TO: DHS Child Care License Holders

DATE: June 19/2017: Updated Information:

The Minnesota Department of Human Services, Licensing Division has received questions from licensed child care providers about whether a licensed child care center or licensed family child care provider can exclude a child from care if the child is not current on all required immunizations, **even if the parent/guardian has claimed an allowable exemption.**

As a child care provider, you must comply with the licensing requirements regarding immunizations. Specifically, you must ensure that the children enrolled in your care have received certain vaccines or have filed appropriate exemptions as allowed by Minnesota law ([Minn. Statutes, section 121A.15](http://www.dhs.state.mn.us/licensing)). A state or county licensor is responsible for ensuring that statements required by this section are on file at child care programs subject to licensure.

There is nothing in the Human Services Licensing Act (Chapter 245A), Rule 2 (governing licensed family child care providers) or Rule 3 (governing licensed child care centers) that specifically allows or prohibits a license holder from adopting a policy to exclude children who are not up-to-date on immunizations, even if the parent/guardian has claimed an exemption as allowed under Minnesota law. **This is a business decision that each license holder must make; the Licensing Division and county licensors cannot provide advice on what sort of policy to adopt.**

For more information about complying with [Minn. Statutes, section 121A.15](http://www.dhs.state.mn.us/licensing), measles, immunization requirements or legal exemptions to immunizations, please contact the Minnesota Department of Health:

- **Infectious Disease Epidemiology, Prevention and Control Division:** 651-201-5414 (for questions about measles)
- **Minnesota Immunization Program:** 651-201-5503 or 1-800-657-3970 (for specific questions about immunizations or legal exemptions to immunizations)