

**First Regular Session
Sixty-fifth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 05-0348.01 Beth Kane

SENATE BILL 05-087

SENATE SPONSORSHIP

Shaffer, Bacon, Gordon, Groff, Hagedorn, Hanna, Sandoval, Tochtrop, Williams, and Windels

HOUSE SPONSORSHIP

Witwer,

Senate Committees

Health and Human Services

House Committees

Health and Human Services

A BILL FOR AN ACT

101 **CONCERNING IMPLEMENTATION OF NOTIFICATION PROVISIONS BY**
102 **SPECIFIED ENTITIES IN RELATION TO THE IMMUNIZATION**
103 **TRACKING SYSTEM.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Authorizes the department of public health and environment ("department") or the department's contractor to directly contact a parent or legal guardian for the purpose of notifying the parent or legal guardian if immunizations are due or overdue as indicated by the advisory committee on immunization practices of the United States department of health and human services or the American academy of pediatrics. Requires the department or the department's contractor to contact the

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.

HOUSE
Amended 2nd Reading
March 29, 2005

SENATE
3rd Reading Unamended
February 22, 2005

SENATE
Amended 2nd Reading
February 21, 2005

parent or legal guardian if it is necessary to control an outbreak of or prevent the spread of a vaccine-preventable disease.

Subject to available funding, requires county, district, and regional health departments and providers of public health nursing services to report immunization information to the immunization tracking system and to use a reminder and recall process.

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

2 **SECTION 1.** 25-4-1705 (5) (e) (IV), Colorado Revised Statutes,
3 is amended, and the said 25-4-1705 (5) (e) is further amended BY THE
4 ADDITION OF A NEW SUBPARAGRAPH, to read:

5 **25-4-1705. Department of public health and environment -**
6 **powers and duties.** (5) The board of health, in consultation with the
7 medical services board in the state department of health care policy and
8 financing, and such other persons, agencies, or organizations that the
9 board of health deems advisable, shall formulate, adopt, and promulgate
10 rules governing the implementation and operation of the infant
11 immunization program. Such rules shall address the following:

12 (e) (IV) (A) The department ~~shall not~~ OR THE DEPARTMENT'S
13 CONTRACTOR MAY directly contact the parent or legal guardian for the
14 purpose of notifying the parent or legal guardian ~~of immunizations that~~
15 ~~are recommended or required by the board of health, unless such contact~~
16 IF IMMUNIZATIONS ARE DUE OR OVERDUE AS INDICATED BY THE ADVISORY
17 COMMITTEE ON IMMUNIZATION PRACTICES OF THE UNITED STATES
18 DEPARTMENT OF HEALTH AND HUMAN SERVICES OR THE AMERICAN
19 ACADEMY OF PEDIATRICS. THE DEPARTMENT OR THE DEPARTMENT'S
20 CONTRACTOR SHALL CONTACT THE PARENT OR LEGAL GUARDIAN IF IT is
21 necessary to control an outbreak of or prevent the spread of a
22 vaccine-preventable disease pursuant to section 25-1.5-102 (1) (a) or

1 25-4-908.

2 (B) ANY NOTICE GIVEN PURSUANT TO SUB-SUBPARAGRAPH (A) OF
3 THIS SUBPARAGRAPH (IV) SHALL ALSO INFORM THE PARENT OR LEGAL
4 GUARDIAN OF THE OPTION TO REFUSE AN IMMUNIZATION ON THE GROUNDS
5 OF MEDICAL, RELIGIOUS, OR PERSONAL BELIEF CONSIDERATIONS PURSUANT
6 TO SECTION 25-4-903, C.R.S.

7 (C) ON OR BEFORE FEBRUARY 1, 2010, THE HEALTH AND HUMAN
8 SERVICES COMMITTEES OF THE SENATE AND THE HOUSE OF
9 REPRESENTATIVES SHALL REVIEW THE STATE'S IMPLEMENTATION OF
10 NOTIFICATION PROVISIONS BY SPECIFIED ENTITIES IN RELATION TO THE
11 IMPLEMENTATION OF THE IMMUNIZATION TRACKING SYSTEM PURSUANT TO
12 THE MODIFICATIONS CONTAINED IN SENATE BILL 05-087 TO DETERMINE IF
13 THE UTILIZATION OF THE IMMUNIZATION TRACKING SYSTEM HAS HAD A
14 SUBSTANTIAL IMPACT ON THE STATE'S IMMUNIZATION RANKING.

15 (VI) A PERSON LICENSED TO PRACTICE MEDICINE PURSUANT TO
16 ARTICLE 36 OF TITLE 12, C.R.S., A PERSON LICENSED TO PRACTICE
17 NURSING PURSUANT TO ARTICLE 38 OF TITLE 12, C.R.S., PROVIDERS OF
18 COUNTY NURSING SERVICES, STAFF MEMBERS OF HEALTH CARE CLINICS,
19 HOSPITALS, AND OFFICES OF PRIVATE PRACTITIONERS, COUNTY, DISTRICT,
20 AND REGIONAL HEALTH DEPARTMENTS, AND ALL PERSONS AND ENTITIES
21 LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (e) ARE AUTHORIZED TO
22 REPORT TO THE IMMUNIZATION TRACKING SYSTEM AND TO USE THE
23 REMINDER AND RECALL PROCESS ESTABLISHED BY THE IMMUNIZATION
24 TRACKING SYSTEM.

25 **SECTION 2. Safety clause.** The general assembly hereby finds,
26 determines, and declares that this act is necessary for the immediate
27 preservation of the public peace, health, and safety.