

**California Health and Human Services Agency
Appeal Process for Revoked Medical Exemptions
July 2021**

Overview of the Appeal Process for Revoked Medical Exemptions

Background:

California Health and Safety Code section 120372.05 establishes the general requirements for processing appeals of medical exemption revocations and requires the California Health and Human Services Agency (CHHS) to establish the process and guidelines for the appeals process. Section 120372.05 states:

(a) A medical exemption revoked pursuant to Section 120372 may be appealed by a parent or guardian to the Secretary of California Health and Human Services. Parents, guardians, or the physician who issued the medical exemption may provide necessary information for purposes of the appeal.

(b) The secretary shall establish an independent expert review panel, consisting of three licensed physicians and surgeons who have relevant knowledge, training, and experience relating to primary care or immunization to review appeals. The agency shall establish the process and guidelines for the appeals process pursuant to this section, including the process for the panel to contact the issuing physician and surgeon, parent, or guardian. The agency shall post this information on the agency's internet website. The agency shall also establish requirements, including conflict-of-interest standards, consistent with the purposes of this chapter, that a physician and surgeon shall meet in order to qualify to serve on the panel.

(c) The independent expert review panel shall evaluate appeals consistent with the federal Centers for Disease Control and Prevention, federal Advisory Committee on Immunization Practices, or American Academy of Pediatrics guidelines or the relevant standard of care, as applicable.

(d) The independent expert review panel shall submit its determination to the secretary. The secretary shall adopt the determination of the independent expert review panel and shall promptly issue a written decision to the child's parent or guardian. The decision shall not be subject to further administrative review.

(e) A child whose medical exemption revocation pursuant to subdivision (d) of Section 120372 is appealed under this section shall continue in attendance and shall not be required to commence the immunization required for conditional admittance under Chapter 4 (commencing with Section 6000) of Division 1 of Title 17 of the California Code of Regulations, provided that the appeal is filed within 30 calendar days of revocation of the medical exemption.

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(f) For purposes for administering this section, the department and the California Health and Human Services Agency appeals process shall be exempt from the rulemaking and administrative adjudication provisions in the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340), Chapter 4 (commencing with Section 11370), Chapter 4.5 (commencing with 11400), and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code).

CAIR-ME Parent Appeal Process

When a medical exemption issued in the CAIR Medical Exemption (CAIR-ME) web site is revoked by the California Department of Public Health (CDPH), the parent or guardian (parent) may file an appeal within thirty (30) days of the revocation. Upon revocation, the parent will receive an email notification from CAIR-ME.



Medical Exemption Number: [REDACTED]

Your child's medical exemption has been revoked.

The California Department of Public Health has determined that your child's medical exemption does not meet applicable criteria for appropriate medical exemptions from the Centers for Disease Control and Prevention, the federal Advisory Committee of Immunization Practices, or the American Academy of Pediatrics, or the relevant standard of care.

What you need to do next:

- Within 30 days, your child must receive the vaccines needed to remain in a [school](#) or [child care facility](#). Your child's doctor and school or child care facility can help you with the next steps.
- You may appeal this decision before [REDACTED]. Click [here](#) to start the appeal process. Your child may stay in a school or child care facility while your appeal is being reviewed.

California Department of Public Health | Immunization Branch
Email: medicalexemptions@cdph.ca.gov

To access the appeal request page, the parent must click the link in the notification and log in to CAIR-ME.

What you need to do next:

- Within 30 days, your child must receive the vaccines needed to remain in a [school](#) or [child care facility](#). Your child's doctor and school or child care facility can help you with the next steps.
- You may appeal this decision before [REDACTED]. Click [here](#) to start the appeal process. Your child may stay in a school or child care facility while your appeal is being reviewed.

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Once the parent has logged into CAIR-ME, the Appeal Request page will display.



California Health & Human Services Agency

Request an Appeal for a Revoked Medical Exemption

Upload documents below to support your appeal and agree to the Terms of Agreement, then click the Submit button below.

Medical Exemption Number: [REDACTED]

Child's Name: Appeal Child

Date of Birth: 05/06/2014

Parent/Guardian: Appeal Parent
123 Main Street
Apt #3
San Luis Obispo, CA 93405-4646
(999) 999-9999 Ext: 46464
[REDACTED]

School/Child Care Facility: [REDACTED]

Upload Supporting Documentation

You may upload your child's medical records or other documentation to support your appeal. You may upload up to 10 documents in PDF format less than 5,000 KB file size each.

Select files to upload 

Attestation

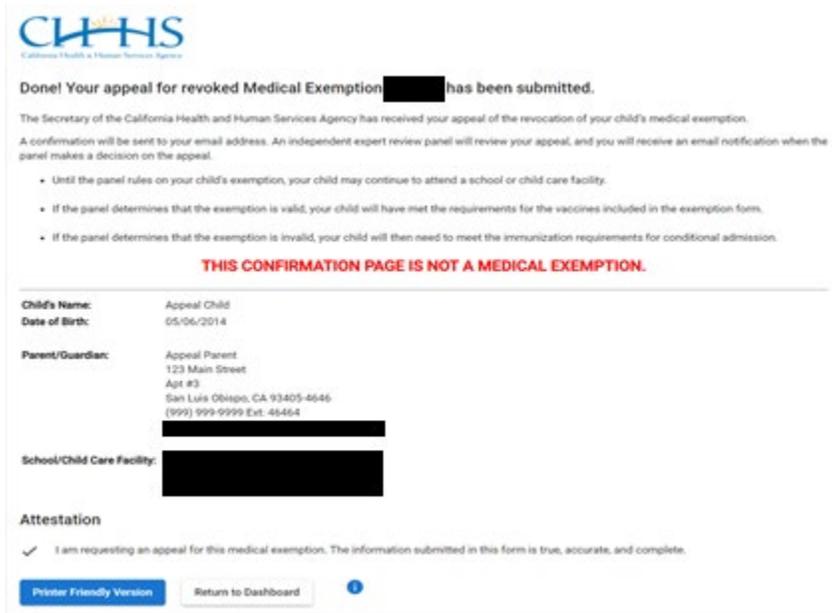
By checking the boxes below, you agree to all terms listed.* to "By checking the box below, you agree to all terms listed.

I am requesting an appeal for this medical exemption. The information submitted in this form is true, accurate, and complete.

The parent may upload PDF documents of medical records or other documentation to support the appeal. Documents are not required but may assist the independent review panel in their assessment. The parent must attest that they are authorized to submit the appeal.

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The parent then clicks the **Submit** button. A confirmation page will display, and the parent will be sent an email notification from CAIR-ME to confirm the appeal has been requested.



The screenshot shows a confirmation page from the California Health and Human Services Agency (CHHS). The page title is "Done! Your appeal for revoked Medical Exemption [redacted] has been submitted." Below the title, there is a paragraph explaining that the Secretary has received the appeal and a confirmation will be sent to the parent's email. A red warning message states: "THIS CONFIRMATION PAGE IS NOT A MEDICAL EXEMPTION." The form includes fields for the child's name, date of birth, parent/guardian information, and school/child care facility. At the bottom, there is an attestation section with a checked box and a "Return to Dashboard" button.

Done! Your appeal for revoked Medical Exemption [redacted] has been submitted.

The Secretary of the California Health and Human Services Agency has received your appeal of the revocation of your child's medical exemption. A confirmation will be sent to your email address. An independent expert review panel will review your appeal, and you will receive an email notification when the panel makes a decision on the appeal.

- Until the panel rules on your child's exemption, your child may continue to attend a school or child care facility.
- If the panel determines that the exemption is valid, your child will have met the requirements for the vaccines included in the exemption form.
- If the panel determines that the exemption is invalid, your child will then need to meet the immunization requirements for conditional admission.

THIS CONFIRMATION PAGE IS NOT A MEDICAL EXEMPTION.

Child's Name: Appeal Child
Date of Birth: 05/06/2014

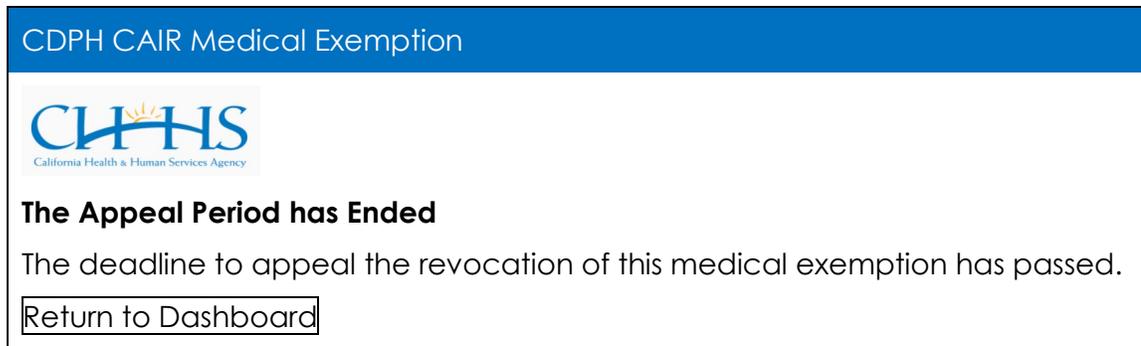
Parent/Guardian: Appeal Parent
123 Main Street
Apt #3
San Luis Obispo, CA 93405-4646
(999) 999-9999 Ext. 46464

School/Child Care Facility: [redacted]

Attestation
 I am requesting an appeal for this medical exemption. The information submitted in this form is true, accurate, and complete.

[Printer Friendly Version](#) [Return to Dashboard](#)

Note: if the parent attempts to access the CAIR-ME Appeal Request page more than 30 days after the medical exemption was revoked, the parent will see a message after they log in indicating the appeal period has ended.



The screenshot shows a message box with a blue header that reads "CDPH CAIR Medical Exemption". Below the header is the CHHS logo. The main text of the message says "The Appeal Period has Ended" and "The deadline to appeal the revocation of this medical exemption has passed." At the bottom, there is a button labeled "Return to Dashboard".

CDPH CAIR Medical Exemption

CHHS
California Health & Human Services Agency

The Appeal Period has Ended

The deadline to appeal the revocation of this medical exemption has passed.

[Return to Dashboard](#)

Note: if the parent attempts to access the CAIR-ME Appeal Request page after submitting an appeal, they will see a message after they log in indicating the appeal was already requested.

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The Appeal has been Requested.

An appeal has been requested for this revoked medical exemption. You will be notified when a decision has been made. You can also check the status of the medical exemption on your dashboard.

[Return to Dashboard](#)

CAIR-ME Parent Appeal – Request for More Information Process

When a parent submits the request for an appeal of a revoked medical exemption, an independent review panel will review the medical exemption and any documents provided in support of the exemption and the appeal. If additional information is needed to make a decision on the validity of the medical exemption, the independent review panel may request information from either the parent or the issuing physician. CAIR-ME will send a notification to the parent when more information is needed from them. The parent will be allowed 30 days to provide the requested information. If the parent does not provide the requested information within 30 days, CAIR-ME will ask for the information a second time and the parent will have 15 days to submit the information.

To respond to the request for more information, the parent must click the link in the notification and log in to CAIR-ME.



The appeal request for your child's revoked medical exemption is still pending.

The California Health and Human Services Agency has received the appeal request for your child's revoked medical exemption but needs more information to make a decision on the appeal.

What you need to do next:

- Log in to CAIR-ME to [view the request for more information](#).
- Upload any requested documentation to your child's exemption. You may need to contact your child's physician to obtain medical records.

Once the additional records are received, the independent expert review panel will continue reviewing your appeal. You will receive an email notification when the panel makes a decision on the appeal.

California Health and Human Services Agency
Email: meappeal-inquiries@chhs.ca.gov

Once the parent has logged into CAIR-ME, the Medical Exemption Appeal: Request for More Information page will display.

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Medical Exemption Appeal: Request for More Information

More information is needed to process the appeal for your child's medical exemption:

info request

What you need to do next:

- Upload and submit the requested documents in PDF format.
- Once you submit the documents, the appeal review will resume, and you will receive an email notification when a decision is made.

Medical Exemption Number: [REDACTED]

Child's Name: [REDACTED]

Date of Birth: 04/08/2014

Upload Supporting Documentation

You may upload medical records and other documents to support your appeal. You may upload up to 10 documents in PDF format less than 5,000 KB file size each.

Select files to upload ⓘ

The parent may upload PDF documents of medical records or other documentation to support the appeal. The Browse button will open the parent's local file explorer, where they can select documents. Uploaded documents will appear in a list in the *Upload Supporting Documentation* section.

The parent then clicks the **Submit** button. A confirmation page will display, and the parent will be sent an email notification from CAIR-ME to confirm that CAIR-ME has received the uploaded documents.

CAIR-ME Parent Appeal Decision Notification

If the appeal is upheld, and the medical exemption is found to be valid, the parent will receive a notification from CAIR-ME to indicate that the medical exemption is still valid.

If the appeal is denied, and the medical exemption is found to be invalid, the parent will receive a notification from CAIR-ME to indicate that the medical exemption is no longer valid. The issuing physician and any CAIR-ME users associated with the schools or child care facilities listed on the medical exemption will also be notified of the appeal denial.

Appeals will be reviewed and processed as quickly as possible by the independent expert review panel established by the CHHS.

Non-CAIR-ME Parent Appeal Process

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If the parent does not have a CAIR-ME account, CAIR-ME will prompt the CDPH Reviewer who revokes the medical exemption to print and mail a revocation letter to the address provided in CAIR-ME. This letter contains instructions and exemption-specific information with an appeal request form on the bottom half of the printed page. Parents will have at least 30 days from the time of notification to submit an appeal. The deadline will be included in the letter.

Once the CHHS receives the appeal request form, further communication between the CHHS and the parent will take place via mail, unless the parent provides an e-mail address. This includes any requests for information that the independent expert review panel may have. If the independent expert review panel requests additional information in order to make a decision on the appeal, the requested information must be postmarked within 45 days of the date of the notification letter requesting additional information. If the parent does not submit the information within 45 days, CHHS will request the information a second time and the parent will have 20 days from the time of the second notification to submit the information.

Appeals Following Revocation of Medical Exemptions Issued Prior to January 1, 2020 by Disciplined Doctors

Pursuant to California law, medical exemptions are revoked if they were issued prior to January 1, 2020 by any physician who has had disciplinary action taken by the Medical Board of California or Osteopathic Medical Board of California. (Health & Safety Code, §120372(d)(4)). In this instance, revocation does not depend upon the medical condition. These exemptions will no longer be valid for use at schools starting at the beginning of the 2021-2022 school year or at child care facilities starting September 1, 2021.

Pursuant to this law, a [letter](#) was sent by CDPH to California County/District Superintendents, School Principals and Nurses, and Child Care Facility Managers, providing instructions for the review of medical exemptions issued before January 1, 2020.

The above entities have been notifying the parents of children whose medical exemptions are revoked if the medical exemption was issued prior to January 1, 2020 by a doctor who was disciplined by their respective medical board.

A parent may appeal the decision within 30 days of notification of the revocation. The process, instructions, and form for filing an appeal in this situation is outlined in this [Revoked Medical Exemption Appeal Request Instructions document \(Spanish\)](#).

Upon receipt (from the school/child care center) of the completed Revoked Medical Exemption Appeal Request form by the CHHS, the CHHS will review the form and the child's original medical exemption, which should be included by the school or child

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care center. If the medical exemption was issued prior to January 1, 2020, the CHHS will confirm that the issuing doctor was disciplined by the Medical Board of California or Osteopathic Medical Board of California by checking the [list of disciplined physicians](#) or the Department of Consumer Affairs [license search website](#). The CHHS will not submit these specific appeals to the independent expert review panel because the revocation does not depend upon the medical condition. Appeals will be reviewed and processed as quickly as possible by CHHS.

As noted above, appeals should be submitted to the school/child care facility for submission to the CHHS. However, in instances when school/child care administrators are unavailable, such as during the summer break, parents may directly send the appeal to: meappeal-inquiries@chhs.ca.gov. Parents should also include (cc) the school/child care contact they have on the email when they directly email their appeal to the CHHS.

Parents must include (1) the Revoked Medical Exemption Appeal Request form, (2) a copy of the notification received by the parent from the school/child care facility indicating their child's medical exemption has been revoked, and (3) a copy of the child's original medical exemption that is also on file with the school/child care facility.

A parent will also meet the appeal deadline if their appeal is submitted to the school/child care facility within 30 days of receiving notice of the revocation.

If the CHHS confirms that the issuing doctor was, in fact, disciplined, the CHHS will deny the appeal and notify the child's parent and school. The CHHS will notify the parent via e-mail if possible, or by letter if an e-mail address is not available.

If the CHHS finds that the issuing doctor was not disciplined, the CHHS will uphold the appeal and notify the parent and the school. The CHHS will notify the parent via e-mail if possible, or by letter if an e-mail address is not available.

For a list of more frequently asked questions or other related resources, please visit:

[Shots for School - Medical Exemptions](#)

[Shots for School](#)

[List of disciplined physicians](#)

[California Health & Safety Code, Sections 120325-120375](#)