

CHAPTER 65

HEALTH AND ENVIRONMENT

HOUSE BILL 25-1027

BY REPRESENTATIVE(S) Gilchrist and Brown, Bacon, Boesenecker, Duran, Froelich, Garcia, Hamrick, Lindsay, Mabrey, McCormick, Rutinel, Rydin, Sirota, Smith, Story, Titone, Willford, McCluskie, Bird, Woodrow;
also SENATOR(S) Daugherty and Mullica, Amabile, Ball, Bridges, Cutter, Exum, Gonzales J., Jodeh, Kipp, Kolker, Michaelson Jenet, Roberts, Weissman, Winter F., Coleman.

AN ACT**CONCERNING MODIFICATIONS TO STATUTES GOVERNING DISEASE CONTROL.**

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

SECTION 1. In Colorado Revised Statutes, 25-1-105, **add** (4) as follows:

25-1-105. Executive director - chief medical officer - qualifications - salary - office - duties - crisis standards of care. (4) (a) IN THE EVENT OF A PUBLIC HEALTH EMERGENCY, IF THE GOVERNOR AND THE EXECUTIVE DIRECTOR AND, IF THE EXECUTIVE DIRECTOR IS NOT THE CHIEF MEDICAL OFFICER, THE CHIEF MEDICAL OFFICER AGREE THAT CRISIS STANDARDS OF CARE ARE NEEDED TO RESPOND TO THE PUBLIC HEALTH EMERGENCY, THE EXECUTIVE DIRECTOR OR, IF THE EXECUTIVE DIRECTOR IS NOT THE CHIEF MEDICAL OFFICER, THE CHIEF MEDICAL OFFICER SHALL:

(I) ASSEMBLE A GROUP OF SUBJECT MATTER EXPERTS TO DEVELOP CRISIS STANDARDS OF CARE FOR USE BY HEALTH-CARE PROVIDERS AND HEALTH-CARE FACILITIES IN RESPONDING TO THE PUBLIC HEALTH EMERGENCY; AND

(II) ACTIVATE ALL OR PORTIONS OF THE CRISIS STANDARDS OF CARE AS NEEDED DURING THE PUBLIC HEALTH EMERGENCY.

(b) UPON AGREEMENT OF THE GOVERNOR AND THE EXECUTIVE DIRECTOR AND, IF THE EXECUTIVE DIRECTOR IS NOT THE CHIEF MEDICAL OFFICER, THE CHIEF MEDICAL OFFICER THAT THE CRISIS STANDARDS OF CARE ARE NO LONGER NEEDED TO RESPOND TO THE PUBLIC HEALTH EMERGENCY, THE EXECUTIVE DIRECTOR OR, IF THE EXECUTIVE DIRECTOR IS NOT THE CHIEF MEDICAL OFFICER, THE CHIEF MEDICAL OFFICER SHALL VACATE THE CRISIS STANDARDS OF CARE.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

SECTION 2. In Colorado Revised Statutes, 25-1-108, **add** (1)(i) as follows:

25-1-108. Powers and duties of state board of health - rules - definitions.

(1) In addition to all other powers and duties conferred and imposed upon the state board of health by this part 1, the board has the following specific powers and duties:

(i) (I) EVERY THREE YEARS, TO REVIEW AND AMEND, AS NECESSARY, THE DEPARTMENT'S INTERNAL EMERGENCY RESPONSE AND RECOVERY PLAN THAT ADDRESSES THE PUBLIC HEALTH RESPONSE TO ACTS OF BIOTERRORISM, PANDEMIC INFLUENZA, AND EPIDEMICS CAUSED BY NOVEL AND HIGHLY FATAL INFECTIOUS AGENTS.

(II) AS USED IN THIS SUBSECTION (1)(i):

(A) "INTERNAL EMERGENCY RESPONSE AND RECOVERY PLAN" MEANS THE PORTION OF THE STATE EMERGENCY OPERATIONS PLAN PREPARED AND UPDATED BY THE DEPARTMENT THAT SPECIFIES OPERATIONS THAT WILL BE IMPLEMENTED IF THERE IS AN OCCURRENCE OR IMMINENT THREAT OF AN EMERGENCY EPIDEMIC.

(B) "STATE EMERGENCY OPERATIONS PLAN" MEANS THE PLAN DEVELOPED IN ACCORDANCE WITH SECTION 24-33.5-705 (2) BY THE OFFICE OF EMERGENCY MANAGEMENT IN THE DIVISION OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT IN THE DEPARTMENT OF PUBLIC SAFETY TO ADDRESS THE PREPARATION, PREVENTION, MITIGATION, RESPONSE, AND RECOVERY FROM EMERGENCIES AND DISASTERS.

SECTION 3. In Colorado Revised Statutes, **repeal** 24-33.5-704.5 (1).

SECTION 4. In Colorado Revised Statutes, 24-33.5-704.5, **amend** (2) as follows:

24-33.5-704.5. Continuity of operations plans - reports to general assembly.

(2) Each department that administers a publicly funded safety net program shall develop a continuity of operations plan ~~The plan shall establish~~ THAT ESTABLISHES procedures for the response by, and continuation of operations of, the department and the SAFETY NET program in the event of an emergency epidemic. ~~Each department shall file its plan with the executive director of the department of public health and environment and shall update the plan at least annually.~~ In addition, notwithstanding section 24-1-136 (11), each department shall submit a report by March 1 of each year to the health and human services ~~committee~~ COMMITTEES of the senate and the ~~public health care and human services committee~~ of the house of representatives, or any successor committees, regarding the status of the department's plan, as well as the status of any other plans or procedures of the department regarding emergency and disaster preparedness.

SECTION 5. In Colorado Revised Statutes, 2-3-1502, **repeal** (6) as follows:

2-3-1502. Definitions. As used in this part 15, unless the context otherwise requires:

(6) ~~"GEEERC" means the governor's expert emergency epidemic response committee created in section 24-33.5-704.5.~~

SECTION 6. In Colorado Revised Statutes, 2-3-1503, **amend** (1)(a) and (2) as follows:

2-3-1503. Legislative emergency preparedness, response, and recovery committee - creation - membership - duties. (1) (a) There is hereby created a legislative emergency preparedness, response, and recovery committee. The legislative committee shall develop a plan for the response by, and continuation of operations of, the general assembly and the legislative service agencies in the event of an emergency epidemic or disaster. The legislative committee shall cooperate and coordinate with the division AND the department ~~and the GEEERC~~ in developing the plan ~~The legislative committee shall develop~~ and SHALL submit the plan to the speaker of the house of representatives, the president of the senate, the governor, the executive director of the department, AND the director of the division. ~~and the GEEERC no later than July 1, 2011.~~ The legislative committee shall meet at least annually to review and amend the plan as necessary and shall provide any updated plan to the ~~persons~~ INDIVIDUALS or entities specified in this ~~paragraph (a)~~ SUBSECTION (1)(a). The legislative committee may recommend legislation pertaining to the preparedness, response, and recovery by, and continuation of operations of, the general assembly and the legislative service agencies in the event of an emergency epidemic or disaster. The legislative committee shall provide information to and fully cooperate with the division AND the department ~~and the GEEERC~~ in fulfilling its duties under this section.

(2) In the event of an emergency epidemic or disaster that the governor declares to be a disaster emergency pursuant to section 24-33.5-704, ~~C.R.S.~~, the legislative committee shall convene as rapidly and as often as necessary to advise the speaker of the house of representatives, the president of the senate, and the legislative service agencies regarding reasonable and appropriate measures to be taken by the general assembly and the legislative service agencies to respond to the emergency epidemic or disaster and protect the public health, safety, and welfare. The legislative committee shall communicate, cooperate, and seek advice and assistance from the division AND the department ~~and the GEEERC~~ in responding to the emergency epidemic or disaster.

SECTION 7. In Colorado Revised Statutes, 24-33.5-703, **repeal** (2) as follows:

24-33.5-703. Definitions. As used in this part 7, unless the context otherwise requires:

(2) ~~"Committee" means the governor's expert emergency epidemic response committee created in section 24-33.5-704.5.~~

SECTION 8. In Colorado Revised Statutes, 24-33.5-711.5, **amend** (1) as follows:

24-33.5-711.5. Liability - limits on damages and compensation - immunity for good faith compliance with rules and orders. (1) ~~Neither The state nor the members of the expert emergency epidemic response committee designated or~~

~~appointed pursuant to section 24-33.5-704.5 are~~ IS NOT liable for ~~any~~ A claim based upon the ~~committee's~~ advice PROVIDED BY AN OFFICER OR EMPLOYEE OF A STATE DEPARTMENT to the governor or the alleged negligent exercise or performance of, or failure to exercise or perform, an act relating to an emergency epidemic. Liability against ~~a member of the committee~~ AN OFFICER OR EMPLOYEE OF A STATE DEPARTMENT may be found only for wanton or willful misconduct or willful disregard of the best interests of protecting and maintaining the public health. Damages awarded on the basis of such liability shall not exceed one hundred thousand dollars for any injury to or damage suffered by one person or three hundred thousand dollars for an injury to or damage suffered by three or more persons in the course of an emergency epidemic.

SECTION 9. In Colorado Revised Statutes, 25-1.5-102, **amend** (1)(b)(I) as follows:

25-1.5-102. Epidemic and communicable diseases - powers and duties of department - rules - definitions. (1) The department has, in addition to all other powers and duties imposed upon it by law, the powers and duties provided in this section as follows:

(b) (I) To investigate and monitor the spread of disease that is considered part of an emergency epidemic, as defined in section 24-33.5-703 (4), to determine the extent of environmental contamination resulting from the emergency epidemic, and to rapidly provide epidemiological and environmental information to the ~~governor's expert emergency epidemic response committee, created in section 24-33.5-704.5~~ STATE BOARD OF HEALTH.

SECTION 10. In Colorado Revised Statutes, 25-4-901, **repeal** (1); and **add** (1.6) and (1.8) as follows:

25-4-901. Definitions. As used in this part 9, unless the context otherwise requires:

(1) ~~"Certificate of immunization" means one of the following forms of documentation that include the dates and types of immunizations administered to a student:~~

~~(a) A paper document that includes information transferred from the records of a licensed physician, registered nurse, or public health official; or~~

~~(b) An electronic file or a hard copy of an electronic file provided to the school directly from the immunization tracking system, established pursuant to section 25-4-2403.~~

(1.6) "IMMUNIZATION RECORD" MEANS A PAPER OR ELECTRONIC DOCUMENT FROM THE RECORDS OF A LICENSED PHYSICIAN, A PHYSICIAN ASSISTANT AUTHORIZED PURSUANT TO SECTION 12-240-107(6), AN ADVANCED PRACTICE REGISTERED NURSE, OR A PUBLIC HEALTH OFFICIAL THAT INCLUDES THE DATES AND TYPES OF IMMUNIZATIONS ADMINISTERED TO A STUDENT.

(1.8) "OFFICIAL CERTIFICATE OF IMMUNIZATION" MEANS ONE OF THE FOLLOWING

FORMS OF DOCUMENTATION THAT INCLUDES THE DATES AND TYPES OF IMMUNIZATIONS ADMINISTERED TO A STUDENT:

(a) INFORMATION FROM AN IMMUNIZATION RECORD TRANSFERRED BY A LICENSED PHYSICIAN, A PHYSICIAN ASSISTANT AUTHORIZED PURSUANT TO SECTION 12-240-107 (6), AN ADVANCED PRACTICE REGISTERED NURSE, A PUBLIC HEALTH OFFICIAL, OR A SCHOOL OFFICIAL ONTO A PAPER OR ELECTRONIC VERSION OF THE OFFICIAL CERTIFICATE OF IMMUNIZATION FORM CREATED AND MAINTAINED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT; OR

(b) AN ELECTRONIC FILE OR A HARD COPY OF AN ELECTRONIC FILE PROVIDED TO THE SCHOOL DIRECTLY FROM THE IMMUNIZATION TRACKING SYSTEM, ESTABLISHED PURSUANT TO SECTION 25-4-2403.

SECTION 11. In Colorado Revised Statutes, 25-4-902, **amend** (1) introductory portion, (1)(a), (2), (3), (4)(a)(II), and (4)(b); and **repeal** (1)(b) as follows:

25-4-902. Immunization prior to attending school - standardized immunization information. (1) A student shall not attend any school in the state of Colorado on or after the dates specified in section 25-4-906 (4) unless ~~he or she~~ THE STUDENT OR THE STUDENT'S PARENT OR LEGAL GUARDIAN has presented one of the following to the appropriate school official:

(a) An up-to-date OFFICIAL certificate of immunization ~~from a licensed physician, physician assistant authorized pursuant to section 12-240-107(6), advanced practice registered nurse, or authorized representative of the department of public health and environment or a local public health agency~~ stating that the student has received immunization against communicable diseases as specified by the state board of health ~~based on recommendations of the advisory committee on immunization practices of the centers for disease control and prevention in the federal department of health and human services~~ IN RULES ADOPTED IN ACCORDANCE WITH SECTION 25-4-904 (1); or

(b) ~~A written authorization signed by one parent or legal guardian, an emancipated student, or a student eighteen years of age or older requesting that local public health officials administer the immunizations; or~~

(2) If the student's OFFICIAL certificate of immunization is not up to date according to the requirements of the state board of health, the parent or guardian OF THE STUDENT OR, IF THE STUDENT IS EMANCIPATED OR EIGHTEEN YEARS OF AGE OR OLDER, the ~~emancipated student or the student eighteen years of age or older~~ shall submit to the school, within ~~fourteen~~ THIRTY days after receiving direct personal notification that the OFFICIAL certificate OF IMMUNIZATION is not up to date, documentation INDICATING that the next required immunization has been given and THAT INCLUDES a written plan for completion of all required immunizations. The scheduling of immunizations in the written plan shall follow medically recommended minimum intervals approved by the state board of health. If the student begins but does not continue or complete the written plan, ~~he or she~~ THE SCHOOL shall ~~be suspended or expelled~~ SUSPEND OR EXPEL THE STUDENT pursuant to this part 9.

(3) Notwithstanding ~~the provisions of subsection (1) of this section,~~ a school shall enroll a student who is in out-of-home placement within five school days after receiving the student's education information and records as required in section 22-32-138, ~~C.R.S.,~~ regardless of whether the school has received the items specified in subsection (1) of this section. Upon enrolling the student, ~~THE REQUIREMENTS OF SUBSECTIONS (1) AND (2) OF THIS SECTION APPLY, AND~~ the school shall notify the student's legal guardian that, unless the school receives the student's OFFICIAL certificate of immunization or a ~~written authorization for administration of immunizations~~ CERTIFICATE OF EXEMPTION within fourteen days after the student enrolls, the school ~~shall~~ WILL suspend the student until such time as the school receives the OFFICIAL certificate of immunization or ~~the authorization~~ CERTIFICATE OF EXEMPTION.

(4) (a) On or before January 15, 2021, the department of public health and environment shall develop and provide to the department of education and the department of human services a standardized document regarding childhood immunizations. The department of education and the department of human services shall post the standardized immunization document on their websites on or before January 31, 2021, and on or before January 31 each year thereafter. The standardized document must be updated annually and must include, but need not be limited to:

(II) ~~A list of immunizations currently recommended for children by the advisory committee on immunization practices of the centers for disease control and prevention in the federal department of health and human services and the recommended age at which each immunization should be given, AS SPECIFIED BY THE STATE BOARD OF HEALTH IN RULES ADOPTED IN ACCORDANCE WITH SECTION 25-4-904 (1);~~

(b) On or before ~~February 15, 2021~~ APRIL 15, 2026, and on or before ~~February 15~~ APRIL 15 each year thereafter, a school shall include on the document DESCRIBED IN SUBSECTION (4)(a) OF THIS SECTION the school's specific immunization and exemption rates for the measles, mumps, and rubella vaccine for the school's enrolled student population for the prior school year compared to the vaccinated children standard described in section 25-4-911. The school may include on the document the school's specific immunization and exemption rates for any other vaccine for the school's enrolled student population for the prior school year. The school shall directly distribute the document to the parent or legal guardian of each student enrolled in its school, emancipated students, or students eighteen years of age or older, consistent with section 25-4-903 (5).

SECTION 12. In Colorado Revised Statutes, 25-4-902.5, **amend** (1) as follows:

25-4-902.5. Immunization prior to attending a college or university - tuberculosis screening process development. (1) Except as provided in section 25-4-903, ~~no~~ A student shall NOT attend any college or university in the state of Colorado on or after the dates specified in section 25-4-906 (4) unless the student can present to the appropriate official of the school ~~a~~ AN OFFICIAL certificate of immunization from a licensed physician, licensed physician assistant authorized under section 12-240-107 (6), licensed advanced practice registered nurse, or authorized representative of the department of public health and environment or

county, district, or municipal public health agency stating that the student has received immunization against communicable diseases as specified by the state board of health. ~~or a written authorization signed by one parent or guardian or the emancipated student or the student eighteen years of age or older requesting that local health officials administer the immunizations or a plan signed by one parent or guardian or the emancipated student or the student eighteen years of age or older for receipt by the student of the required inoculation or the first or the next required of a series of inoculations within thirty days.~~

SECTION 13. In Colorado Revised Statutes, 25-4-903, **amend** (2) introductory portion, (2)(a), (2)(b)(II)(B), (2.2)(a)(III), (2.2)(b)(II), and (2.2)(b)(III) as follows:

25-4-903. Exemptions from immunization - rules. (2) ~~UNLESS A STUDENT IS EXEMPTED PURSUANT TO THIS SECTION, THE~~ parent or legal guardian OF A STUDENT shall have ~~his or her~~ THE student immunized, ~~unless the student is exempted pursuant to this section, or an emancipated student or a student eighteen years of age or older~~ OR, IF A STUDENT IS EMANCIPATED OR EIGHTEEN YEARS OF AGE OR OLDER, THE STUDENT shall have ~~himself or herself~~ THEMSELF immunized. ~~unless the student is exempted pursuant to this section.~~ A student is exempted from receiving the required immunizations in the following manner:

(a) By submitting to the student's school a completed certificate of medical exemption from a licensed physician, physician assistant authorized pursuant to section 12-240-107 (6), or advanced practice registered nurse that the physical condition of the student is such that one or more specified immunizations would endanger ~~his or her~~ THE STUDENT'S life or health or are medically contraindicated due to other medical conditions; or

(b) (II) (B) A complete certificate of nonmedical exemption must include the signature of a person who is authorized pursuant to title 12 to administer immunizations within ~~his or her~~ THE PERSON'S scope of practice to the student for whom the certificate of nonmedical exemption is sought. Nothing in this subsection (2)(b)(II)(B) requires a person authorized pursuant to title 12 to administer immunizations within ~~his or her~~ THE PERSON'S scope of practice to sign a certificate of nonmedical exemption. Notwithstanding any law or rule to the contrary, a body that regulates the professional conduct of a person who is authorized pursuant to title 12 to administer immunizations within ~~his or her~~ THE PERSON'S scope of practice to the student for whom the certificate is sought shall not order a disciplinary action against the person because the person authorized to sign the certificate signed such certificate pursuant to this subsection (2)(b)(II)(B). It is unlawful for the employer or ~~any~~ A professional organization to retaliate against a person because the person authorized to sign a certificate signed such certificate pursuant to this subsection (2)(b)(II)(B).

(2.2) (a) (III) A person authorized pursuant to title 12 to administer immunizations within ~~his or her~~ THE PERSON'S scope of practice to the student for whom the certificate of nonmedical exemption is sought and who signs the certificate of nonmedical exemption form shall provide a copy of a completed certificate of nonmedical exemption to the student's parent or legal guardian, the emancipated student, or the student eighteen years of age or older.

(b) (II) A person authorized pursuant to title 12 to administer immunizations within ~~his or her~~ THE PERSON'S scope of practice to the student for whom the certificate of nonmedical exemption is sought and who signs the certificate of nonmedical exemption shall submit the nonmedical exemption data to the immunization tracking system created in section 25-4-2403.

(III) Notwithstanding subsections (2.2)(b)(I) and (2.2)(b)(II) of this section, a licensed physician, a physician assistant authorized pursuant to section 12-240-107 (6), an advanced practice registered nurse, or a person authorized pursuant to title 12 to administer immunizations within ~~his or her~~ THE PERSON'S scope of practice is not subject to a regulatory sanction for failing to submit medical exemption or nonmedical exemption data to the immunization tracking system.

SECTION 14. In Colorado Revised Statutes, **amend** 25-4-904 as follows:

25-4-904. Rules - immunization rules - rule-making authority of state board of health. (1) (a) The state board of health shall establish rules ~~and regulations~~ for administering this part 9. ~~Such~~ IN ORDER TO PREVENT THE TRANSMISSION OF COMMUNICABLE DISEASES AND THE EFFECTS OF SERIOUS DISEASES, THE STATE BOARD OF HEALTH rules ~~and regulations~~ shall:

(I) Establish ~~which~~ THE immunizations ~~shall be~~ THAT ARE required and the manner and frequency of their administration, TAKING INTO CONSIDERATION RECOMMENDATIONS OF THE ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES OF THE CENTERS FOR DISEASE CONTROL AND PREVENTION IN THE FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES AND, AS APPROPRIATE, RECOMMENDATIONS OF THE AMERICAN ACADEMY OF PEDIATRICS, THE AMERICAN ACADEMY OF FAMILY PHYSICIANS, THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS, AND THE AMERICAN COLLEGE OF PHYSICIANS; ~~and shall~~

(II) Conform to recognized standard medical practices.

(b) ~~Such~~ THE rules ~~and regulations~~ may also require the reporting of statistical information and names of noncompliers by the schools.

(c) The department of public health and environment shall administer and enforce the immunization requirements.

(2) All rule-making authority granted to the state board of health under this article 4 is granted on the condition that the general assembly reserves the power to delete or rescind any rule of the board. All rules ~~promulgated~~ ADOPTED pursuant to this ~~subsection (2)~~ SECTION are subject to section 24-4-103.

SECTION 15. In Colorado Revised Statutes, **amend** 25-4-904.5 as follows:

25-4-904.5. Annual alignment evaluation. The department of public health and environment shall annually evaluate the state's immunization practices, including an examination of updated best practices and guidelines recommended by the advisory committee on immunization practices of the centers for disease control and prevention in the federal department of health and human services AND, AS APPROPRIATE, BY THE AMERICAN ACADEMY OF PEDIATRICS, THE AMERICAN

ACADEMY OF FAMILY PHYSICIANS, THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS, AND THE AMERICAN COLLEGE OF PHYSICIANS. The state board of health shall review the department of public health and environment's annual evaluation and may update the state's immunization practices pursuant to the department of public health and environment's annual evaluation.

SECTION 16. In Colorado Revised Statutes, **amend** 25-4-905 as follows:

25-4-905. Immunization of indigent children. (1) The county, district, or municipal public health agency; a public health or school nurse under the supervision of a licensed physician or physician assistant authorized under section 12-240-107 (6); or the department of public health and environment, in the absence of a county, district, or municipal public health agency or public health nurse, shall provide, at public expense to the extent that ~~funds are~~ FUNDING IS available, immunizations required by this part 9 to each child whose parents or guardians cannot afford to have the child immunized or, if emancipated, who cannot ~~himself or herself~~ THEMSELF afford immunization and who has not been exempted. The department of public health and environment shall provide all vaccines necessary to comply with this section as far as ~~funds~~ FUNDING will permit. Nothing in this section precludes the department of public health and environment from distributing vaccines to physicians, PHYSICIAN ASSISTANTS AUTHORIZED UNDER SECTION 12-240-107 (6), advanced practice registered nurses, or others as required by law or the rules of the department. ~~No~~ AN indigent child shall ~~NOT~~ be excluded, suspended, or expelled from school unless the immunizations have been available and readily accessible to the child at public expense.

(2) Notwithstanding any other provision of this part 9 to the contrary, programs and services that provide immunizations to children for communicable diseases shall be ~~MADE~~ available to a child regardless of ~~his or her~~ THE CHILD'S race, religion, gender, ethnicity, national origin, or immigration status.

SECTION 17. In Colorado Revised Statutes, 25-4-906, **amend** (1), (2), and (4) as follows:

25-4-906. Certificate of immunization - forms. (1) The department of public health and environment shall provide official certificates of immunization to the schools, private physicians, and county, district, and municipal public health agencies. Upon the commencement of the gathering of epidemiological information pursuant to section 25-4-2403 to implement the immunization tracking system, such form shall include a notice that informs a parent or legal guardian that ~~he or she~~ THE PARENT OR LEGAL GUARDIAN has the option to exclude ~~his or her~~ THEIR infant's, child's, or student's immunization information from the immunization tracking system created in section 25-4-2403. A SCHOOL OFFICIAL MAY ACCEPT any immunization record ~~provided by a licensed physician, registered nurse, or public health official may be accepted by the school official as certification~~ AS PROOF of immunization if the information is transferred to the official certificate of immunization. ~~and verified by the school official.~~

(2) (a) (I) ~~EXCEPT AS PROVIDED IN SUBSECTION (2)(a)(II) OF THIS SECTION, each school shall maintain on file an official certificate of immunization for every student enrolled IN THE SCHOOL.~~

(II) IN LIEU OF AN OFFICIAL CERTIFICATE OF IMMUNIZATION, A LICENSED CHILDREN'S RESIDENTIAL CAMP MAY MAINTAIN ON FILE AN OUT-OF-STATE IMMUNIZATION RECORD FOR AN OUT-OF-STATE CAMPER ATTENDING THE RESIDENTIAL CAMP.

(b)(I) WHEN A STUDENT WITHDRAWS, TRANSFERS, IS PROMOTED, OR OTHERWISE LEAVES A SCHOOL, THE SCHOOL SHALL:

(A) UPON REQUEST, RETURN THE OFFICIAL CERTIFICATE ~~shall be returned~~ OF IMMUNIZATION TO THE PARENT OR GUARDIAN OF A STUDENT OR, IF A STUDENT IS EMANCIPATED OR EIGHTEEN YEARS OF AGE OR OLDER, TO THE ~~emancipated student; or student eighteen years of age or older when a student withdraws, transfers, is promoted, or otherwise leaves the school, or the school shall~~

(B) TRANSFER THE OFFICIAL CERTIFICATE OF IMMUNIZATION WITH THE STUDENT'S SCHOOL RECORD TO THE NEW SCHOOL.

(II) UPON A COLLEGE OR UNIVERSITY STUDENT'S REQUEST, THE COLLEGE OR UNIVERSITY SHALL FORWARD THE OFFICIAL CERTIFICATE OF IMMUNIZATION ~~shall be forwarded~~ AS SPECIFIED BY THE STUDENT.

(4) ALL STUDENTS ENROLLED IN ANY SCHOOL IN COLORADO ON AND AFTER AUGUST 15, 1979, SHALL FURNISH THE REQUIRED OFFICIAL CERTIFICATE OF IMMUNIZATION OR SHALL BE SUSPENDED OR EXPELLED FROM SCHOOL. STUDENTS ENROLLING IN SCHOOL IN COLORADO FOR THE FIRST TIME ON AND AFTER JULY 1, 1978, SHALL PROVIDE A AN OFFICIAL CERTIFICATE OF IMMUNIZATION OR SHALL BE EXCLUDED FROM SCHOOL EXCEPT AS PROVIDED IN SECTION 25-4-903.

SECTION 18. In Colorado Revised Statutes, 25-4-907, **repeal** (2) as follows:

~~**25-4-907. Noncompliance.** (2) In the event of suspension or expulsion of a student, school officials shall notify the state department of public health and environment or the county, district, and municipal public health agency. An agent of said department shall then contact the parent or guardian or the emancipated student or student eighteen years of age or older in an effort to secure compliance with this part 9 in order that the student may be reenrolled in school.~~

SECTION 19. In Colorado Revised Statutes, 25-3-603, **amend** (1) as follows:

~~**25-3-603. Department reports.** (1) Notwithstanding section 24-1-136 (11)(a)(I), on or before July 15, 2017 SEPTEMBER 15, 2025, and each July 15 SEPTEMBER 15 thereafter, the department shall submit to the health and human services committees of the house of representatives and of the senate, OR THEIR SUCCESSOR COMMITTEES, a report summarizing the risk-adjusted health-facility data. The department shall post the report on its website.~~

SECTION 20. In Colorado Revised Statutes, 25-4-2005, **amend** (1) as follows:

~~**25-4-2005. Hepatitis C testing - recommendations - definitions - rules - repeal.** (1) (a) (I) The department recommends that each primary health-care provider or physician, physician assistant, or nurse practitioner who treats a patient in an inpatient or outpatient setting offer a person born between the years of 1945~~

and 1965 a hepatitis C screening test or hepatitis C diagnostic test unless the health-care provider providing such services reasonably believes that:

~~(a)~~ (A) The patient is being treated for a life-threatening emergency;

~~(b)~~ (B) The patient has previously been offered or has been the subject of a hepatitis C screening; or

~~(c)~~ (C) The patient lacks capacity to consent to a hepatitis C screening test.

(II) THIS SUBSECTION (1)(a) IS REPEALED, EFFECTIVE JULY 1, 2026.

(b)(I) THE STATE BOARD OF HEALTH CREATED IN SECTION 25-1-103 SHALL ADOPT RULES ESTABLISHING STANDARDS FOR HEPATITIS C SCREENING AND DIAGNOSTIC TESTS FOR USE BY PRIMARY HEALTH-CARE PROVIDERS, PHYSICIANS, PHYSICIAN ASSISTANTS, OR NURSE PRACTITIONERS WHO TREAT PATIENTS IN AN INPATIENT OR OUTPATIENT SETTING. THE BOARD SHALL ENSURE THAT THE SCREENING AND DIAGNOSTIC TEST STANDARDS ALIGN WITH RECOMMENDATIONS OF THE FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION FOR HEPATITIS C SCREENING AND DIAGNOSTIC TESTING.

(II) THE RULES ADOPTED BY THE BOARD PURSUANT TO THIS SUBSECTION (1)(b) SHALL TAKE EFFECT ON JULY 1, 2026.

SECTION 21. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: April 10, 2025