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Vaccinations for Immigration Purposes

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Vaccinations

US immigration benefits require that we present proof that the applicants have been immunized against certain communicable diseases. Exemptions/waivers are available for pregnant women and people who have moral/religious convictions that prohibit getting immunized. The immunization checks are performed as a part of the medical examinations during the green card process.

Background

Medical examinations for immigration purposes are authorized under section 232 of the Immigration and Nationality Act (INA) (8 U.S.C. 1222) Under sections 212(a)(1) and 232 of the INA (8 U.S.C. 1182(a)(1) and 1222), and section 325 of the Public Health Service Act (42 U.S.C. 252), the Department of Health and Human Services (HHS) establishes requirements for the medical examination. The Secretary of HHS has delegated this authority to the Centers for Disease Control and Prevention (CDC), and it is administered by CDC's Division of Global Migration and Quarantine (DGMQ). These requirements are codified in 42 CFR part 34, Medical Examination of Aliens. Panel physicians and civil surgeons, through contractual agreements and by designations with the Department of State and the Department of Homeland Security, respectively, conduct the medical examinations in accordance with these regulations and as provided for in Technical Instructions (TIs) issued by CDC/DGMQ. The vaccination requirements for U.S. immigration purposes are listed in the Technical Instructions (see <http://www.cdc.gov/ncidod/dq/technica.htm> ^[2]).

Under section 212(a)(1)(A)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(1)(A)(ii)), an alien who seeks admission as an immigrant, or who seeks adjustment of status to one lawfully admitted for permanent residence, must present documentation for having received vaccination for "vaccine-preventable diseases, which shall include at least the following diseases: mumps, measles, rubella, polio, tetanus and diphtheria toxoids, pertussis, Haemophilus influenzae type B and hepatitis B, and any other vaccinations against vaccine-preventable diseases recommended by the Advisory Committee on Immunization Practices[(ACIP).]" The ACIP is a committee chartered under the Federal Advisory Committee

Act (FACA). The ACIP makes vaccine recommendations for the U.S. population to the CDC Director, who, in accordance with FACA, is ultimately responsible for accepting, rejecting, or modifying those recommendations. Any immigrant or applicant applying for adjustment of status in the U.S., who is unable to present proof of vaccination, is inadmissible into the United States unless the immigrant or applicant receives the required vaccines or applies for and receives a statutory waiver. Such waivers may be issued if, for example, during the medical examination, the examiner determines that a vaccination is not medically appropriate.

Since 1996, when the vaccination requirement was added to the INA, all vaccinations routinely recommended by ACIP for the U.S. population have been required for immigrants subject to the INA vaccination requirement. Although this vaccination requirement has been in effect since 1996, the continued evolution of vaccine development has led CDC to reassess the appropriateness for each recommended vaccine in the context of U.S. immigration in the interest of public health.

Immigration Law : **Vaccination** ^[3]

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[1] <https://immigration.com/vaccinations-immigration-purposes>

[2] <http://www.cdc.gov/ncidod/dq/technica.htm>

[3] <https://immigration.com/law/immigration-law/vaccination>