

**Agenda Item:** I.F.

**DATE:** July 25, 2013

**SUBJECT:** Emergency Rule Filing and Proposed Rule Revisions for Meningitis Immunization Requirements – Chapter 1540-01-09

**ACTION RECOMMENDED:** Approval

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**BACKGROUND INFORMATION:** Public Chapter 114, known as the “Jacob Nunley Act,” requires immunization against meningococcal disease for incoming students residing in on-campus student housing at state institutions.

The Uniform Administrative Procedures Act, Tenn. Code Ann. Section 4-5-208(a)(1), allows for the filing of “emergency rules” in instances where “an immediate danger to the public health, safety or welfare” exists.

It is counsel’s opinion that the risk of meningitis among students in on-campus housing meets the threshold requirements and provides sufficient justification for the emergency filing.

Commission approval will appropriately amend THEC’s administrative rules to effectuate the implementation of Public Chapter 114.