

**Second Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 20-0858.03 Jacob Baus x2173

**SENATE BILL 20-163**

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**SENATE SPONSORSHIP**

**Gonzales and Priola,**

**HOUSE SPONSORSHIP**

**Mullica,**

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**Senate Committees**

Health & Human Services  
Appropriations

**House Committees**

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**A BILL FOR AN ACT**

101    **CONCERNING THE MODERNIZATION OF THE SCHOOL ENTRY**  
102            **IMMUNIZATION PROCESS, AND, IN CONNECTION THEREWITH,**  
103            **MAKING AN APPROPRIATION.**

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**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://leg.colorado.gov>.)*

The bill codifies a definition of "nonmedical exemption" to mean an immunization exemption based upon a religious belief whose teachings are opposed to immunizations or a personal belief that is opposed to immunizations.

Under current law, each student must submit to a school, as

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

defined in section 25-4-901, either a certificate of immunization, a certificate of medical exemption, or a statement of nonmedical exemption for an immunization for a religious or personal belief. The bill requires the department of public health and environment (department) to develop standardized forms and a submission process for persons who want to claim a nonmedical exemption for an immunization for a religious or personal belief. A person who wants to claim a nonmedical exemption for an immunization for a religious or personal belief can do so by submitting to the school either:

- ! A certificate of completion of the online education module;
- or
- ! A certificate of nonmedical exemption.

The bill requires the department to annually evaluate the state's immunization practices, including an examination of best practices and guidelines recommended by the advisory committee on immunization practices. The state board of health may update the state's immunization practices pursuant to the annual evaluation.

The bill creates a vaccine-protected children standard, whereby the immunization rate goal for every school is 95% of the student population to be vaccinated. The bill requires the department to amend an immunization document it currently publishes annually to include information about the vaccine-protected children standard. Every school shall publish its immunization rate and exemption rate on the document and annually distribute it to the parents, legal guardians, and students of the school.

The bill requires, as applicable, a practitioner who is a licensed physician, physician assistant, advanced practice nurse, or person authorized pursuant to title 12 to administer immunizations within their scope of practice to students and to submit immunization, medical, or nonmedical exemption data to the immunization tracking system. The practitioner is not subject to a regulatory sanction for noncompliance.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds and declares that:

4 (a) Immunizations save lives and money. Each year in the United  
5 States, immunizations save 33,000 lives, prevent 14 million disease cases,  
6 and save \$9.9 billion in direct health care costs.

7 (b) In 2017, more than 9,000 Colorado children, a majority of

1 them young children, were hospitalized or went to an emergency  
2 department to be treated for a vaccine-preventable disease, resulting in  
3 \$55.5 million in charges;

4 (c) In 2016, the cost to investigate and prevent the spread of  
5 disease from just two Colorado measles cases exceeded \$68,000 in public  
6 funding;

7 (d) In 1777, George Washington, as the commander in chief of the  
8 Continental Army, determined that his troops would be inoculated against  
9 smallpox. Smallpox significantly affected troops who fought for the  
10 British. George Washington's decision to inoculate the Continental Army  
11 contributed to America's independence from the British.

12 (e) During the Spanish-American War, more American soldiers  
13 died from yellow fever, malaria, and other diseases than from combat.  
14 The U.S. Army created the Yellow Fever Commission, which was led by  
15 Major Walter Reed, a surgeon. The commission's work eventually helped  
16 contribute to the development of the 17D vaccine against yellow fever,  
17 a vaccine that is still used today.

18 (f) The Centers for Disease Control and Prevention identified  
19 vaccinations as one of the 10 great public health achievements of the  
20 twentieth century. Since 1900, the average lifespan of people in the  
21 United States has lengthened by more than 30 years. Twenty-five years  
22 of this gain are attributable to public health advances, including the  
23 eradication of smallpox; the elimination of poliomyelitis in the Americas;  
24 and the control of measles, rubella, tetanus, diphtheria, Haemophilus  
25 influenzae type b, and other infectious diseases in the United States and  
26 other parts of the world.

27 (g) Evidence shows that state immunization requirements for

1 schools, including child care facilities, are important tools for maintaining  
2 high immunization coverage rates to prevent dangerous, costly, and  
3 sometimes deadly diseases;

4 (h) Evidence shows that states with lenient exemption policies,  
5 such as Colorado, experience higher rates of vaccine-preventable  
6 diseases;

7 (i) Compared to other states, Colorado has one of the highest  
8 exemption rates for nonmedical reasons;

9 (j) In 2018, Colorado ranked last among 49 states that reported  
10 kindergarten measles, mumps, and rubella vaccination rates;

11 (k) During the 2018-19 school year, 28,874 kindergarten through  
12 twelfth grade students attended Colorado schools without protection from  
13 one or more vaccine-preventable diseases;

14 (l) Statewide, nearly 25,000 students would potentially be  
15 excluded from school for up to 21 days in the case of a measles outbreak  
16 because they have a nonmedical exemption filed for the measles, mumps,  
17 and rubella vaccine;

18 (m) Because diseases such as measles can spread rapidly, 95%  
19 immunization coverage in schools helps to protect the health of students,  
20 staff, and others in the community, including people who cannot be  
21 vaccinated for medical reasons or because they are too young to have  
22 received all recommended vaccines; and

23 (n) Accurate and up-to-date documentation of immunization status  
24 supports coordinated and effective public health disease control response  
25 efforts in the case of an outbreak, which help protect the overall health of  
26 a community.

27 (2) Therefore, the general assembly declares that all children

1 deserve to attend schools, including child care facilities, that provide them  
2 with the greatest protection from vaccine-preventable diseases, support  
3 their well-being, and build strong foundations for learning and thriving.

4 **SECTION 2.** In Colorado Revised Statutes, 25-4-901, **add** (1.7)  
5 as follows:

6 **25-4-901. Definitions.** As used in this part 9, unless the context  
7 otherwise requires:

8 (1.7) "NONMEDICAL EXEMPTION" MEANS AN IMMUNIZATION  
9 EXEMPTION BASED UPON A RELIGIOUS BELIEF WHOSE TEACHINGS ARE  
10 OPPOSED TO IMMUNIZATIONS OR A PERSONAL BELIEF THAT IS OPPOSED TO  
11 IMMUNIZATIONS.

12 **SECTION 3.** In Colorado Revised Statutes, 25-4-902, **amend** (1)  
13 and (4) as follows:

14 **25-4-902. Immunization prior to attending school -**  
15 **standardized immunization information.** (1) ~~Except as provided in~~  
16 ~~section 25-4-903,~~ A student shall not attend any school in the state of  
17 Colorado on or after the dates specified in section 25-4-906 (4) unless he  
18 or she has presented the following to the appropriate school official:

19 (a) (I) An up-to-date certificate of immunization from a licensed  
20 physician, ~~a licensed~~ PHYSICIAN ASSISTANT AUTHORIZED PURSUANT TO  
21 SECTION 12-240-107 (6), advanced practice nurse, or authorized  
22 representative of the department of public health and environment or  
23 ~~county, district, or municipal~~ A LOCAL public health agency stating that  
24 the student has received immunization against communicable diseases as  
25 specified by the state board of health, based on recommendations of the  
26 advisory committee on immunization practices of THE CENTERS FOR  
27 DISEASE CONTROL AND PREVENTION IN the ~~United States~~ FEDERAL

1 department of health and human services. ~~or the American academy of~~  
2 ~~pediatrics; or~~

3 (II) UNLESS REQUIRED BY THE SCHOOL DISTRICT RECEIVING THE  
4 NOTIFICATION REQUIRED BY SECTION 22-33-104.5 (3)(e), A STUDENT IS  
5 NOT REQUIRED TO COMPLY WITH SUBSECTION (1)(a)(I) OF THIS SECTION IF  
6 THE STUDENT IS PARTICIPATING IN A NONPUBLIC HOME-BASED  
7 EDUCATIONAL PROGRAM PURSUANT TO SECTION 22-33-104.5. IF THE  
8 SCHOOL DISTRICT REQUIRES COMPLIANCE WITH SUBSECTION (1)(a)(I) OF  
9 THIS SECTION, THE PARENT IN CHARGE MAY COMPLY WITH SECTION  
10 22-33-104.5 (3)(g) BY MAINTAINING AN UP-TO-DATE CERTIFICATE OF  
11 IMMUNIZATION.

12 (b) A written authorization signed by one parent or LEGAL  
13 guardian, ~~or an authorization signed by the~~ AN emancipated student, OR  
14 A STUDENT EIGHTEEN YEARS OF AGE OR OLDER requesting that local  
15 PUBLIC health officials administer the immunizations; OR

16 (c) (I) A CERTIFICATE OF MEDICAL EXEMPTION, OR A CERTIFICATE  
17 OF COMPLETION OF THE ONLINE EDUCATION MODULE OR A CERTIFICATE OF  
18 NONMEDICAL EXEMPTION IN COMPLIANCE WITH SECTION 25-4-903. A  
19 CERTIFICATE OF MEDICAL EXEMPTION, OR A CERTIFICATE OF COMPLETION  
20 OF THE ONLINE EDUCATION MODULE OR A CERTIFICATE OF NONMEDICAL  
21 EXEMPTION, IS ONLY VALID IF COMPLETED IN COMPLIANCE WITH SECTION  
22 25-4-903.

23 (II) UNLESS REQUIRED BY THE SCHOOL DISTRICT RECEIVING THE  
24 NOTIFICATION REQUIRED BY SECTION 22-33-104.5 (3)(e), A STUDENT IS  
25 NOT REQUIRED TO COMPLY WITH SUBSECTION (1)(c)(I) OF THIS SECTION IF  
26 THE STUDENT IS PARTICIPATING IN A NONPUBLIC HOME-BASED  
27 EDUCATIONAL PROGRAM PURSUANT TO SECTION 22-33-104.5. IF THE

1 SCHOOL DISTRICT REQUIRES COMPLIANCE WITH SUBSECTION (1)(c)(I) OF  
2 THIS SECTION, THE PARENT IN CHARGE MAY COMPLY WITH SECTION  
3 22-33-104.5 (3)(g) BY MAINTAINING AN UP-TO-DATE CERTIFICATE OF  
4 MEDICAL EXEMPTION, OR A CERTIFICATE OF COMPLETION OF THE ONLINE  
5 EDUCATION MODULE OR CERTIFICATE OF NONMEDICAL EXEMPTION.

6 (4) (a) On or before ~~March 1, 2011~~ JANUARY 15, 2021, the  
7 department of public health and environment shall develop and provide  
8 to the department of education AND THE DEPARTMENT OF HUMAN  
9 SERVICES a standardized document regarding childhood immunizations.  
10 The department of education AND THE DEPARTMENT OF HUMAN SERVICES  
11 shall post the standardized immunization document on ~~its website~~ THEIR  
12 WEBSITES on or before ~~January 15, 2011~~ JANUARY 31, 2021, and ON OR  
13 BEFORE JANUARY 31 each year thereafter. The standardized document  
14 ~~shall~~ MUST be updated annually and ~~shall~~ MUST include, but need not be  
15 limited to:

16 (a) (I) A list of the immunizations required for enrollment in a  
17 school and the age at which the immunization is required; ~~and~~

18 (b) (II) A list of immunizations currently recommended for  
19 children by the ~~center for disease control~~ advisory committee on  
20 immunization practices OF THE CENTERS FOR DISEASE CONTROL AND  
21 PREVENTION IN THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN  
22 SERVICES and the recommended age at which each immunization should  
23 be given;

24 (III) A PLACE ON THE DOCUMENT WHERE A SCHOOL CAN INCLUDE  
25 THE SCHOOL'S SPECIFIC IMMUNIZATION AND EXEMPTION RATES FOR THE  
26 SCHOOL'S ENROLLED STUDENT POPULATION FOR THE PRIOR SCHOOL YEAR  
27 COMPARED TO THE VACCINE-PROTECTED CHILDREN STANDARD DESCRIBED

1 IN SECTION 25-4-911; AND

2 (IV) A STATEMENT THAT THE SCHOOL IS REQUIRED TO COLLECT  
3 AND REPORT THE INFORMATION PURSUANT TO THIS SUBSECTION (4)(a)  
4 AND THAT THE SCHOOL DOES NOT CONTROL THE SCHOOL'S SPECIFIC  
5 IMMUNIZATION AND EXEMPTION RATES OR ESTABLISH THE  
6 VACCINE-PROTECTED CHILDREN STANDARD DESCRIBED IN SECTION  
7 25-4-911.

8 (b) ON OR BEFORE FEBRUARY 15, 2021, AND ON OR BEFORE  
9 FEBRUARY 15 EACH YEAR THEREAFTER, A SCHOOL SHALL INCLUDE ON THE  
10 DOCUMENT THE SCHOOL'S SPECIFIC IMMUNIZATION AND EXEMPTION RATES  
11 FOR THE SCHOOL'S ENROLLED STUDENT POPULATION FOR THE PRIOR  
12 SCHOOL YEAR COMPARED TO THE VACCINE-PROTECTED CHILDREN  
13 STANDARD DESCRIBED IN SECTION 25-4-911. THE SCHOOL SHALL  
14 DIRECTLY DISTRIBUTE THE DOCUMENT TO THE PARENT OR LEGAL  
15 GUARDIAN OF EACH STUDENT ENROLLED IN ITS SCHOOL, EMANCIPATED  
16 STUDENTS, OR STUDENTS EIGHTEEN YEARS OF AGE OR OLDER, CONSISTENT  
17 WITH SECTION 25-4-903 (5).

18 **SECTION 4.** In Colorado Revised Statutes, 25-4-903, **amend** (2)  
19 and (5); and **add** (2.2), (2.3), and (2.7) as follows:

20 **25-4-903. Exemptions from immunization - rules.** (2) ~~It is the~~  
21 ~~responsibility of the parent or legal guardian to have his or her child~~  
22 ~~immunized unless the child is exempted pursuant to this section. A~~  
23 ~~student shall be exempted from receiving the required immunizations in~~  
24 ~~the following manner:~~ A PARENT OR LEGAL GUARDIAN SHALL HAVE HIS OR  
25 HER STUDENT IMMUNIZED, UNLESS THE STUDENT IS EXEMPTED PURSUANT  
26 TO THIS SECTION, OR AN EMANCIPATED STUDENT OR A STUDENT EIGHTEEN  
27 YEARS OF AGE OR OLDER SHALL HAVE HIMSELF OR HERSELF IMMUNIZED,

1 UNLESS THE STUDENT IS EXEMPTED PURSUANT TO THIS SECTION. A  
2 STUDENT IS EXEMPTED FROM RECEIVING THE REQUIRED IMMUNIZATIONS  
3 IN THE FOLLOWING MANNER:

4 (a) By submitting to the student's school ~~certification~~ A  
5 COMPLETED CERTIFICATE OF MEDICAL EXEMPTION from a licensed  
6 physician, physician assistant authorized ~~under~~ PURSUANT TO section  
7 12-240-107 (6), or advanced practice nurse that the physical condition of  
8 the student is such that one or more specified immunizations would  
9 endanger his or her life or health or ~~is~~ ARE medically contraindicated due  
10 to other medical conditions; or

11 (b) (I) By submitting to the student's school ~~a statement of~~ EITHER  
12 A COMPLETED CERTIFICATE OF COMPLETION OF THE ONLINE EDUCATION  
13 MODULE OR A COMPLETED CERTIFICATE OF NONMEDICAL exemption  
14 signed by one parent or LEGAL guardian, ~~or the~~ AN emancipated student,  
15 or A student eighteen years of age or older that the parent, LEGAL  
16 guardian, or student is an adherent to a religious belief whose teachings  
17 are opposed to immunizations or ~~that the parent or guardian or the~~  
18 ~~emancipated student or student eighteen years of age or older~~ has a  
19 personal belief that is opposed to immunizations.

20 (II) (A) A COMPLETE CERTIFICATE OF COMPLETION OF THE ONLINE  
21 EDUCATION MODULE IS ACQUIRED UPON COMPLETING THE ONLINE  
22 EDUCATION MODULE DESCRIBED IN SUBSECTION (2.7) OF THIS SECTION.

23 (B) A COMPLETE CERTIFICATE OF NONMEDICAL EXEMPTION MUST  
24 INCLUDE THE SIGNATURE OF A PERSON WHO IS AUTHORIZED PURSUANT TO  
25 TITLE 12 TO ADMINISTER IMMUNIZATIONS WITHIN HIS OR HER SCOPE OF  
26 PRACTICE TO THE STUDENT FOR WHOM THE CERTIFICATE OF NONMEDICAL  
27 EXEMPTION IS SOUGHT. NOTHING IN THIS SUBSECTION (2)(b)(II)(B)

1 REQUIRES A PERSON AUTHORIZED PURSUANT TO TITLE 12 TO ADMINISTER  
2 IMMUNIZATIONS WITHIN HIS OR HER SCOPE OF PRACTICE TO SIGN A  
3 CERTIFICATE OF NONMEDICAL EXEMPTION.

4 (2.2) (a) (I) A LICENSED PHYSICIAN, PHYSICIAN ASSISTANT  
5 AUTHORIZED PURSUANT TO SECTION 12-240-107 (6), OR ADVANCED  
6 PRACTICE NURSE SHALL PROVIDE A COPY OF A COMPLETED CERTIFICATE OF  
7 MEDICAL EXEMPTION TO THE STUDENT'S PARENT OR LEGAL GUARDIAN,  
8 THE EMANCIPATED STUDENT, OR THE STUDENT EIGHTEEN YEARS OF AGE  
9 OR OLDER.

10 (II) THE CERTIFICATE OF COMPLETION OF THE ONLINE EDUCATION  
11 MODULE MUST BE IMMEDIATELY AVAILABLE TO DOWNLOAD OR PRINT  
12 UPON COMPLETION OF THE ONLINE EDUCATION MODULE. THE CERTIFICATE  
13 OF COMPLETION OF THE ONLINE EDUCATION MODULE DEVELOPED BY THE  
14 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT MUST INCLUDE THE  
15 SAME INFORMATION AS THE CERTIFICATE OF NONMEDICAL EXEMPTION  
16 PURSUANT TO SUBSECTION (2.3) OF THIS SECTION.

17 (III) A PERSON AUTHORIZED PURSUANT TO TITLE 12 TO  
18 ADMINISTER IMMUNIZATIONS WITHIN HIS OR HER SCOPE OF PRACTICE TO  
19 THE STUDENT FOR WHOM THE CERTIFICATE OF NONMEDICAL EXEMPTION  
20 IS SOUGHT AND WHO SIGNS THE CERTIFICATE OF NONMEDICAL EXEMPTION  
21 FORM SHALL PROVIDE A COPY OF A COMPLETED CERTIFICATE OF  
22 NONMEDICAL EXEMPTION TO THE STUDENT'S PARENT OR LEGAL GUARDIAN,  
23 THE EMANCIPATED STUDENT, OR THE STUDENT EIGHTEEN YEARS OF AGE  
24 OR OLDER.

25 (b) (I) A LICENSED PHYSICIAN, PHYSICIAN ASSISTANT AUTHORIZED  
26 PURSUANT TO SECTION 12-240-107 (6), OR ADVANCED PRACTICE NURSE  
27 SHALL SUBMIT THE MEDICAL EXEMPTION DATA TO THE IMMUNIZATION

1 TRACKING SYSTEM CREATED IN SECTION 25-4-2403.

2 (II) A PERSON AUTHORIZED PURSUANT TO TITLE 12 TO ADMINISTER  
3 IMMUNIZATIONS WITHIN HIS OR HER SCOPE OF PRACTICE TO THE STUDENT  
4 FOR WHOM THE CERTIFICATE OF NONMEDICAL EXEMPTION IS SOUGHT AND  
5 WHO SIGNS THE CERTIFICATE OF NONMEDICAL EXEMPTION SHALL SUBMIT  
6 THE NONMEDICAL EXEMPTION DATA TO THE IMMUNIZATION TRACKING  
7 SYSTEM CREATED IN SECTION 25-4-2403.

8 (III) NOTWITHSTANDING SUBSECTIONS (2.2)(b)(I) AND (2.2)(b)(II)  
9 OF THIS SECTION, A LICENSED PHYSICIAN, PHYSICIAN ASSISTANT  
10 AUTHORIZED PURSUANT TO SECTION 12-240-107 (6), ADVANCED PRACTICE  
11 NURSE, OR A PERSON AUTHORIZED PURSUANT TO TITLE 12 TO ADMINISTER  
12 IMMUNIZATIONS WITHIN HIS OR HER SCOPE OF PRACTICE IS NOT SUBJECT  
13 TO A REGULATORY SANCTION FOR FAILING TO SUBMIT MEDICAL  
14 EXEMPTION OR NONMEDICAL EXEMPTION DATA TO THE IMMUNIZATION  
15 TRACKING SYSTEM.

16 (2.3) (a) ON OR BEFORE JANUARY 1, 2021, THE DEPARTMENT OF  
17 PUBLIC HEALTH AND ENVIRONMENT SHALL DEVELOP AND POST ON ITS  
18 WEBSITE A STANDARDIZED CERTIFICATE OF MEDICAL EXEMPTION FORM  
19 AND A STANDARDIZED CERTIFICATE OF NONMEDICAL EXEMPTION FORM.  
20 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL POST ANY  
21 UPDATED FORM ON ITS WEBSITE.

22 (b) AT A MINIMUM, THE FORMS DEVELOPED BY THE DEPARTMENT  
23 OF PUBLIC HEALTH AND ENVIRONMENT MUST:

24 (I) INCLUDE A NOTICE THAT INFORMS THE STUDENT'S PARENT OR  
25 LEGAL GUARDIAN, THE EMANCIPATED STUDENT, OR THE STUDENT  
26 EIGHTEEN YEARS OF AGE OR OLDER OF THE OPTION TO EXCLUDE THE  
27 STUDENT'S MEDICAL OR NONMEDICAL EXEMPTION INFORMATION FROM THE

1 IMMUNIZATION TRACKING SYSTEM ESTABLISHED IN SECTION 25-4-2403;

2 (II) BE LIMITED TO REQUESTS FOR INFORMATION RELATED TO  
3 COLLECTING DATA PERTAINING TO A MEDICAL OR NONMEDICAL  
4 EXEMPTION, INCLUDING BUT NOT LIMITED TO:

5 (A) DEMOGRAPHIC INFORMATION FOR THE STUDENT, PARENT, OR  
6 LEGAL GUARDIAN, NOT INCLUDING A SOCIAL SECURITY NUMBER;

7 (B) THE NAME AND LOCATION OF THE STUDENT'S SCHOOL;

8 (C) THE STUDENT'S IMMUNIZATION INFORMATION AND THE  
9 VACCINE OR VACCINES FOR WHICH THE EXEMPTION APPLIES; AND

10 (D) WHETHER A MEDICAL EXEMPTION OR A NONMEDICAL  
11 EXEMPTION IS CLAIMED;

12 (III) INCLUDE REFERENCES TO SCIENTIFICALLY BASED  
13 INFORMATION REGARDING THE BENEFITS AND RISKS OF IMMUNIZATIONS;  
14 AND

15 (IV) NOT REQUIRE THE STUDENT'S PARENT OR LEGAL GUARDIAN,  
16 THE EMANCIPATED STUDENT, OR THE STUDENT EIGHTEEN YEARS OF AGE  
17 OR OLDER TO PROVIDE ANY INFORMATION THAT WOULD IDENTIFY THE  
18 RELIGIOUS FAITH OR DESCRIBE THE REASONS FOR THE PERSONAL BELIEF OF  
19 THE STUDENT'S PARENT OR LEGAL GUARDIAN, THE EMANCIPATED  
20 STUDENT, OR THE STUDENT EIGHTEEN YEARS OF AGE OR OLDER WHO IS  
21 CLAIMING A NONMEDICAL EXEMPTION. THE EXISTING IMMUNIZATION  
22 TRACKING SYSTEM ESTABLISHED IN SECTION 25-4-2403 MUST NOT  
23 RECEIVE OR STORE ANY INFORMATION THAT WOULD IDENTIFY THE  
24 RELIGIOUS FAITH OR THE REASONS FOR THE PERSONAL BELIEF OF THE  
25 STUDENT'S PARENT OR LEGAL GUARDIAN, THE EMANCIPATED STUDENT, OR  
26 THE STUDENT EIGHTEEN YEARS OF AGE OR OLDER WHO IS CLAIMING THE  
27 EXEMPTION.

1           (2.7) THE ONLINE LEARNING MODULE ADMINISTERED BY THE  
2 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO  
3 SUBSECTION (2.5)(a) MUST:

4           (a) INCLUDE SCIENTIFIC DATA THAT IS EVIDENCE BASED AND PEER  
5 REVIEWED FROM CREDIBLE SCIENTIFIC AND PUBLIC HEALTH  
6 ORGANIZATIONS TO DISCLOSE THE BENEFITS AND RISKS OF IMMUNIZATION  
7 AND EVIDENCE-BASED PRACTICES TO PREVENT THE SPREAD OF  
8 VACCINE-PREVENTABLE DISEASE;

9           (b) BE INTERACTIVE; AND

10          (c) INCLUDE OTHER CRITERIA ADOPTED BY THE DEPARTMENT OF  
11 PUBLIC HEALTH AND ENVIRONMENT.

12          (5) Each school shall make the immunization and exemption rates  
13 of their enrolled student population publicly available upon request AND  
14 PURSUANT TO SECTION 25-4-902 (4)(b).

15          **SECTION 5.** In Colorado Revised Statutes, **add** 25-4-904.5 as  
16 follows:

17          **25-4-904.5. Annual alignment evaluation.** THE DEPARTMENT OF  
18 PUBLIC HEALTH AND ENVIRONMENT SHALL ANNUALLY EVALUATE THE  
19 STATE'S IMMUNIZATION PRACTICES, INCLUDING AN EXAMINATION OF  
20 UPDATED BEST PRACTICES AND GUIDELINES RECOMMENDED BY THE  
21 ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES OF THE CENTERS FOR  
22 DISEASE CONTROL AND PREVENTION IN THE FEDERAL DEPARTMENT OF  
23 HEALTH AND HUMAN SERVICES. THE STATE BOARD OF HEALTH SHALL  
24 REVIEW THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT'S  
25 ANNUAL EVALUATION AND MAY UPDATE THE STATE'S IMMUNIZATION  
26 PRACTICES PURSUANT TO THE DEPARTMENT OF PUBLIC HEALTH AND  
27 ENVIRONMENT'S ANNUAL EVALUATION.

1           **SECTION 6.** In Colorado Revised Statutes, **add** 25-4-911 as  
2 follows:

3           **25-4-911. Vaccine-protected children standard - legislative**  
4 **declaration.** (1) THE GENERAL ASSEMBLY FINDS AND DECLARES IT IS  
5 NECESSARY TO ESTABLISH A VACCINE-PROTECTED CHILDREN STANDARD,  
6 WHEREBY THE IMMUNIZATION RATE GOAL FOR EVERY SCHOOL IS  
7 NINETY-FIVE PERCENT OF THE STUDENT POPULATION TO BE VACCINATED  
8 ACCORDING TO THE SCHOOL IMMUNIZATION SCHEDULE ESTABLISHED BY  
9 THE STATE BOARD OF HEALTH PURSUANT TO SECTION 25-4-904.  
10 ACHIEVING THIS IMMUNIZATION RATE GOAL WILL HELP REDUCE THE  
11 SPREAD OF INFECTIOUS DISEASES AND PROTECT THE HEALTH OF ALL  
12 PEOPLE IN THE SCHOOL COMMUNITY, INCLUDING THE STUDENTS WHO  
13 CANNOT BE IMMUNIZED FOR MEDICAL REASONS.

14           (2) IN ORDER TO ACHIEVE THE IMMUNIZATION RATE GOAL  
15 DESCRIBED IN SUBSECTION (1) OF THIS SECTION, THE DEPARTMENT OF  
16 PUBLIC HEALTH AND ENVIRONMENT SHALL COLLABORATE WITH LOCAL  
17 PUBLIC HEALTH AGENCIES AND SCHOOLS TO PROVIDE INFORMATION AND  
18 TECHNICAL ASSISTANCE REGARDING BEST PRACTICES TO EDUCATE AND  
19 ENGAGE WITH STUDENTS AND FAMILIES ABOUT VACCINES, THE RISKS OF  
20 VACCINE-PREVENTABLE DISEASES, AND WHERE VACCINES ARE  
21 ADMINISTERED.

22           **SECTION 7.** In Colorado Revised Statutes, 25-4-2403, **amend**  
23 (2) introductory portion; and **add** (2.5) as follows:

24           **25-4-2403. Department of public health and environment -**  
25 **powers and duties - immunization tracking system - rules -**  
26 **definitions.** (2) To enable the gathering of epidemiological information  
27 and investigation and control of communicable diseases, the department

1 of public health and environment ~~may establish~~ SHALL MAINTAIN a  
2 comprehensive immunization tracking system with immunization  
3 information gathered by state and local PUBLIC health officials from the  
4 following sources:

5 (2.5) (a) A PRACTITIONER WHO IS A LICENSED PHYSICIAN,  
6 PHYSICIAN ASSISTANT AUTHORIZED PURSUANT TO SECTION 12-240-107  
7 (6), ADVANCED PRACTICE NURSE, OR PERSON AUTHORIZED PURSUANT TO  
8 TITLE 12 TO ADMINISTER IMMUNIZATIONS WITHIN HIS OR HER SCOPE OF  
9 PRACTICE SHALL SUBMIT IMMUNIZATION, MEDICAL EXEMPTION, OR  
10 NONMEDICAL EXEMPTION DATA TO THE TRACKING SYSTEM.

11 (b) NOTWITHSTANDING SUBSECTION (2.5)(a) OF THIS SECTION, A  
12 PRACTITIONER WHO IS A LICENSED PHYSICIAN, PHYSICIAN ASSISTANT  
13 AUTHORIZED PURSUANT TO SECTION 12-240-107 (6), ADVANCED PRACTICE  
14 NURSE, OR A PERSON AUTHORIZED PURSUANT TO TITLE 12 TO ADMINISTER  
15 IMMUNIZATIONS WITHIN HIS OR HER SCOPE OF PRACTICE IS NOT SUBJECT  
16 TO A REGULATORY SANCTION FOR FAILING TO SUBMIT IMMUNIZATION,  
17 MEDICAL EXEMPTION, OR NONMEDICAL EXEMPTION DATA TO THE  
18 IMMUNIZATION TRACKING SYSTEM.

19 **SECTION 8. Appropriation.** (1) For the 2020-21 state fiscal  
20 year, \$41,906 is appropriated to the department of public health and  
21 environment. This appropriation is from the general fund. To implement  
22 this act, the division may use this appropriation as follows:

23 (a) \$31,884 for use by the environmental epidemiology division  
24 for program costs, which amount is based on an assumption that the  
25 division will require an additional 0.1 FTE;

26 (b) \$10,022 for the purchase of information technology services.

27 (2) for the 2020-21 state fiscal year, \$10,022 is appropriated to the

1 office of the governor for use by the office of information technology.  
2 This appropriation is from reappropriated funds received from the  
3 department of public health and environment under subsection (1)(b) of  
4 this section. To impliment this act, the office may use this appropriation  
5 to provide information technology services for the department of public  
6 health and environment.

7 **SECTION 9. Safety clause.** The general assembly hereby finds,  
8 determines, and declares that this act is necessary for the immediate  
9 preservation of the public peace, health, or safety.