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FISCAL NOTE

Drafting Number: LLS 19-0699 Date: April 9, 2019
Prime Sponsors: Rep. Mullica Bill Status: House Health & Insurance
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Bill Topic: SCHOOL IMMUNIZATION REQUIREMENTS

- Summary of Fiscal Impact: State Revenue, TABOR Refund, State Expenditure (minimal), Local Government (minimal), State Transfer, Statutory Public Entity

The bill requires the adoption of federal immunization and medical exemption standards for students to attend school; the creation of standardized forms and processes for medical and nonmedical exemptions; and increased tracking of immunizations and exemptions. It increases state and local government workload on an ongoing basis.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

The bill requires the State Board of Health (board) in the Colorado Department of Public Health and Environment (CDPHE) to adopt federal standards for immunization as a requirement for students to attend school, and to develop standardized forms and submission processes to claim a medical exemption or a religious or personal belief (nonmedical) exemption from the immunization requirements.

State immunization requirements. Current law requires the board to promulgate rules to establish which immunizations are required for a student to attend school, and the manner and frequency of their administration. The bill requires the board to adopt the immunization recommendations from the Advisory Committee on Immunization Practices of the federal Centers for Disease Control and Prevention (CDC). The bill also authorizes the board to require immunizations in addition to those recommended by the CDC.

Medical exemptions. Current law allows a student to be exempt from the state's immunization requirements by submitting to a school a certification from a medical provider that a specified immunization would endanger the student or is medically contraindicated due to other medical conditions present in the student. The bill requires the board to adopt the medical exemption recommendations based on contraindications for vaccinations as described by the CDC and eliminates the board's authority to allow for additional medical exemptions. The bill requires that the CDPHE develop a standardized certificate of medical exemption that individuals must submit

to the student's school to be exempt. The bill requires that medical providers inform parents or legal guardians of the option to be exempt from the Colorado Immunization Information System (CIIS), the state's immunization tracking system. Health care providers must submit immunization and medical exemption data to the CIIS.

Nonmedical exemptions. Current law allows a student to be exempt from the state's immunization requirements by submitting a signed statement to a student's school stating that a religious belief or personal belief is opposed to immunizations. The bill requires the CDPHE to develop a standardized form that a person must fill out and submit to the CDPHE or a local public health agency (LPHA) to claim the exemption. This must be submitted in person for the first year, and can be done in person or online in subsequent years. The student or their parent or guardian has the option to exclude the immunization information from the CIIS. The CDPHE or LPHA must submit nonmedical exemption data to the CIIS.

Additionally, the bill codifies the following current practices by requiring the CDPHE to:

- manage an immunization tracking system;
- include immunization exemption information as part of its annual SMART Act hearing; and
- develop educational materials regarding the benefits of immunizations.

Background

CDPHE currently operates the CIIS and assists health care providers in submitting immunization data using this tool. About 86 percent of known immunizing providers actively participate in CIIS, with an additional 5 percent in the process of becoming full participants. CDPHE is currently working to further increase participation and estimates that the remaining providers will be connected to the system by 2022.

Most schools and child care centers are required by administrative rule to send CDPHE aggregate immunization and exemption data. CDPHE estimates that about 45,000 students and childcare participants claim a nonmedical exemption in a given year.

State Expenditures

Beginning in FY 2019-20, the bill will increase workload for the CDPHE. Nonmedical exemption forms will be submitted to either the CDPHE or a LPHA, which must sign and return the form for submission to the student's school. It is assumed that this workload can be accomplished within existing appropriations. The board has existing staff support to facilitate stakeholder and rulemaking work for one vaccination-related rulemaking annually; the rulemaking required by the bill will fit within this existing structure. If the CDPHE is unable to complete the work required by the bill with existing resources, such as processing nonmedical exemption forms and assisting health care providers in connecting with CIIS, it will seek additional appropriations through the annual budget process.

Local Government

Similar to the state, the bill will increase workload for LPHAs to receive, sign, and track nonmedical exemptions beginning in FY 2019-20.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

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| Counties | Education |
| Higher Education | Human Services |
| Municipalities | Information Technology |
| School Districts | Public Health and Environment |