

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 16-1156.01 Jane Ritter x4342

HOUSE BILL 16-1425

HOUSE SPONSORSHIP

Hamner,

SENATE SPONSORSHIP

Roberts,

House Committees

Public Health Care & Human Services

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE REQUIREMENT FOR A LICENSED CHILD CARE CENTER
102 TO OBTAIN RECORDS FOR A CHILD ENROLLED IN THE CENTER ON
103 A SHORT-TERM BASIS.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)

The bill specifies that a licensed child care center (center) is not required to obtain immunization records for any child who enrolls and attends the center for up to 15 days or less in a 15-consecutive-day period, no more than twice in a calendar year, with each 15-consecutive-day period separated by 60 days (short-term enrollees). A center that accepts

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

short-term enrollees may do so only if it provides notification to all parents who have children in the center that the center allows short-term enrollees without obtaining proof of immunization.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 25-4-901, **amend** (2)
3 (a) and (3) as follows:

4 **25-4-901. Definitions.** As used in this part 9, unless the context
5 otherwise requires:

6 (2)(a) "School" means, except as otherwise provided in paragraph
7 (b) of this subsection (2), a public, private, or parochial nursery school,
8 day care center, child care facility OR CHILD CARE CENTER AS DEFINED IN
9 SECTION 26-6-102 (1.5), C.R.S., family child care home, foster care home,
10 head start program, kindergarten, elementary or secondary school through
11 grade twelve, or college or university.

12 (3) "Student" means any person enrolled in a Colorado school OR
13 CHILD CARE CENTER as defined in subsection (2) of this section.
14 "STUDENT" DOES NOT INCLUDE A CHILD WHO ENROLLS AND ATTENDS A
15 LICENSED CHILD CARE CENTER AS DEFINED IN SECTION 26-6-102 (1.5),
16 C.R.S., FOR UP TO FIFTEEN DAYS OR LESS IN A FIFTEEN-CONSECUTIVE-DAY
17 PERIOD, NO MORE THAN TWICE IN A CALENDAR YEAR, WITH EACH
18 FIFTEEN-CONSECUTIVE-DAY PERIOD SEPARATED BY AT LEAST SIXTY DAYS.

19 **SECTION 2.** In Colorado Revised Statutes, 25-4-902, **amend** (1)
20 as follows:

21 **25-4-902. Immunization prior to attending school -**
22 **standardized immunization information.** (1) Except as provided in
23 section 25-4-903, ~~no child shall~~ A STUDENT SHALL NOT attend any school
24 in the state of Colorado on or after the dates specified in section 25-4-906

1 (4) unless he or she has presented the following to the appropriate school
2 official:

3 (a) An up-to-date certificate of immunization from a licensed
4 physician, a licensed advanced practice nurse, or authorized
5 representative of the department of public health and environment or
6 county, district, or municipal public health agency stating that the ~~child~~
7 STUDENT has received immunization against communicable diseases as
8 specified by the state board of health, based on recommendations of the
9 advisory committee on immunization practices of the United States
10 department of health and human services or the American academy of
11 pediatrics; or

12 (b) A written authorization signed by one parent or guardian or an
13 authorization signed by the emancipated ~~child~~ STUDENT requesting that
14 local health officials administer the immunizations.

15 (c) ~~(Deleted by amendment, L. 97, p. 408, § 1, effective July 1,~~
16 ~~1997.)~~

17 **SECTION 3.** In Colorado Revised Statutes, 26-6-106, **amend** (2)
18 introductory portion and (2) (n) introductory portion; and **add** (2) (n.5) as
19 follows:

20 **26-6-106. Standards for facilities and agencies - rules.**

21 (2) Standards prescribed by such rules ~~shall be~~ ARE restricted to:

22 (n) EXCEPT AS PROVIDED FOR IN PARAGRAPH (n.5) OF THIS
23 SUBSECTION (2), provisions that ensure that ~~verification in accordance~~
24 ~~with part 9 of article 4 of title 25, C.R.S., is undertaken by~~ family child
25 care homes, foster care homes, and child care centers ~~ensuring~~ VERIFY, IN
26 ACCORDANCE WITH PART 9 OF ARTICLE 4 OF TITLE 25, C.R.S., that each
27 child has received appropriate immunizations against contagious diseases

1 as follows:

2 (n.5) PROVISIONS THAT ALLOW ANY CHILD CARE CENTER THAT
3 ALLOWS ANY CHILD TO ENROLL AND ATTEND THE CENTER ON A
4 SHORT-TERM BASIS OF UP TO FIFTEEN DAYS IN A
5 FIFTEEN-CONSECUTIVE-DAY PERIOD, NO MORE THAN TWICE IN A
6 CALENDAR YEAR, WITH EACH FIFTEEN-CONSECUTIVE-DAY PERIOD
7 SEPARATED BY AT LEAST SIXTY DAYS, TO DO SO WITHOUT OBTAINING
8 VERIFICATION OF IMMUNIZATION FOR THAT CHILD, AS PROVIDED FOR IN
9 SECTION 25-4-902, C.R.S. ANY CHILD CARE CENTER THAT CHOOSES TO
10 ALLOW CHILDREN TO ENROLL AND ATTEND ON A SHORT-TERM BASIS
11 PURSUANT TO THE PROVISIONS OF THIS PARAGRAPH (n.5) SHALL PROVIDE
12 NOTIFICATION TO ALL PARENTS THAT THE CHILD CARE CENTER ALLOWS
13 CHILDREN TO ENROLL AND ATTEND ON A SHORT-TERM BASIS WITHOUT
14 OBTAINING PROOF OF IMMUNIZATION.

15 **SECTION 4. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.