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Minnesota's History of Vaccine and Immunization Mandates

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Summary of Regulation by the State of Minnesota by Vaccine/Disease

Overview

“All 50 states, as well as the District of Columbia, currently have [laws](#) requiring specified vaccines for students.” (from “[An overview of state and federal authority to impose vaccine requirements.](#)” CRS, 2019.) This CDC document ([School Vaccination Laws](#), 2017) summarizes state vaccination laws collected in February and March 2015.

“In 1967, the Minnesota Legislature enacted the Minnesota School Immunization Law ([Minnesota Statutes, section 121A.15](#)). At that time, many states were encouraged to enact measles requirements as part of a national effort to improve measles control. In the late 1960s and early 1970s, measles was a disease primarily of unvaccinated school-age children. In studies of states without measles immunization requirements, measles incidence rates were from 1.7 to 2.0 higher than states that had school immunization laws.” (from [History of the Minnesota School Immunization Law](#) in Immunization & Health Disparities. St. Paul, MN: Infectious Disease Epidemiology, Prevention and Control, Immunization, Tuberculosis & International Health, Minnesota Dept. of Health, 2009.)

As far as requirements for educators, This web page from Education Minnesota addresses vaccination requirements for school staff (from [FAQ: Vaccines for Educators](#)). Please note this section on the page: “Given the expiration of the Governor’s emergency powers, MDH and MDE currently only have legal authority to strongly encourage Minnesota school districts to adopt these practices. Individual school boards have authority to make them mandatory.”

Professional recommendations for immunization doses and scheduling are issued nationally by the U.S. Public Health Service Advisory Committee on Immunization Practices (ICIP), the American Academy of Pediatrics (AAP), and the American Academy of Family Physicians. These recommendations are reviewed and adopted, or adopted with modification by the Minnesota Department of Health. See pages 15-16 and 52-55 of the PDF report: “[Immunization law study: A report and recommendations on immunization policy in Minnesota.](#)” MDH et al., 1997.

There are other states, which mandate vaccination for other populations, such as healthcare workers and patients. Minnesota does not appear to be one of them, according to the [CDC Vaccination Laws page](#).

General Changes to Immunization Law

- 1851: Other developments
 - Territorial statutes address small pox or “other contagious disease,” but not immunization. [Minnesota Territorial Statutes 1851, chapter 18](#)
- 1944: Other developments
 - The Minnesota State Board of health created a Division of Preventable Diseases, charged with immunization, among other duties. From “[Immunization law study: A report and recommendations on immunization policy in Minnesota.](#)” MDH et al., 1997, page 14.
- 1967: School Immunization Law

- Included a religious exemption. [Laws of Minnesota 1967 c 858 s 1,2](#)
- 1973: School Immunization Law
 - included child care enrollees and nursery schools (see [History of the Minnesota School Immunization Law](#)). [Laws of Minnesota 1973 c 137 s 1-3](#)
- 1978: School Immunization Law
 - Changed the religious exemption to “conscientiously held beliefs” of parent/guardian. [Laws of Minnesota 1978 c 758 s 1](#);
 - Immunization prior to enrollment may be suspended one year by the commissioner of health. [Laws of Minnesota 1978 c 758 s 1](#);
- 1980: School Immunization Law
 - Expanded law to include all grades, kindergarten through 12 “in order to enroll or remain enrolled.” [Laws of Minnesota 1980 c 504 s 1](#);
 - Added details regarding exemptions related to age and physician statements. [Laws of Minnesota 1980 c 504 s 1](#);
 - A statement from a parent may substitute a physician statement. [Laws of Minnesota 1980 c 504 s 1](#);
 - Schools shall maintain immunization records and report to the commissioner of education. [Laws of Minnesota 1980 c 504 s 1](#);
- 1982: Minnesota Administrative Rules
 - [Health of employees](#) – hospital shall provide rules and regulations to prevent transmission of disease: “regulations shall include provisions for an immunization program” [MCAR 1982 MHD 77](#). 1982 is the earliest year of Minnesota Administrative Rules we have online.
 - Rules relating to the approval of early and periodic health and developmental screening programs – Immunization assessment. [7 MCAR 1.174](#). 1982 is the earliest year of Minnesota Administrative Rules we have online.
- 1987: Minnesota Administrative Rules
 - I don’t see smallpox in Rules anymore. There is no “immunization” or “vaccination” information until chapter 4604 is added in 2003. [Minnesota Administrative Rules 1987, chapter 4605](#).
- 1988: School Immunization Law:
 - Changed school/day care requirement from “child” to “person over two months old.” [Laws of Minnesota 1988 c 430 s 1-8](#);
 - Changed dose requirements for several diseases according to the person’s age. [Laws of Minnesota 1988 c 430 s 1-8](#);
 - Required day care facilities to maintain records and shall report to the commissioner of human services. [Laws of Minnesota 1988 c 430 s 1-8](#);
- 1989: School Immunization Law
 - Expanded law to include Early Childhood Special Education (ECSE) children. [Laws of Minnesota 1989 c 215 s 1-7](#);
 - Required that documentation of immunizations administered after 1/1/90 indicate month, day, and year. [Laws of Minnesota 1989 c 215 s 1-7](#);

- Required the transfer of immunization information from high school records to a post-secondary educational institution. [Laws of Minnesota 1989 c 215 s 1-7](#);
- 1989: College Immunization Law:
 - Enacted the College Immunization Law, Minnesota Statutes, section 135.14. This statute covers all private and public two- and four-year colleges, universities, and other post-secondary institutions (e.g., private vocational schools). [Laws of Minnesota 1989 c 215 s 8](#);
 - Includes exemptions and maintenance of immunization files. [Laws of Minnesota 1989 c 215 s 8](#);
- 1995: School Immunization Law
 - Allowed the school district more time to file a report. [Laws of Minnesota 1Sp1995 c 3 art 9 s 26](#);
- 1997: School Immunization Law
 - Added language to give elementary and secondary schools the flexibility to grant temporary exemptions of up to 30 days for transfer students. [Laws of Minnesota 1Sp1997 c 3 s 20-22](#); [Laws of Minnesota 1Sp1997 c 4 art 6 s 8-10](#);
 - Added an exemption of up to five days for children placed in a crisis nursery. [Laws of Minnesota 1Sp1997 c 3 s 20-22](#); [Laws of Minnesota 1Sp1997 c 4 art 6 s 8-10](#);
 - Changed records retention. [Laws of Minnesota 1Sp1997 c 3 s 20-22](#); [Laws of Minnesota 1Sp1997 c 4 art 6 s 8-10](#);
 - Changed language specific to school terms to “each year thereafter.” [Laws of Minnesota 1Sp1997 c 3 s 20-22](#); [Laws of Minnesota 1Sp1997 c 4 art 6 s 8-10](#);
- 1998: School Immunization Law
 - Changes from “shall” to “must” [Laws of Minnesota 1998 c 305 s 1-4](#); [Laws of Minnesota 1998 c 397 art 3 s 54-56,103](#); art 11 s 3; [Laws of Minnesota 1998 c 407 art 2 s 24](#);
 - Recodified from 123.70 to 121A.15 [Laws of Minnesota 1998 c 305 s 1-4](#); [Laws of Minnesota 1998 c 397 art 3 s 54-56,103](#); art 11 s 3; [Laws of Minnesota 1998 c 407 art 2 s 24](#);
- 2003: Minnesota Administrative Rules
 - New chapter added this year: [chapter 4604 immunization](#) (chapter 4605: communicable diseases had some immunization rules in the past, but sometime between 1985-1987 there was less about immunizations in chapter 4605). See [the State Register volume 27, number 27](#) (and volume 27, number 1).
 - Shortened the grace period that school-age children can complete a required vaccine series from 18 to 8 months. [Minnesota Rules 2003, chapter 4604 immunization](#)
 - Allowed vaccine doses administered four or fewer days before the minimum age required in law to be considered valid. [Minnesota Rules 2003, chapter 4604 immunization](#)
 - Added pneumococcal conjugate for child-care enrollees who are 2 months or older but less than 24 months. [Minnesota Rules 2003, chapter 4604 immunization](#)
 - Moved the second dose of measles, mumps, and rubella to kindergarten. [Minnesota Rules 2003, chapter 4604 immunization](#)

- Eliminated the second dose of measles, mumps, and rubella for seventh through 12th grades after the 2011-2012 school year. [Minnesota Rules 2003, chapter 4604 immunization](#)
- 2004: School Immunization Law
 - VAERS and other immunization education requirements added. [Laws of Minnesota 2004 c 279 art 10 s 1,2](#);
 - Thimerosal-free vaccines encouraged. [Laws of Minnesota 2004 c 279 art 10 s 1,2](#);
- 2005: School Immunization Law
 - Exemption for online students. [Laws of Minnesota 1Sp2005 c 5 art 2 s 29](#);
- 2006: School Immunization Law
 - Removed previous school-term language (i.e. 1996-1997). [Laws of Minnesota 2006 c 263 art 7 s 2](#);
- 2001: College Immunization Law
 - Requirements for the commissioner of health for adopting a modification to immunization requirements. [Laws of Minnesota 1Sp2001 c 9 art 1 s 26](#);
- 2011: School Immunization Law
 - Added language about homeschooling. [Laws of Minnesota 2011 c 76 art 1 s 12,13](#); [Laws of Minnesota 1Sp2011 c 11 art 1 s 7](#);
- 2013: Minnesota Administrative Rules
 - Added early learning and defined “medically acceptable standards.” [Minnesota Rules 2015, chapter 4604 immunization](#)
 - Added reporting requirements. [Minnesota Rules 2015, chapter 4604 immunization](#)
 - Made a change to documentation for out-of-state transfer students. [Minnesota Rules 2015, chapter 4604 immunization](#)
- 2014: College Immunization Law
 - Changed from those who reside on campus to all first-time enrollees. [Laws of Minnesota 2014 c 149 s 2](#);
- 2019: Executive Order
 - An executive order assigning emergency responsibilities to state agencies addresses vaccination duties for the Minnesota Department of Health. [Executive order 19-22](#)
 - This is a common order by other governors as well. See [Executive order 15-13](#), [Executive order 13-13](#), [Executive order 11-03](#), [Executive order 10-06](#), etc.
- 2020-2021: Executive Order
 - There were some Emergency Executive Orders by Governor Walz, which mentioned distribution of vaccine, but do not appear to mandate that it be distributed.
 - And emergency powers are essential in our preparations for quick, equitable, and safe distribution of the vaccine by enabling timely acquisition of supplies and technology.” [Emergency Executive Order 20-100](#).
 - “Emergency powers are essential for quick, equitable, and safe distribution of the vaccine.” [Emergency Executive order 21-04](#)

- “Moreover, as we receive additional vaccine allocations, emergency powers are essential for quick, equitable, and safe distribution to Minnesotans.” [Emergency Executive order 21-08](#)
- “As we receive additional vaccine allocations, emergency powers are essential for quick, equitable, and safe distribution to Minnesotans.” [Emergency Executive order 21-12](#)
- “We have used that authority [Minnesota Statutes 2020, Chapter 12] to take bold actions to protect our friends and neighbors from contracting COVID-19, build hospital capacity, secure critical care and personal protective equipment for healthcare providers, launch an aggressive testing strategy, and implement an effective and efficient vaccine delivery system.” [Emergency Executive order 21-16](#)
- “As we continue to receive vaccine allocations, emergency powers are essential for quick, equitable, and safe distribution to Minnesotans.” [Emergency Executive order 21-19](#)
- “I urge every eligible Minnesotan to get vaccinated.” [Emergency Executive Order 21-21](#)
- “Organizers of social gatherings are encouraged to wait until participants who can be vaccinated are fully vaccinated, as defined by CDC Guidelines.” [Emergency Executive Order 21-21](#)

Measles

- 1962: Other Developments
 - “The federal government's Vaccination Assistance Act of 1962 was a boon to immunization against diphtheria, as well as smallpox, whooping cough, tetanus, polio and measles.” From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1967: School Immunization Law
 - Required measles immunization prior to "initial enrollment in any school in this state.” From [History of the Minnesota School Immunization Law](#)). [Laws of Minnesota 1967 c 858 s 1,2](#)
- 1973: School Immunization Law
 - Required immunization to be completed before age 2. [Laws of Minnesota 1973 c 137 s 1-3](#)
- 1980: School Immunization Law
 - Set the minimum age for measles immunization at 11 months, 15 days. [Laws of Minnesota 1980 c 504 s 1](#);
- 1988: School Immunization Law
 - Increased the minimum age for a child to have received measles vaccine to 12 months. [Laws of Minnesota 1988 c 430 s 1-8](#);
 - Changes dose requirements for several diseases according to the person’s age. [Laws of Minnesota 1988 c 430 s 1-8](#);
- 1989: College Immunization Law

- Enacted the College Immunization Law, Minnesota Statutes, section 135.14. This statute covers all private and public two- and four-year colleges, universities, and other post-secondary institutions (e.g., private vocational schools). [Laws of Minnesota 1989 c 215 s 8](#);
- Required immunization record or a statement that the student has received appropriate immunization against measles, rubella, and mumps after having attained the age of 12 months or exemption. [Laws of Minnesota 1989 c 215 s 8](#);
- 1991: School Immunization Law
 - Added the second dose of measles, mumps, and rubella to seventh and 12th grades and by 1996-97 to seventh through 12th grades. [Laws of Minnesota 1991 c 30 s 1-10](#);
- 2003: Minnesota Administrative Rules
 - changes to measles, mumps, rubella requirements. [Minnesota Rules 2003, chapter 4604 immunization](#)
- 2012: Minnesota Administrative Rules
 - [Laws of Minnesota 2012, chapter 187, article 1, sec. 75](#) repealed an obsolete rule: Minnesota Rules, part 4604.0600, subpart 2
- 2013: Minnesota Administrative Rules
 - Made a change to measles, mumps, and rubella requirements for students up to grade 12. [Minnesota Rules 2015, chapter 4604 immunization](#)

Rubella

- 1973: School Immunization Law
 - Added rubella for kindergarten and included child care enrollees and nursery schools. (see [History of the Minnesota School Immunization Law](#)). [Laws of Minnesota 1973 c 137 s 1-3](#)
 - Required immunization to be completed before age 2. [Laws of Minnesota 1973 c 137 s 1-3](#)
- 1988: School Immunization Law
 - Removed the exemption for rubella immunization for girls 12 years of age and older. [Laws of Minnesota 1988 c 430 s 1-8](#);
 - Changes dose requirements for several diseases according to the person's age. [Laws of Minnesota 1988 c 430 s 1-8](#);
- 1989: College Immunization Law
 - Enacted the College Immunization Law, Minnesota Statutes, section 135.14. This statute covers all private and public two- and four-year colleges, universities, and other post-secondary institutions (e.g., private vocational schools). [Laws of Minnesota 1989 c 215 s 8](#);
 - Required immunization record or a statement that the student has received appropriate immunization against measles, rubella, and mumps after having attained the age of 12 months or exemption. [Laws of Minnesota 1989 c 215 s 8](#);
- 1991: School Immunization Law

- Added the second dose of measles, mumps, and rubella to seventh and 12th grades and by 1996-97 to seventh through 12th grades. [Laws of Minnesota 1991 c 30 s 1-10](#);
- 1998: Other Developments
 - “The last case of congenital rubella reported in Minnesota was in 1998.” From: [MDH Rubella Disease Statistics](#)
- 2003: Minnesota Administrative Rules
 - changes to measles, mumps, rubella requirements. [Minnesota Rules 2003, chapter 4604 immunization](#)
- 2009: Other Developments
 - “No cases of rubella have been reported in Minnesota since 2009.” From: [MDH Rubella Disease Statistics](#)
- 2013: Minnesota Administrative Rules
 - Made a change to measles, mumps, and rubella requirements for students up to grade 12. [Minnesota Rules 2015, chapter 4604 immunization](#)

Diphtheria

- 1949: Other Developments
 - “In 1949, though effective vaccine had been available for about 20 years, diphtheria was not yet fully under control in Minnesota.” From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1962: Other Developments
 - “The federal government's Vaccination Assistance Act of 1962 was a boon to immunization against diphtheria, as well as smallpox, whooping cough, tetanus, polio and measles.” From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1966: Other Developments
 - The first year that no death in Minnesota from diphtheria was reported (only one death in Minnesota since then was in 1971) From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1978: School Immunization Law
 - Added polio; diphtheria, tetanus, pertussis (DTP); and mumps. [Laws of Minnesota 1978 c 758 s 1](#);
- 1988: School Immunization Law
 - Changes dose requirements for several diseases according to the person’s age. [Laws of Minnesota 1988 c 430 s 1-8](#);
 - “Students enrolling in elementary school who are less than 7 years of age must have received 5 doses of vaccine for diphtheria, tetanus, and pertussis, unless the fourth dose was received after the fourth birthday, then 4 doses are minimum, and 4 doses of vaccine for polio, unless the third dose was received after the fourth birthday, then 3

doses are minimum.” From “[Questions and answers concerning the school immunization law.](#)” MDH and MDE, 1988.

- 1989: College Immunization Law
 - Enacted the College Immunization Law, Minnesota Statutes, section 135.14. This statute covers all private and public two- and four-year colleges, universities, and other post-secondary institutions (e.g., private vocational schools). [Laws of Minnesota 1989 c 215 s 8](#);
 - Required immunization record or a statement that the student has received appropriate immunization against diphtheria and tetanus within ten years of first registration at the institution or exemption. [Laws of Minnesota 1989 c 215 s 8](#);
- 1990: Other Developments
 - “The last case of diphtheria reported in Minnesota was in 1990.” From: [MDH Diphtheria Disease Statistics](#)
- 1996: School Immunization Law
 - Added tetanus/diphtheria (Td) booster for seventh and 12th grades, and by 1998-99 for seventh through 12th grades. [Laws of Minnesota 1996 c 398 s 25](#);
- 2013: Minnesota Administrative Rules
 - Added tetanus, diphtheria, and pertussis for child care or school. [Minnesota Rules 2015, chapter 4604 immunization](#)

Tetanus

- 1962:
 - “The federal government's Vaccination Assistance Act of 1962 was a boon to immunization against diphtheria, as well as smallpox, whooping cough, tetanus, polio and measles.” From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1978: School Immunization Law
 - Added polio; diphtheria, tetanus, pertussis (DTP); and mumps. [Laws of Minnesota 1978 c 758 s 1](#);
- 1988: School Immunization Law
 - Changes dose requirements for several diseases according to the person’s age. [Laws of Minnesota 1988 c 430 s 1-8](#);
 - “Students enrolling in elementary school who are less than 7 years of age must have received 5 doses of vaccine for diphtheria, tetanus, and pertussis, unless the fourth dose was received after the fourth birthday, then 4 doses are minimum, and 4 doses of vaccine for polio, unless the third dose was received after the fourth birthday, then 3 doses are minimum.” From “[Questions and answers concerning the school immunization law.](#)” MDH and MDE, 1988.
- 1989: College Immunization Law
 - Enacted the College Immunization Law, Minnesota Statutes, section 135.14. This statute covers all private and public two- and four-year colleges, universities, and other post-

- secondary institutions (e.g., private vocational schools). [Laws of Minnesota 1989 c 215 s 8](#);
 - Required immunization record or a statement that the student has received appropriate immunization against diphtheria and tetanus within ten years of first registration at the institution or exemption. [Laws of Minnesota 1989 c 215 s 8](#);
- 1996: School Immunization Law
 - Added tetanus/diphtheria (Td) booster for seventh and 12th grades, and by 1998-99 for seventh through 12th grades. [Laws of Minnesota 1996 c 398 s 25](#);
- 2013: Minnesota Administrative Rules
 - Added tetanus, diphtheria, and pertussis for child care or school. [Minnesota Rules 2015, chapter 4604 immunization](#)
- 2018: Other Developments
 - The last case of tetanus reported in Minnesota was in 2018. From: [MDH Tetanus Disease Statistics](#)

Pertussis (Whooping cough)

- 1962:
 - “The federal government's Vaccination Assistance Act of 1962 was a boon to immunization against diphtheria, as well as smallpox, whooping cough, tetanus, polio and measles.” From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1978: School Immunization Law
 - Added polio; diphtheria, tetanus, pertussis (DTP); and mumps. [Laws of Minnesota 1978 c 758 s 1](#);
- 1979: Other Developments
 - “The last death from whooping cough was reported in 1979.” [This may not be accurate anymore – cases have spiked since 1999 when this book was published.] From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1988: School Immunization Law
 - Changes dose requirements for several diseases according to the person’s age. [Laws of Minnesota 1988 c 430 s 1-8](#);
 - “Students enrolling in elementary school who are less than 7 years of age must have received 5 doses of vaccine for diphtheria, tetanus, and pertussis, unless the fourth dose was received after the fourth birthday, then 4 doses are minimum, and 4 doses of vaccine for polio, unless the third dose was received after the fourth birthday, then 3 doses are minimum.” From “[Questions and answers concerning the school immunization law](#).” MDH and MDE, 1988.
- 1990s: Other Developments
 - Pertussis rates started to rise again. From [Reported Cases of Pertussis, Minnesota 1914-2018](#)

- 2012: Other Developments
 - 4,144 cases in the state From [MDH Pertussis Disease Statistics, 2012](#)
- 2013: Minnesota Administrative Rules
 - Added tetanus, diphtheria, and pertussis or child care or school. [Minnesota Rules 2015, chapter 4604 immunization](#)

Polio (Poliomyelitis)

- 1962:
 - “The federal government's Vaccination Assistance Act of 1962 was a boon to immunization against diphtheria, as well as smallpox, whooping cough, tetanus, polio and measles.” From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1978: School Immunization Law
 - Added polio; diphtheria, tetanus, pertussis (DTP); and mumps. [Laws of Minnesota 1978 c 758 s 1](#);
- 1988: School Immunization Law
 - Changes dose requirements for several diseases according to the person’s age. [Laws of Minnesota 1988 c 430 s 1-8](#);
 - “Students enrolling in elementary school who are less than 7 years of age must have received 5 doses of vaccine for diphtheria, tetanus, and pertussis, unless the fourth dose was received after the fourth birthday, then 4 doses are minimum, and 4 doses of vaccine for polio, unless the third dose was received after the fourth birthday, then 3 doses are minimum.” From “[Questions and answers concerning the school immunization law](#).” MDH and MDE, 1988.
 - Added “an exemption for polio immunization for those 18 years of age and older.” From “[Questions and answers concerning the school immunization law](#).” MDH and MDE, 1988.
- 2008: Other Developments
 - “The last case of symptomatic polio in Minnesota was reported in 2008. Up to 95% of polio virus infections are not symptomatic.” From: [MDH Polio Disease Statistics](#)
- 2013: Minnesota Administrative Rules
 - Added Polio for child care or school, including older students. [Minnesota Rules 2015, chapter 4604 immunization](#)

Mumps

- 1978: School Immunization Law
 - Added polio; diphtheria, tetanus, pertussis (DTP); and mumps. [Laws of Minnesota 1978 c 758 s 1](#);
- 1988: School Immunization Law
 - Removed the exemption for mumps immunization for students 7 years of age and older. [Laws of Minnesota 1988 c 430 s 1-8](#);

- 1988: School Immunization Law
 - Changes dose requirements for several diseases according to the person’s age. [Laws of Minnesota 1988 c 430 s 1-8](#);
- 1989: College Immunization Law
 - Enacted the College Immunization Law, Minnesota Statutes, section 135.14. This statute covers all private and public two- and four-year colleges, universities, and other post-secondary institutions (e.g., private vocational schools). [Laws of Minnesota 1989 c 215 s 8](#);
 - Required immunization record or a statement that the student has received appropriate immunization against measles, rubella, and mumps after having attained the age of 12 months or exemption. [Laws of Minnesota 1989 c 215 s 8](#);
- 1991: School Immunization Law
 - Added the second dose of measles, mumps, and rubella to seventh and 12th grades and by 1996-97 to seventh through 12th grades. [Laws of Minnesota 1991 c 30 s 1-10](#);
- 2003: Minnesota Administrative Rules
 - changes to measles, mumps, rubella requirements. [Minnesota Rules 2003, chapter 4604 immunization](#)
- 2013: Minnesota Administrative Rules
 - Made a change to measles, mumps, and rubella requirements for students up to grade 12. [Minnesota Rules 2015, chapter 4604 immunization](#)
- 2020: Other Developments
 - “On average, Minnesota reports 10-20 cases of mumps each year.” From: [MDH Mumps Disease Statistics](#)

Haemophilus influenzae type b (HIB)

- 1991: School Immunization Law
 - Added Hib (Haemophilus influenza type b disease, which is a major cause of meningitis in young children) for children in child care and ECSE with age exemption. [Laws of Minnesota 1991 c 30 s 1-10](#);
- 2003: Minnesota Administrative Rules
 - Added HIB. [Minnesota Rules 2003, chapter 4604 immunization](#)

Hepatitis B

- 1993: Other Developments
 - A minor may give consent. [Laws of Minnesota 1993 c 167 s 1](#)
- 1998: School Immunization Law
 - Added hepatitis B for kindergarten in the 2000 school term. [Laws of Minnesota 1998 c 305 s 1-4](#);
 - Added hepatitis B dose requirements for many age categories. [Laws of Minnesota 1998 c 305 s 1-4](#); [Laws of Minnesota 1998 c 407 art 2 s 24](#);
- 1999: College Immunization Law

- Required all post-secondary educational institutions to provide information on the transmission, treatment, and prevention of hepatitis A, B, and C to all persons who are first-time enrollees. [Laws of Minnesota 1999 c 214 art 2 s 2](#);
- 2001: School Immunization Law
 - Expanded hepatitis B for seventh grade. [Laws of Minnesota 1Sp2001 c 9 art 1 s 24,25](#);
- 2003: Minnesota Administrative Rules
 - changes to hepatitis B dose requirement. [Minnesota Rules 2003, chapter 4604 immunization](#)
- 2013: Minnesota Administrative Rules
 - Made a change to hepatitis B requirements for child care, school, including older students. [Minnesota Rules 2015, chapter 4604 immunization](#)
- 2014: College Immunization Law
 - Added hepatitis A, B, and C. [Laws of Minnesota 2014 c 149 s 2](#);

Hepatitis A

- 1999: College Immunization Law
 - Required all post-secondary educational institutions to provide information on the transmission, treatment, and prevention of hepatitis A, B, and C to all persons who are first-time enrollees. [Laws of Minnesota 1999 c 214 art 2 s 2](#);
- 2013: Minnesota Administrative Rules
 - Added hepatitis A requirements for child care or school. [Minnesota Rules 2015, chapter 4604 immunization](#)
- 2014: College Immunization Law
 - Added hepatitis A, B, and C. [Laws of Minnesota 2014 c 149 s 2](#);

Hepatitis C

- 1999: College Immunization Law
 - Required all post-secondary educational institutions to provide information on the transmission, treatment, and prevention of hepatitis A, B, and C to all persons who are first-time enrollees. [Laws of Minnesota 1999 c 214 art 2 s 2](#);
- 2014: College Immunization Law
 - Added hepatitis A, B, and C. [Laws of Minnesota 2014 c 149 s 2](#);

Meningococcal

- 2003: College Immunization Law
 - Required post-secondary educational institutions to provide information on the risk of meningococcal disease and the availability of an effective vaccine to each individual who is a first-time enrollee and resides in on-campus housing. [Laws of Minnesota 2003 c 133 art 2 s 2](#)
- 2013: Minnesota Administrative Rules
 - Added meningococcal vaccination requirements for students. [Minnesota Rules 2015, chapter 4604 immunization](#)

Smallpox

- 1851: Statutes
 - Territorial statutes address small pox or “other contagious disease” [Minnesota Territorial Statutes 1851, chapter 18](#))
- 1941: Other Developments
 - The last death from smallpox in Minnesota From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1947: Other Developments
 - The last case of smallpox in Minnesota From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1962: Other Developments
 - “The federal government's Vaccination Assistance Act of 1962 was a boon to immunization against diphtheria, as well as smallpox, whooping cough, tetanus, polio and measles.” From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1970s: Other Developments
 - “Minnesota children no longer received smallpox vaccine as a part of their routine immunizations.” From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1982: Minnesota Administrative Rules
 - [Smallpox Vaccination](#) – public vaccination, state institutions, and schools. This section also includes signage of smallpox quarantine and other communicable disease rules. [MCAR 1982 MHD 326](#). 1982 is the earliest year of Minnesota Administrative Rules we have online.
 - [Health of employees](#) – hospital shall provide rules and regulations to prevent transmission of disease: “regulations shall include provisions for an immunization program” [MCAR 1982 MHD 77](#). 1982 is the earliest year of Minnesota Administrative Rules we have online.
 - Rules relating to the approval of early and periodic health and developmental screening programs – Immunization assessment. [7 MCAR 1.174](#). 1982 is the earliest year of Minnesota Administrative Rules we have online.
- 1983-1985: Minnesota Administrative Rules
 - Smallpox (see MCAR MHD 326 for earlier version): “Every person exposed to smallpox, who cannot show evidence of a recent successful vaccination or a recent attack of smallpox, must be vaccinated within three (3) days of first exposure or be isolated twenty-one (21) days after last exposure.” [Minnesota Administrative Rules 1983, chapter 4605](#). Statutory Authority: MS s 144.05; 144.12 subd 1
- 1987: Minnesota Administrative Rules

- I don't see smallpox in Rules anymore. There is no "immunization" or "vaccination" information until chapter 4604 is added in 2003. [Minnesota Administrative Rules 1987, chapter 4605](#).
- 2001: Other Developments
 - "Following the terrorist events of September, 2001, there was concern that the variola virus could be used as an agent of bioterrorism. In response, the U.S. government launched a campaign to vaccinate key health care providers and public health workers against smallpox. The government also stockpiled enough smallpox vaccine to vaccinate every person in the U.S. in case of such an attack." From [MDH Smallpox](#)

Varicella (Chickenpox)

- 2003: Minnesota Administrative Rules
 - Added chickenpox (varicella) to kindergarten and seventh grade. [Minnesota Rules 2003, chapter 4604 immunization](#)
- 2013: Minnesota Administrative Rules
 - Made a change to varicella requirements for students. [Minnesota Rules 2015, chapter 4604 immunization](#)
 - "Since 2013, health care providers, child cares, and schools have been required to report all suspected and confirmed cases of varicella." From [MDH Varicella \(chickenpox\) and Zoster \(shingles\) statistics](#)

Pneumococcal conjugate

- 2003: Minnesota Administrative Rules
 - Added Pneumococcal conjugate for children under two, but at least two months in child care. [Minnesota Rules 2003, chapter 4604 immunization](#)
- 2021 Other Developments
 - "The Streptococcus pneumoniae bacteria kills more people in the United States each year than all other vaccine-preventable diseases combined. Treating pneumococcal infections with penicillin and other antibiotics used to be effective, but the disease is becoming more and more resistant to antibiotic treatment, making immunization increasingly important. There are more than 90 known strains of pneumococcal disease, and two different vaccines, often called "pneumonia shots," that help combat pneumococcal disease." From [MDH Pneumococcal Disease \(Streptococcus pneumoniae\)](#)

Human papillomavirus

- 2008: Other Developments
 - An MDH 2008 report to the Legislature concluded that "a junior high human papillomavirus vaccine mandate is not warranted at this time" From "[Human papillomavirus vaccine: report to the Minnesota Legislature 2008](#)." MDH, 2008. See [pg.13+](#)

Tuberculosis

- **I didn't see a vaccine/immunization law.**

- 1949: Other Developments
 - “A massive case-finding effort began in 1947” From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1951: Laws
 - [Laws of Minnesota 1951, chapter 314](#), authorized a county board to commit a person infected with tuberculosis. From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1954: Other Developments
 - “The state’s mass-screening program for tuberculosis ended in 1954.” From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1957: Other Developments
 - “In 1957, the Legislature enacted a law that granted a county sanitarium commission authority to hire tuberculosis control officers” From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1963: Other Developments
 - “Legislation in 1963 authorized a grants-in-aid program that enabled the board to assist counties in the development of local tuberculosis control programs, especially outpatient clinics.” From “[Chapter 2: Conquered and almost-conquered diseases](#)” in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- 1993: Other Developments
 - Tuberculosis screening in schools and correctional institutions. [Laws of Minnesota 1993 c 167 s 1](#)
- 2019: Other Developments
 - Minnesota had 148 cases and 7 deaths due to tuberculosis. From [MDH The Epidemiology of Tuberculosis in Minnesota, 2015-2019](#)

Influenza

- I didn’t see any specific mentions of Influenza in Statutes/Rules/Laws. Please let me know if you’d like more information about seasonal influenza vaccinations.

References

Attorney General Opinions

- [Minn. Op. Atty. Gen. 169 – W, 1980 WL 119579](#)
- Other, older opinions are cited in the [Minnesota Statutes Annotated Notes](#).

Articles

- NCSL, [States with Religious and Philosophical Exemptions From School Immunization Requirements](#)
- CDC, [Vaccination Laws](#)
- Education Minnesota, [FAQ: Vaccines for Educators](#)
- Astor, Maggie. [Vaccination Mandates Are an American Tradition. So Is the Backlash](#), New York Times, 2021.
- Nili Karako- Eyal DR., [Beyond The Ethical Boundaries Of Solidarity: Increasing Vaccination Rates Through Mandatory Education to Solidarity](#), 6 Tex. A&M L. Rev. 345 (2019).
- Amlung, Olivia F. [Vaccination: Balancing students' welfare and constitutional rights](#), DRI for the Defense, 2019
- Robben, Patrick and Alison Grasfsgaard. [Vaccines and the Law](#), Bench and Bar of Minnesota, 2015

Reports

Vaccinations and immunization in Minnesota (reports available online):

- ["An overview of state and federal authority to impose vaccine requirements."](#) CRS, 2019.
- ["Immunization & health disparities."](#) MDH, 2009.
- See appendix on [page 59](#) for "History of the Minnesota School Immunization Law" timeline. The report is from 2009 but the timeline looks like it's dated August 2003.
- ["Chapter 2: Conquered and almost-conquered diseases"](#) in Public health is people: A history of the Minnesota Department of Health from 1949 to 1999. MDH, [1999?]
- ["School immunization law: Funding and policy issues."](#) MDH, 1998.
- ["Immunization law study: A report and recommendations on immunization policy in Minnesota."](#) MDH et al., 1997.
- ["Questions and answers concerning the school immunization law."](#) MDH and MDE, 1988. [not digitized; see [catalog record](#)] MNDOC 880694

Federal Regulation

A few historical notes are provided, but this research will only focus on state-level regulations.

See the New York Times, [Vaccination Mandates Are an American Tradition. So Is the Backlash.](#), 2021.

"In 1905 the United States Supreme Court ruled, in *Jacobson v. Massachusetts*, that states can enforce compulsory vaccination laws." [...] "While states can constitutionally require children to be vaccinated in order to attend public school, states can go beyond what the constitution requires and allow exemptions for religious or other bases." From [Vaccines and the Law](#), 2015

"Seventeen years later, the Court considered another mandatory vaccination law, this time aimed at school children. *Zucht v. King*, 260 U.S. 174 (1922). In *Zucht*, children were excluded from a Texas public school because they were not vaccinated, and in response, they brought

due process and equal protection claims against the district. Id. at 175. Relying on Jacobson, the Court rejected these claims, stating that it was long-ago “settled that it is within the police power of a state to provide for compulsory vaccination.”” From [Vaccination: Balancing students’ welfare and constitutional rights](#), 2019

Minnesota Statutes

Youth/School/College

[Minnesota Statutes 2020, 121A.15](#)

- See the [annotations and revisor’s notes](#) from Minnesota Statutes Annotated.
- See the [Notes of Decisions](#).
- **School and child care facility immunization requirements:** Measles, rubella, diphtheria, tetanus, pertussis, polio, mumps, haemophilus influenzae type b, and hepatitis B (immunized or schedule of immunization; may need multiple doses)
- **Exemptions:** age-related, physician statement, personal belief exemption, online learning
- **[several other details]**
- **Subd. 12: modifications to schedule:** The commissioner of health may adopt modifications to the immunization requirements of this section in administrative rules.

[Minnesota Statutes 2020, 135A.14](#)

- **Statement of immunization required:** measles, rubella, and mumps, diphtheria and tetanus
- **Exemptions:** medical reasons, natural disease, confirmed immunity, conscientiously held beliefs
- **Immunization files required**
- hepatitis A, B, and C, and the risks of meningococcal disease - no immunization required, but institution shall provide information about.
- **Subd. 7: modifications to schedule:** The commissioner of health may adopt modifications to the immunization requirements of this section in administrative rules.

[Minnesota Statutes 2020, 144.3441](#)

- Hepatitis B vaccination consent by minor.

[Minnesota Statutes 2020, 124D.151](#)

- Voluntary Prekindergarten - documentation of required immunizations under section [121A.15](#).

Minnesota Department of Health

[Minnesota Statutes 2020, 144.3351](#)

- Establishes the sharing of immunization records between agencies.

[Minnesota Statutes 2020, 144.4197](#)

- Emergency vaccine administration.

[Minnesota Statutes 2020, 151.37](#)

- Allows the commissioner of health to distribute vaccines (in carrying out duties in other sections of statute) - added in 1991.

[Minnesota Statutes 1941, Section 145.05](#)

- Powers of health officer in assuming jurisdiction over communicable diseases.

[Minnesota Territorial Statutes 1851, chapter 18](#)

- Preservation of public health.

On Refusal of Treatment

[Minnesota Statutes 2020, 144.419](#)

- Isolation and quarantine, includes a subd. on rights to refuse treatment.

[Minnesota Statutes 2020, 12.39](#)

- Individual treatment; notice, refusal, consequence

[Statutes Index: Vaccination](#)

Minnesota Executive Orders

- I only looked at orders from [1967 to the present](#).
- A common type of order from multiple governors is an executive order assigning emergency responsibilities to state agencies. The responsibilities for the Minnesota Department of Health include “mass vaccination.”
 - [Executive order 19-22](#), [Executive order 15-13](#), [Executive order 13-13](#), [Executive order 11-03](#), [Executive order 10-06](#), **etc.**

Minnesota Administrative Rules

[Minnesota Rules 2019, chapter 4604](#)

- Currently named: Immunization (added in 2003)

[Minnesota Rules 1985, chapter 4605](#)

- Links to **1985**
- In 1983 and 1985 it was: Communicable Diseases

[Minnesota Rules 2019, 9503.0140](#)

- Current rule
- **Subp. 5:** Licensed child care centers must obtain documentation of current immunization according to Minnesota Statutes, section [121A.15](#), a signed notarized statement of parental objection to the immunization, or a medical exemption.

[Minnesota Rules 2019, 9502.0405](#)

- Current rule

- Subp. 4: Licensed child care recordkeeping (including immunizations)

[Minnesota Rules 2019, 3400.0020](#)

- Current rule
- Subp. 29A. Defining “immunization record” – see [Minnesota Statutes 121A.15](#)

Minnesota Administrative Rules 1982: MCAR

1982 is the earliest year of Rules available online.

- **1982**
 - MHD 77 - [Health of employees](#) – hospital shall provide rules and regulations to prevent transmission of disease: “regulations shall include provisions for an immunization program”
 - 7 MCAR 1.174 - Rules relating to the approval of early and periodic health and developmental screening programs – [Immunization assessment](#)
 - MHD 326 - [Smallpox Vaccination](#) – public vaccination, state institutions, and schools. This section also includes signage of smallpox quarantine and other communicable disease rules.