



Legislative
Council Staff

Nonpartisan Services for Colorado's Legislature

HB 19-1312

FINAL FISCAL NOTE

Drafting Number:	LLS 19-0699	Date:	August 13, 2019
Prime Sponsors:	Rep. Mullica Sen. Gonzales; Priola	Bill Status:	Deemed Lost
		Fiscal Analyst:	Max Nardo 303-866-4776 max.nardo@state.co.us

Bill Topic: SCHOOL IMMUNIZATION REQUIREMENTS

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure (<i>minimal</i>)	<input checked="" type="checkbox"/> Local Government (<i>minimal</i>)
<input type="checkbox"/> State Transfer	<input checked="" type="checkbox"/> School District

The bill would have required additional immunizations for students to attend school or childcare; required the adoption of federal medical exemption standards; directed the Department of Public Health and Environment to create standardized medical and nonmedical exemption forms and modified the exemption processes; and required increased reporting of immunizations and exemptions. It would have increased state and local government workload on an ongoing basis.

Appropriation Summary: No appropriation would have been required.

Fiscal Note Status: The fiscal note reflects the reengrossed bill. The bill was not enacted into law; therefore, the impacts identified in this analysis do not take effect.

Summary of Legislation

The bill requires the State Board of Health (board) in the Colorado Department of Public Health and Environment (CDPHE) to adopt rules requiring the hepatitis A, rotavirus, and meningococcal immunizations, in addition to the immunizations already required, to attend most schools or child care facilities in Colorado. The bill requires the board to develop standardized forms that must be used to claim medical exemptions or religious or personal belief (nonmedical) exemptions from the immunization requirements, and updates the process for claiming exemptions.

Medical exemptions. Current law allows a student to be exempt from the state's immunization requirements by submitting to a school a certification from a medical provider that a specified immunization would endanger the student or is medically contraindicated due to medical conditions present in the student. The bill requires the following:

- the board to adopt the medical exemption recommendations based on contraindications for vaccinations as described by the federal Centers for Disease Control (CDC), and eliminates the board's authority to authorize additional medical exemptions;
- the CDPHE to develop a standardized certificate of medical exemption, subject to requirements listed in the bill, that individuals must submit to the student's school to be exempt;

- medical providers to inform parents or guardians of the option to exclude the student's information from the Colorado Immunization Information System (CIIS), the state's immunization tracking system; and
- health care providers to submit immunization and medical exemption data to the CIIS.

Nonmedical exemptions. Current law allows a student to be exempt from the state's immunization requirements by submitting a signed statement to a student's school stating that a religious belief or personal belief is opposed to immunizations. The bill requires the CDPHE to develop a standardized form, subject to requirements listed in the bill, that a person must fill out and submit to the CDPHE or a local public health agency (LPHA) to claim the exemption. The form cannot require any information that would identify the religious faith of the individual or family claiming the exemption. The form must be submitted in person the first year, and can be done in person or online in subsequent years. The CDPHE or LPHA must inform the parents or guardians of the option to exclude the student's information from the CIIS. The CDPHE or LPHA must submit nonmedical exemption data to the CIIS.

Additionally, the bill codifies the following current practices by requiring the CDPHE to:

- manage an immunization tracking system;
- include immunization exemption information as part of its annual SMART Act hearing; and
- develop educational materials regarding the benefits of immunizations.

Background

CDPHE currently operates the CIIS and assists health care providers in submitting immunization data using this tool. About 86 percent of known immunizing providers actively participate in CIIS, with an additional 5 percent in the process of becoming full participants. CDPHE is currently working to further increase participation and estimates that the remaining providers will be connected to the system by 2022.

Most schools and child care centers are required by administrative rule to send CDPHE aggregate immunization and exemption data. CDPHE estimates that about 45,000 students and childcare participants claim a nonmedical exemption in a given year.

Individuals insured through Medicaid or who are uninsured are eligible to have vaccines paid for through the federal Vaccines for Children Program. The vaccines covered by this program are those recommended by the CDC's Advisory Committee on Immunization Practices (ACIP), which includes the three additional vaccinations required by the bill.

State Expenditures

Beginning in FY 2019-20, the bill will increase workload for the CDPHE. The first time a student claims a nonmedical exemption the form must be submitted in person to either the CDPHE or a LPHA, which must have a representative sign and return the form for submission to the student's school. The fiscal note assumes that most forms will be submitted to LPHAs, and that the CDPHE can process forms and accomplish any necessary printing or mailing within existing appropriations. Subsequent renewals of nonmedical exemptions can be done online using the existing system. The board has permanent staff support to facilitate stakeholder and rulemaking work for one vaccination-related rulemaking annually; the rulemaking required by the bill will fit within this

existing structure without the need for additional appropriations. If the CDPHE is unable to complete the work required by the bill with existing resources, such as processing nonmedical exemption forms and assisting health care providers in connecting with the CIIS, the agency may seek additional appropriations through the annual budget process.

Local Government

Similar to the state, the bill will increase workload for LPHAs to receive, sign, and track nonmedical exemptions beginning in FY 2019-20.

School District

The bill will eliminate some workload for schools. Current administrative rule requires schools to send aggregate immunization and exemption data to the CDPHE. By requiring nonmedical exemptions to be submitted directly to the CDPHE or local governments, the bill reduces this tracking and communication workload for schools and districts.

Effective Date

The bill was deemed lost in the Senate on May 4, 2019.

State and Local Government Contacts

Counties
Human Services
Municipalities

Education
Information Technology
School Districts

Higher Education
Public Health and Environment