

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

**PREAMENDED**

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

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 CHILDHOOD IMMUNIZATIONS.**

---

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

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.*

SENATE  
3rd Reading Unamended  
February 22, 2005

SENATE  
Amended 2nd Reading  
February 21, 2005

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  
23 25-4-908.

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

6           (VI) A PERSON LICENSED TO PRACTICE MEDICINE PURSUANT TO  
7           ARTICLE 36 OF TITLE 12, C.R.S., A PERSON LICENSED TO PRACTICE  
8           NURSING PURSUANT TO ARTICLE 38 OF TITLE 12, C.R.S., PROVIDERS OF  
9           COUNTY NURSING SERVICES, STAFF MEMBERS OF HEALTH CARE CLINICS,  
10           HOSPITALS, AND OFFICES OF PRIVATE PRACTITIONERS, COUNTY, DISTRICT,  
11           AND REGIONAL HEALTH DEPARTMENTS, AND ALL PERSONS AND ENTITIES  
12           LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (e) ARE AUTHORIZED TO  
13           REPORT TO THE IMMUNIZATION TRACKING SYSTEM AND TO USE THE  
14           REMINDER AND RECALL PROCESS ESTABLISHED BY THE IMMUNIZATION  
15           TRACKING SYSTEM.

16           **SECTION 2. 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.