July 27, 2020

The Honorable J. Kevin Stitt The Honorable Kevin Corbett

Governor Cabinet Secretary

State of Oklahoma Secretary of Health and Mental Health

Office of the Governor Oklahoma State Capitol

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Via e-mail:

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Gentlemen:

 RE: Oklahoma State Department of Health

 Proposed Emergency Rules

 Enclosed is a copy of Emergency Rules I am filing today in the state online filing system and the corresponding Rule Impact Statement. The rules amend Title 310:535 Immunization Regulations. These rules and related supplemental materials are submitted to reconcile the conflict in the permanent rules with Title 70 O.S. § 1210.192 governing immunization exemptions.

 The portion of Title 310, Chapter 535 permanent rule (effective September 11, 2020) requiring an approved brief, instructional presentation prior to parents receiving childhood immunization exemptions is in conflict with Title 70 O.S. § 1210.192.2, which establishes an exemption from immunization requirements if a parent, guardian, or legal custodian of a child presents: "A written statement by the parent, guardian or legal custodian of the child objecting to immunization of the child; whereupon the child shall be exempt from the immunization laws of this state."

This emergency rule removes the new educational instruction requirement until Title 310:535 can be amended through the permanent rulemaking process to remove the conflict between the rule and the statute.

 Questions related to this submission should be directed to the undersigned.

Sincerely,

/s/ Audrey C. Talley

Audrey C. Talley

Policy Attorney – Agency Rules Liaison