

Second Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 14-0574.01 Kristen Forrestal x4217

HOUSE BILL 14-1288

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A BILL FOR AN ACT

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

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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://www.leg.state.co.us/billsummaries>.)*

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.

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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 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 **SECTION 2.** In Colorado Revised Statutes, 25-4-902, **add** (6) as  
16 follows:

17 **25-4-902. Immunization prior to attending school -**  
18 **standardized immunization information.** (6) THE DEPARTMENT OF  
19 EDUCATION SHALL DEVELOP A PLAN TO ENSURE THAT SCHOOLS COMPLY  
20 WITH THIS SECTION.

21 **SECTION 3.** In Colorado Revised Statutes, 25-4-903, **amend** (2)  
22 introductory portion and (2) (b); and **add** (2) (c), (2) (d), and (5) as  
23 follows:

24 **25-4-903. Exemptions from immunization - rules.** (2) It is the  
25 responsibility of the parent or legal guardian to have his or her child  
26 immunized unless the child is exempted pursuant to this section. A  
27 student ~~shall be~~ IS exempted from receiving the required immunizations

1 in the following manner:

2 (b) By submitting to the student's school a statement of exemption  
3 signed by one parent or guardian, ~~or the emancipated student, or student~~  
4 ~~eighteen years of age or older that the parent, guardian, or student is an~~  
5 ~~adherent to a religious belief whose teachings are opposed to~~  
6 ~~immunizations; or that the parent or guardian, or the emancipated student,~~  
7 ~~or student eighteen years of age or older has a personal belief that is~~  
8 ~~opposed to immunizations.~~ OR

9 (c) BY SUBMITTING TO THE STUDENT'S SCHOOL A STATEMENT OF  
10 EXEMPTION SIGNED BY ONE PARENT OR GUARDIAN, EMANCIPATED  
11 STUDENT, OR STUDENT EIGHTEEN YEARS OF AGE OR OLDER THAT THE  
12 PARENT, GUARDIAN, OR STUDENT HAS A PERSONAL BELIEF THAT IS  
13 OPPOSED TO IMMUNIZATIONS. THE STATEMENT OF EXEMPTION MUST  
14 INCLUDE OR BE ACCOMPANIED BY:

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

23 (II) A CERTIFICATE OF COMPLETION OF AN ON-LINE EDUCATION  
24 MODULE DEVELOPED BY THE INFANT IMMUNIZATION PROGRAM AT THE  
25 DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT THAT DISCLOSES THE  
26 BENEFITS AND RISKS OF IMMUNIZATION TO THE STUDENT AND THE  
27 COMMUNITY.

1 (d) THE STATE BOARD OF HEALTH SHALL PROMULGATE RULES  
2 REGARDING:

3 (I) THE CONTENT OF THE REQUIRED DISCLOSURES, INCLUDING  
4 EVIDENCE-BASED RESEARCH, RESOURCES AND INFORMATION FROM  
5 CREDIBLE SCIENTIFIC AND PUBLIC HEALTH ORGANIZATIONS, AND  
6 PEER-REVIEWED STUDIES; AND

7 (II) THE FREQUENCY OF RECEIVING DISCLOSURES AND THE  
8 SUBMISSION OF EXEMPTION FORMS.

9 (5) EACH SCHOOL SHALL MAKE THE IMMUNIZATION AND  
10 EXEMPTION RATES OF THEIR ENROLLED STUDENT POPULATION PUBLICLY  
11 AVAILABLE.

12 **SECTION 4.** In Colorado Revised Statutes, **add** 25-4-910 as  
13 follows:

14 **25-4-910. Immunization data collection.** THE DEPARTMENT OF  
15 PUBLIC HEALTH AND ENVIRONMENT, IN CONSULTATION WITH THE  
16 DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HUMAN SERVICES,  
17 SHALL ESTABLISH A JOINT POLICY ON IMMUNIZATION DATA COLLECTION  
18 AND SHARING.

19 **SECTION 5. Effective date.** This act takes effect July 1, 2015.

20 **SECTION 6. Safety clause.** The general assembly hereby finds,  
21 determines, and declares that this act is necessary for the immediate  
22 preservation of the public peace, health, and safety.