

**Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 14-0574.01 Kristen Forrestal x4217

HOUSE BILL 14-1288

HOUSE SPONSORSHIP

Pabon, Court, Gardner, Gerou, Ginal, Labuda, McCann, McNulty, Peniston, Schafer

SENATE SPONSORSHIP

Aguilar, Guzman, Todd, Ulibarri

House Committees

Health, Insurance, & Environment

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING PERSONAL BELIEF EXEMPTIONS TO IMMUNIZATION**
102 **REQUIREMENTS FOR CHILDREN PRIOR TO ATTENDING SCHOOL.**

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>.)

When a parent, guardian, emancipated student, or student 18 years of age or older has a personal belief that is opposed to immunizations, the bill requires the person to submit to the student's school a statement of exemption that includes:

! The signature of a health care provider or an authorized

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.*

representative of the department of public health and environment (department) or of a county, district, or municipal public health agency who is permitted and qualified to administer vaccines stating that the parent, guardian, or student received information disclosing the benefits and risks of immunizations to the student and the community; or

- ! A certificate of completion of an on-line education module developed by the infant immunization program at the department that discloses the benefits and risks of immunization to the student and the community.

The bill also requires the department to promulgate rules concerning student immunizations.

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

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

4 (a) Vaccines are considered one of the greatest public health
5 achievements of the twentieth century, and save an estimated three
6 million children's lives every year;

7 (b) Vaccines are cost-effective, and for every dollar we spend
8 immunizing a child up to six years of age, more than \$10 is saved in
9 direct and indirect costs;

10 (c) High rates of immunization coverage are necessary to prevent
11 the spread of vaccine-preventable diseases;

12 (d) Children who are not vaccinated are twenty-two to
13 twenty-eight times more likely to get pertussis (whooping cough) than
14 their immunized peers, and with Colorado pertussis cases at epidemic
15 levels, high exemption rates can increase the risk of pertussis and other
16 vaccine-preventable diseases within Colorado schools and communities;


17 (e) Personal belief exemptions are the primary reason for
18 exemption from recommended vaccines and account for over ninety

1 percent of all exemptions for Colorado kindergartners from 2003-2012;

2 (f) Colorado has one of the highest rates of personal belief
3 exemption for immunizations in the United States, which translates to
4 nearly three thousand kindergartners entering school unvaccinated against
5 one or more vaccine-preventable diseases each year;

6 (g) States with permissive or easy procedures for claiming
7 personal belief exemptions have higher rates of vaccine-preventable
8 diseases; states with policies that make it easy to exempt children from
9 immunization were associated with a ninety percent higher incidence of
10 whooping cough in 2011; and

11 (h) A parent's decision to refuse vaccination for their child carries
12 risk for their child and the community at large and, therefore, it is critical
13 that Colorado develop a policy that ensures careful consideration of the
14 research about vaccine benefits and risks.

15 
16 **SECTION 2.** In Colorado Revised Statutes, 25-4-903, **amend** (2)
17 introductory portion and (2) (b); and **add** (2) (c), (2.5), and (5) as follows:

18 **25-4-903. Exemptions from immunization - rules.** (2) It is the
19 responsibility of the parent or legal guardian to have his or her child
20 immunized unless the child is exempted pursuant to this section. A
21 student ~~shall be~~ IS exempted from receiving the required immunizations
22 in the following manner:

23 (b) By submitting to the student's school a statement of exemption
24 signed by one parent or guardian, ~~or the~~ emancipated student, or student
25 eighteen years of age or older that the parent, guardian, or student is an
26 adherent to a religious belief whose teachings are opposed to
27 immunizations; ~~or that the parent or guardian, or the emancipated student,~~

1 ~~or student eighteen years of age or older has a personal belief that is~~
2 ~~opposed to immunizations. OR~~

3 (c) BY SUBMITTING TO THE STUDENT'S SCHOOL A STATEMENT OF
4 EXEMPTION SIGNED BY ONE PARENT OR GUARDIAN, EMANCIPATED
5 STUDENT, OR STUDENT EIGHTEEN YEARS OF AGE OR OLDER THAT THE
6 PARENT, GUARDIAN, OR STUDENT HAS A PERSONAL BELIEF THAT IS
7 OPPOSED TO IMMUNIZATIONS. THE STATEMENT OF EXEMPTION MUST
8 INCLUDE OR BE ACCOMPANIED BY:

9 (I) THE SIGNATURE OF A PHYSICIAN; A PHYSICIAN ASSISTANT; AN
10 ADVANCED PRACTICE NURSE; OR AN AUTHORIZED REPRESENTATIVE OF THE
11 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT OR OF A COUNTY,
12 DISTRICT, OR MUNICIPAL PUBLIC HEALTH AGENCY WHO IS PERMITTED AND
13 QUALIFIED TO ADMINISTER VACCINES ON A WRITTEN DISCLOSURE STATING
14 THAT THE PARENT, GUARDIAN, OR STUDENT RECEIVED INFORMATION
15 DISCLOSING THE BENEFITS AND RISKS OF IMMUNIZATIONS TO THE STUDENT
16 AND THE COMMUNITY; OR

17 (II) A CERTIFICATE OF COMPLETION OF AN ON-LINE EDUCATION
18 MODULE DEVELOPED BY THE INFANT IMMUNIZATION PROGRAM AT THE
19 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT THAT DISCLOSES THE
20 BENEFITS AND RISKS OF IMMUNIZATION TO THE STUDENT AND THE
21 COMMUNITY.

22 (2.5) THE STATE BOARD OF HEALTH SHALL PROMULGATE RULES
23 REGARDING:

24 (a) THE CONTENT OF THE REQUIRED DISCLOSURES, INCLUDING
25 EVIDENCE-BASED RESEARCH, RESOURCES AND INFORMATION FROM
26 CREDIBLE SCIENTIFIC AND PUBLIC HEALTH ORGANIZATIONS, AND
27 PEER-REVIEWED STUDIES; AND

1 (b) THE FREQUENCY OF RECEIVING DISCLOSURES AND THE
2 SUBMISSION OF EXEMPTION FORMS.

3 (5) EACH SCHOOL SHALL MAKE THE IMMUNIZATION AND
4 EXEMPTION RATES OF THEIR ENROLLED STUDENT POPULATION PUBLICLY
5 AVAILABLE UPON REQUEST.

6 **SECTION 3.** In Colorado Revised Statutes, **add** 25-4-910 as
7 follows:

8 **25-4-910. Immunization data collection.** (1) THE DEPARTMENT
9 OF PUBLIC HEALTH AND ENVIRONMENT, IN CONSULTATION WITH OTHER
10 STATE DEPARTMENTS, SHALL ESTABLISH A JOINT POLICY ON
11 IMMUNIZATION DATA COLLECTION AND SHARING.

12 (2) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT
13 SHALL PROVIDE ASSISTANCE TO THE SCHOOL DISTRICTS WITH THE
14 ANALYSIS AND INTERPRETATION OF THE IMMUNIZATION DATA.

15 **SECTION 4. Effective date.** This act takes effect July 1, 2015.

16 **SECTION 5. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety.