vii) Referenced in Chapter 3, Section 4(b) of these rules is Centers for Disease

Control and Prevention, Advisory Committee on Immunization Practices, Recommended Immunization Schedule for Children and Adolescents Aged 18 or Younger (Feb. 10, 2017), available at: <https://www.cdc.gov/vaccines/schedules/downloads/child/0-18yrs-child-combined-schedule.pdf>;

(viii) Referenced in Chapter 5, Section 4 of these rules is Centers for Disease Control and Prevention, Immunization Information System Functional Standards, 2013-2017 (Feb. 2016), available at: <https://www.cdc.gov/vaccines/programs/iis/func-stds.html>; and

(ix) Referenced in Chapter 5, Sections 8(c), 9(a)(ii)(A), and 11(b)(i) of these rules is Wyoming Department of Health, IIS Authorized User Policy (IMM-003) (May 1, 2017), available at: <https://health.wyo.gov/publichealth/immunization/>; and

(x) Referenced in Chapter 5, Section 14 of these rules is Wyoming Department of Health, Creating/Editing IIS Information from an Official Immunization Record Policy (IMM-004) (May 1, 2017), available at: <https://health.wyo.gov/publichealth/immunization/>.