

Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 20-0858.03 Jacob Baus x2173

SENATE BILL 20-163

SENATE SPONSORSHIP

Gonzales and Priola,

HOUSE SPONSORSHIP

Mullica,

Senate Committees
Health & Human Services

House Committees

A BILL FOR AN ACT

101 CONCERNING THE MODERNIZATION OF THE SCHOOL ENTRY
102 IMMUNIZATION PROCESS.

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 defined in section 25-4-901, either a certificate of immunization, a

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.

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.

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
8 them young children, were hospitalized or went to an emergency

1 department to be treated for a vaccine-preventable disease, resulting in
2 \$55.5 million in charges;

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

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

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

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

26 (g) Evidence shows that state immunization requirements for
27 schools, including child care facilities, are important tools for maintaining

1 high immunization coverage rates to prevent dangerous, costly, and
2 sometimes deadly diseases;

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

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

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

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

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

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

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

26 (2) Therefore, the general assembly declares that all children
27 deserve to attend schools, including child care facilities, that provide them

1 with the greatest protection from vaccine-preventable diseases, support
2 their well-being, and build strong foundations for learning and thriving.

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

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

7 (1.7) "NONMEDICAL EXEMPTION" MEANS AN IMMUNIZATION
8 EXEMPTION BASED UPON A RELIGIOUS BELIEF WHOSE TEACHINGS ARE
9 OPPOSED TO IMMUNIZATIONS OR A PERSONAL BELIEF THAT IS OPPOSED TO
10 IMMUNIZATIONS.

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

13 **25-4-902. Immunization prior to attending school -**
14 **standardized immunization information.** (1) ~~Except as provided in~~
15 ~~section 25-4-903,~~ A student shall not attend any school in the state of
16 Colorado on or after the dates specified in section 25-4-906 (4) unless he
17 or she has presented the following to the appropriate school official:

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

1 ~~pediatrics; or~~

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

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

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

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

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

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

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

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

23 (III) A PLACE ON THE DOCUMENT WHERE A SCHOOL CAN INCLUDE
24 THE SCHOOL'S SPECIFIC IMMUNIZATION AND EXEMPTION RATES FOR THE
25 SCHOOL'S ENROLLED STUDENT POPULATION FOR THE PRIOR SCHOOL YEAR
26 COMPARED TO THE VACCINE-PROTECTED CHILDREN STANDARD DESCRIBED
27 IN SECTION 25-4-911; AND

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

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

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

19 **25-4-903. Exemptions from immunization - rules.** (2) ~~It is the~~
20 ~~responsibility of the parent or legal guardian to have his or her child~~
21 ~~immunized unless the child is exempted pursuant to this section. A~~
22 ~~student shall be exempted from receiving the required immunizations in~~
23 ~~the following manner:~~ A PARENT OR LEGAL GUARDIAN SHALL HAVE HIS OR
24 HER STUDENT IMMUNIZED, UNLESS THE STUDENT IS EXEMPTED PURSUANT
25 TO THIS SECTION, OR AN EMANCIPATED STUDENT OR A STUDENT EIGHTEEN
26 YEARS OF AGE OR OLDER SHALL HAVE HIMSELF OR HERSELF IMMUNIZED,
27 UNLESS THE STUDENT IS EXEMPTED PURSUANT TO THIS SECTION. A

1 STUDENT IS EXEMPTED FROM RECEIVING THE REQUIRED IMMUNIZATIONS
2 IN THE FOLLOWING MANNER:

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

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

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

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

1 IMMUNIZATIONS WITHIN HIS OR HER SCOPE OF PRACTICE TO SIGN A
2 CERTIFICATE OF NONMEDICAL EXEMPTION.

3 (2.2) (a) (I) A LICENSED PHYSICIAN, PHYSICIAN ASSISTANT
4 AUTHORIZED PURSUANT TO SECTION 12-240-107 (6), OR ADVANCED
5 PRACTICE NURSE SHALL PROVIDE A COPY OF A COMPLETED CERTIFICATE OF
6 MEDICAL EXEMPTION TO THE STUDENT'S PARENT OR LEGAL GUARDIAN,
7 THE EMANCIPATED STUDENT, OR THE STUDENT EIGHTEEN YEARS OF AGE
8 OR OLDER.

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

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

24 (b) (I) A LICENSED PHYSICIAN, PHYSICIAN ASSISTANT AUTHORIZED
25 PURSUANT TO SECTION 12-240-107 (6), OR ADVANCED PRACTICE NURSE
26 SHALL SUBMIT THE MEDICAL EXEMPTION DATA TO THE IMMUNIZATION
27 TRACKING SYSTEM CREATED IN SECTION 25-4-2403.

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

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

15 (2.3) (a) ON OR BEFORE JANUARY 1, 2021, THE DEPARTMENT OF
16 PUBLIC HEALTH AND ENVIRONMENT SHALL DEVELOP AND POST ON ITS
17 WEBSITE A STANDARDIZED CERTIFICATE OF MEDICAL EXEMPTION FORM
18 AND A STANDARDIZED CERTIFICATE OF NONMEDICAL EXEMPTION FORM.
19 THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT SHALL POST ANY
20 UPDATED FORM ON ITS WEBSITE.

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

23 (I) INCLUDE A NOTICE THAT INFORMS THE STUDENT'S PARENT OR
24 LEGAL GUARDIAN, THE EMANCIPATED STUDENT, OR THE STUDENT
25 EIGHTEEN YEARS OF AGE OR OLDER OF THE OPTION TO EXCLUDE THE
26 STUDENT'S MEDICAL OR NONMEDICAL EXEMPTION INFORMATION FROM THE
27 IMMUNIZATION TRACKING SYSTEM ESTABLISHED IN SECTION 25-4-2403;

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

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

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

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

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

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

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

27 (2.7) THE ONLINE LEARNING MODULE ADMINISTERED BY THE

1 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT PURSUANT TO
2 SUBSECTION (2.5)(a) MUST:

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

8 (b) BE INTERACTIVE; AND

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

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

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

16 **25-4-904.5. Annual alignment evaluation.** THE DEPARTMENT OF
17 PUBLIC HEALTH AND ENVIRONMENT SHALL ANNUALLY EVALUATE THE
18 STATE'S IMMUNIZATION PRACTICES, INCLUDING AN EXAMINATION OF
19 UPDATED BEST PRACTICES AND GUIDELINES RECOMMENDED BY THE
20 ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES OF THE CENTERS FOR
21 DISEASE CONTROL AND PREVENTION IN THE FEDERAL DEPARTMENT OF
22 HEALTH AND HUMAN SERVICES. THE STATE BOARD OF HEALTH SHALL
23 REVIEW THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT'S
24 ANNUAL EVALUATION AND MAY UPDATE THE STATE'S IMMUNIZATION
25 PRACTICES PURSUANT TO THE DEPARTMENT OF PUBLIC HEALTH AND
26 ENVIRONMENT'S ANNUAL EVALUATION.

27 **SECTION 6.** In Colorado Revised Statutes, **add** 25-4-911 as

1 follows:

2 **25-4-911. Vaccine-protected children standard - legislative**
3 **declaration.** (1) THE GENERAL ASSEMBLY FINDS AND DECLARES IT IS
4 NECESSARY TO ESTABLISH A VACCINE-PROTECTED CHILDREN STANDARD,
5 WHEREBY THE IMMUNIZATION RATE GOAL FOR EVERY SCHOOL IS
6 NINETY-FIVE PERCENT OF THE STUDENT POPULATION TO BE VACCINATED
7 ACCORDING TO THE SCHOOL IMMUNIZATION SCHEDULE ESTABLISHED BY
8 THE STATE BOARD OF HEALTH PURSUANT TO SECTION 25-4-904.
9 ACHIEVING THIS IMMUNIZATION RATE GOAL WILL HELP REDUCE THE
10 SPREAD OF INFECTIOUS DISEASES AND PROTECT THE HEALTH OF ALL
11 PEOPLE IN THE SCHOOL COMMUNITY, INCLUDING THE STUDENTS WHO
12 CANNOT BE IMMUNIZED FOR MEDICAL REASONS.

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

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

23 **25-4-2403. Department of public health and environment -**
24 **powers and duties - immunization tracking system - rules -**
25 **definitions.** (2) To enable the gathering of epidemiological information
26 and investigation and control of communicable diseases, the department
27 of public health and environment ~~may establish~~ SHALL MAINTAIN a

1 comprehensive immunization tracking system with immunization
2 information gathered by state and local PUBLIC health officials from the
3 following sources:

4 (2.5) (a) A PRACTITIONER WHO IS A LICENSED PHYSICIAN,
5 PHYSICIAN ASSISTANT AUTHORIZED PURSUANT TO SECTION 12-240-107
6 (6), ADVANCED PRACTICE NURSE, OR PERSON AUTHORIZED PURSUANT TO
7 TITLE 12 TO ADMINISTER IMMUNIZATIONS WITHIN HIS OR HER SCOPE OF
8 PRACTICE SHALL SUBMIT IMMUNIZATION, MEDICAL EXEMPTION, OR
9 NONMEDICAL EXEMPTION DATA TO THE TRACKING SYSTEM.

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

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