



Legislative
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FISCAL NOTE

Drafting Number: LLS 20-0152	Date: February 24, 2020
Prime Sponsors: Rep. Williams D.	Bill Status: House Health & Insurance
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Bill Topic: CONSUMER PROTECTIONS CONCERNING VACCINATIONS

Summary of Fiscal Impact:

<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill establishes protocols that health care providers and facilities must adhere to when administering vaccines and directs the Department of Public Health to publish certain vaccine information. The bill increases state expenditures in FY 2020-21.

Appropriation Summary: In FY 2020-21, the bill requires an appropriation of \$28,079 to the Department of Public Health and Environment.

Fiscal Note Status: The fiscal note reflects the introduced bill.

**Table 1
State Fiscal Impacts Under HB 20-1239**

		FY 2020-21	FY 2021-22
Revenue		-	-
Expenditures	General Fund	\$28,079	-
	Centrally Appropriated	\$6,112	-
	Total	\$34,191	-
	Total FTE	0.2 FTE	-
Transfers		-	-
TABOR Refund		-	-

Summary of Legislation

The bill requires health care practitioners and health care facilities to:

- provide vaccine information to patients, as specified in the bill;
- ensure that patients, or if under 18, the patient's parent or guardian, complete a vaccination contraindication checklist; and
- report vaccine adverse events to the federal vaccine adverse event reporting system.

The bill prohibits health care providers and health care facilities from recommending or administering a vaccine to a patient who is under 18 years of age without the consent of the patient's parent or guardian. Additionally, the bill prohibits health care providers, health care facilities, health insurers, and schools from treating people who delay or decline vaccinations differently than people who have received vaccinations or from taking certain actions on the basis of an individual's vaccination status.

The Department of Public Health and Environment (CDPHE) is required to post specific vaccine information to its website, including a screening checklist of contraindications to vaccines for patients under 18.

Finally, the bill authorizes the assessment of civil penalties for violations of the bill.

Background

The Immunization Branch of CDPHE works to reduce vaccine-preventable diseases statewide by promoting education, implementing policies that support vaccination, optimizing vaccine resources, and assuring access to vaccines to positively influence the uptake of immunizations across the lifespan. The Immunization Branch also maintains the Colorado Immunization Information System, the state's immunization registry, and administers the federal Vaccines for Children and Section 317 programs, overseeing the stewardship and accountability of all publicly-purchased vaccines distributed in Colorado.

State Expenditures

In FY 2020-21 only, the bill increases state General Fund expenditures in CDPHE by \$34,191 and 0.2 FTE and increases workload for the Department of Human Services, as shown in Table 2 and discussed below.

Table 2
Expenditures Under HB 20-1239

	FY 2020-21	FY 2021-22
Department of Public Health and Environment		
Personal Services	\$17,479	-
External Facilitator	\$10,000	-
Constant Contact	\$600	-
Centrally Appropriated Costs*	\$6,112	-
Total Cost	\$34,191	-
Total FTE	0.2 FTE	-

* Centrally appropriated costs are not included in the bill's appropriation.

Department of Public Health and Environment. The bill requires the CDPHE to create a screening checklist of contraindications to vaccines for patients under the age of 18. This will require the CDPHE to conduct additional research and rulemaking, including researching and developing its proposal, conducting stakeholder meetings, developing its rulemaking hearing packet, and communicating the outcome of the hearing. For FY 2020-21 only, the CDPHE will require an additional 0.1 FTE manager and 0.1 FTE policy advisor to complete these tasks. The CDPHE will also hire an external facilitator to conduct two stakeholder meetings regarding the checklist.

Additional work required by the bill, including publishing the rights, duties, and penalties included in the bill, can be accomplished within existing appropriations.

Department of Human Services. The bill increases workload in the Department of Human Services to revise procedures and guidance for the Office of Behavioral Health and the Office of Children, Youth, and Families. This work can be accomplished within existing appropriations.

Centrally appropriated costs. Pursuant to a Joint Budget Committee policy, certain costs associated with this bill are addressed through the annual budget process and centrally appropriated in the Long Bill or supplemental appropriations bills, rather than in this bill. These costs, which include employee insurance and supplemental employee retirement payments, are estimated to be \$6,112 in FY 2020-21.

Effective Date

The bill takes effect August 5, 2020, if the General Assembly adjourns on May 6, 2020, as scheduled, and no referendum petition is filed.

State Appropriations

In FY 2020-21, the bill requires a General Fund appropriation of \$28,079 and 0.2 FTE to the Department of Public Health and Environment.

State and Local Government Contacts

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