



## Measles protection law

## > For the managers of institutions

Masernschutzgesetz – Merkblatt für Leitungen von Einrichtungen – englisch

# Frequently asked questions about the measles protection law

## 1. Who does the measles protection law apply to?

The law applies to everyone born after 31st December 1970 who is at least one year old and

1. is cared for in one of the following community facilities: day care centres and nurseries, certain forms of child day care, schools and other educational institutions where predominantly under-age individuals are cared for
2. who have already been four weeks
  - a) in the care of a children's home or
  - b) in shared accommodation for asylum seekers and refugees or late emigrants
3. who are employed in health facilities such as hospitals and medical practices or in community institutions or shared accommodation (facilities as laid out in 1 and 2).

All affected individuals who are at least one year old must provide evidence of one measles vaccination or immunity to measles. All individuals who are at least two years old must provide evidence of two measles vaccinations or adequate immunity to measles.

Individuals who cannot be immunised due to medical contraindications, and who provide the relevant evidence, are exempt from the regulations.

## 2. What responsibilities do the management of affected institutions have with respect to the measles protection law?

The management of the aforementioned institutions have the following responsibilities:

1. checking of submitted evidence of measles vaccination, measles immunity or contraindications in all the above-named individuals prior to admission into care or employment. For individuals who were already cared for or employed by the affected facilities on 1st March 2020, evidence must have been submitted and checked by 31st July 2022;
2. reporting to the Health Authority responsible for the facility of patient-related details regarding
  - a) Individuals who do not provide any evidence or only deliver it or complete their vaccination at a later date but who nevertheless have to be admitted to the facility because they are school-aged
  - b) Individuals who were already cared for or employed in the affected facilities on 1st March 2020 and were not able to submit evidence by 31st July 2022 or who can only catch up or complete their measles vaccination at a later date;
3. Occasionally issuing confirmation that evidence of measles vaccination has already been provided.

## 3. How can protection from measles be demonstrated according to the measles protection law?

The law identifies three possibilities to prove protection from measles:

1. by means of **vaccine passports** in which two measles vaccinations (in the case of children prior to their 2nd birthday: a single measles vaccination) are recorded (how the information can be found in, for example, a vaccination passport is explained in a separate leaflet ([www.masernschutz.de/materialien](http://www.masernschutz.de/materialien)));

2. by means of a **medical report** confirming age-appropriate vaccination or laboratory evidence confirming existing measles immunity or exemption from measles vaccination due to contraindications. If a contraindication is temporary, then the timescale during which it is not possible to vaccinate against measles should be included;

3. by means of **confirmation from a previously visited institution** that appropriate evidence had already been presented there. Documents in a foreign language or obviously falsified documents or blatant certificates of convenience must not be accepted. In such cases, the Health Authority should be notified.

#### **4. When must the evidence be submitted?**

The law came into force on 1st March 2020. All individuals who are new admissions into the care or employment of an institution must submit their evidence before starting in care or employment. All individuals who were already cared for or employed on 1st March 2020 in the affected facilities were required to submit evidence by no later than 31st July 2022.

#### **5. What happens if no evidence is provided?**

Anyone who does not provide adequate evidence of protection against measles is neither permitted to be cared for in the institution, nor to be employed in it. People who are of compulsory school age are exempt from this regulation. For individuals of compulsory school age, the Health Authority may impose a fine of up to 2,500 Euros or other penalty if, having requested it, the requisite evidence has not been provided within a reasonable period of time.

For individuals who were already cared for or employed in the affected facilities on 1st March 2020, the facility's management must inform the Health Authority if evidence of protection against measles was not able to be submitted on or before 31st July 2022. The Health Authority can invite the obligated individual to a consultation. Independent of this, the Health Authority can impose fines of up to 2,500 Euros or other penalty, if having requested it, no evidence has been provided within a reasonable period of time. The Health Authority will decide in individual cases whether alternatively to impose a ban on employment or admission.

#### **6. Are volunteers and trainees also included in the measles protection law?**

Yes, volunteers and trainees are subject to the measles protection law if they are regularly (not just for a few days) and for extended periods (not just for a few minutes at a time) employed in the institution.

#### **7. Who is responsible for checking the evidence of employees of other firms, e.g. cleaning firms, who are employed in a health or care facility?**

The management of the institution is also responsible for checking the evidence of employees of other firms who are employed in the facility. If such individuals cannot provide any evidence, then the responsible Health Authority should be notified.

#### **8. Does the measles protection law also apply to classes or groups which are held in the affected institution or which meet there?**

Classes and groups are included in the measles protection law if they are held regularly in the facility (not just for a few days) and over extended periods (not just for a few minutes at a time).

#### **9. In which cases is children's day care also affected?**

Facilities for children's day care are subject to the measles protection law when the care facility is subject to approval. Children's day care is subject to approval when carers look after children for financial reward outside the legal guardian's household for part of each day, for more than 15 hours per week and for longer than three months.

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