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/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
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.

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

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

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

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

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

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

(e) Personal belief exemptions are the primary reason for exemption from recommended vaccines and account for over ninety
percent of all exemptions for Colorado kindergartners from 2003-2012;

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

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

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

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

25-4-902. Immunization prior to attending school -
standardized immunization information. (6) This section does not apply to:

(a) A child who is participating in a nonpublic, home-based educational program as long as the child does not participate in any activity or class at a school with other children; or

(b) A child who is educated through an online school program as long as:

(i) The online school does not have additional children, other than the child's siblings, in the same location as the child; and
(II) THE CHILD DOES NOT PARTICIPATE IN ANY ACTIVITY OR CLASS
AT A SCHOOL WITH OTHER CHILDREN.

SECTION 3. In Colorado Revised Statutes, 25-4-903, amend (2)
introductory portion and (2) (b); and add (2) (c), (2.5), and (5) as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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