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Exempt Action: Final Regulation Agency Background Document

Agency name	Virginia Department of Health
Virginia Administrative Code (VAC) Chapter citation(s)	12VAC5-115
VAC Chapter title(s)	Virginia Immunization Information System
Action title	Final Exempt Action Related to Mandatory Reporting
Final agency action date	1/1/2022
Date this document prepared	7/20/21

Although a regulatory action may be exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the *Code of Virginia*, the agency is still encouraged to provide information to the public on the Regulatory Town Hall using this form. However, the agency may still be required to comply with the Virginia Register Act, Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

Brief Summary

Provide a brief summary (preferably no more than 2 or 3 paragraphs) of this regulatory change (i.e., new regulation, amendments to an existing regulation, or repeal of an existing regulation). Alert the reader to all substantive matters. If applicable, generally describe the existing regulation.

This is a final exempt regulatory action to amend the Virginia Immunization Information System (VIIS) Regulations pursuant to HB2061 of the 2021 Special Session I. This action updates the Regulation to make VIIS mandatory consistent with § 32.1-46.01 of the Code of Virginia.

Mandate and Impetus

Identify the mandate for this regulatory change and any other impetus that specifically prompted its initiation (e.g., new or modified mandate, internal staff review, petition for rulemaking, periodic review, or board decision). "Mandate" is defined as "a directive from the General Assembly, the federal government, or a court that requires that a regulation be promulgated, amended, or repealed in whole or part."

Chapter 211 of the 2021 Special Session I requires the Virginia Department of Health (VDH) to update our VIIS Regulations such that any health care provider, as defined in § 32.1-127.1:03, in the Commonwealth that administers immunizations is required to report.

Statement of Final Agency Action

Provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.

On January 1, 2022, VDH is implementing a final exempt regulatory action related to the Virginia Immunization Information System Regulations to require health providers, as defined in § 32.1-127.1:03, in the Commonwealth that administer immunizations to report to VIIS.