



Fiscal Note

Legislative Council Staff

Nonpartisan Services for Colorado’s Legislature

SB 26-032: PROMOTING IMMUNIZATION ACCESS

Prime Sponsors:

Sen. Daugherty; Mullica
Rep. Feret; Brown

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Fiscal note status: This revised fiscal note reflects the introduced bill, as amended by the Senate Health and Human Services Committee.

Summary Information

Overview. The bill expands access to vaccines by broadening who may administer and prescribe vaccines, authorizing state agencies to rely on guidance from specified medical professional organizations, updating immunization program funding flexibility, and revising liability protections related to vaccine administration and distribution, among other changes.

Types of impacts. The bill is projected to affect the following areas on an ongoing basis:

- Minimal State Workload
- School District

Appropriations. No appropriation is required.

**Table 1
State Fiscal Impacts**

| Type of Impact | Budget Year FY 2026-27 | Out Year FY 2027-28 |
|-------------------------|---------------------------|------------------------|
| State Revenue | \$0 | \$0 |
| State Expenditures | \$0 | \$0 |
| Transferred Funds | \$0 | \$0 |
| Change in TABOR Refunds | \$0 | \$0 |
| Change in State FTE | 0.0 FTE | 0.0 FTE |

Summary of Legislation

This bill updates existing law and adds new provisions concerning vaccines as follows:

- Changes references to the cervical cancer vaccine to the human papilloma virus vaccine, recognizes males in addition to females when referring to its administration to acknowledge that both sexes can receive the vaccine, and permits the Commissioner of Insurance to adopt coverage rules if the federal Advisory Committee on Immunization (ACIP) no longer recommends them.
- Expands the law to allow the State Board of Health's rules and immunization schedule to be used in addition to the ACIP's recommendations for naturopathic medicine practice.
- Codifies in statute that pharmacists can independently prescribe vaccines, and requires the State Board of Pharmacy to review related record-keeping rules.
- Updates liability provisions related to vaccines required for school entry by allowing compliance with either immunization schedule published by the Centers for Disease Control and Prevention or the schedule established by the State Board of Health.
- Authorizes the State Board of Health to adopt and amend rules governing the infant immunization program, including which vaccines are required, after considering recommendations from the ACIP and specified national medical professional organizations. The bill also authorizes the Colorado Department of Public Health and Environment (CDPHE) to rely on immunization guidance from national medical professional organizations in addition to ACIP guidance when establishing and administering immunization requirements, authorizes CDPHE to negotiate for a purchase board-approved vaccines, and authorizes the Department of Health Care Policy and Financing (HCPF) to purchase vaccines recommended by those bodies, in addition to vaccines recommended by the ACIP.
- Removes a prohibition on the use of state money for infant immunization programs if the state does not receive federal money for the immunization programs.
- Extends the limitation on liability for claims related to the handling, storage, or distribution of vaccines to pharmacies and manufacturers and limits liability to cases involving negligent failure to meet recognized standards of practice. Manufacturer liability limitation provisions are removed from the law for claims brought on or after January 31, 2029.
- Creates the "Adult Immunization Act" and establishes limitations on liability for administration of vaccines to adults, providing immunity from civil liability when vaccines are administered in accordance with recommendations from the ACIP and specified national medical professional organizations, without contraindications and when using generally accepted clinical methods. For claims brought on or before January 30, 2029, hospitals, clinics, pharmacies, manufacturers, and providers are not liable for injuries unless the injury results from negligent failure to meet recognized standards of practice; manufacturer liability protections are repealed for claims brought on or after January 31, 2029.

State Expenditures

The bill is expected to minimally affect workload and practices across multiple state agencies. Any potential future state expenditures are contingent on changes in federal requirements and are not anticipated under current law; therefore, no immediate or quantifiable fiscal impact is assumed at this time. Impacts to state agencies are summarized below.

Department of Public Health and Environment

The State Board of Health within CDPHE will have increased workload to consider the recommendations of the ACIP and national medical professional organizations when adopting rules addressing which vaccines are administered to infants, as well as when recommending the purchase of vaccines, sending notifications concerning overdue vaccines and vaccine-preventable disease outbreaks, and when considering equivalent vaccines. This work can be accomplished within existing appropriations.

The bill also permits the CDPHE to use state funding for infant immunization programs if federal money is not received for immunization programs. If this occurs, it will be addressed through the annual budget process.

Department of Health Care Policy and Financing

If future federal changes affect the availability of federal matching funds for certain vaccines, HCPF may be required to create or modify a state-only benefit plan to ensure appropriate billing, reporting, and cost allocation for vaccines funded entirely with state dollars. Creation of a new state-only benefit would require extensive information technology systems changes. If this occurs, it will be addressed through the annual budget process.

Department of Regulatory Agencies

The Division of Insurance will have a minimal workload increase to the extent coverage rules are adopted for cervical cancer vaccinations. DORA will perform outreach to Naturopathic Medicine practitioners regarding immunization schedules and guidelines. The State Board of Pharmacy will have workload to review its rules related to vaccine record-keeping. All impacts in DORA can be accomplished within existing resources.

State Employee Health Insurance

State employee health insurance is offered through two carriers, one of which (Kaiser Permanente) is subject to state regulation and would be required to comply with the vaccine requirements in the bill. Any impacts related to vaccine costs are expected to be minimal.

Judicial Department

The bill modifies liability standards related to vaccine administration, but does not create new causes of actions or court procedures. Any impact on trial court caseloads is expected to be minimal and absorbable within existing resources.

Department of Education

The CDE may perform outreach under the bill related to any changes to school immunization requirements. This work can be accomplished within existing appropriations.

School District

School districts may be required to update their policies and procedures should there be changes to school immunization requirements. This work can be accomplished within existing resources.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Corrections

Human Services

Counties

Judicial

Early Childhood

Personnel

Education

Public Health and Environment

Health Care Policy and Financing

Regulatory Agencies

Higher Education

The revenue and expenditure impacts in this fiscal note represent changes from current law under the bill for each fiscal year. For additional information about fiscal notes, please visit the [General Assembly website](#).