

CHAPTER 240

HEALTH AND ENVIRONMENT

HOUSE BILL 14-1288

BY REPRESENTATIVE(S) Pabon, Court, Gardner, Gerou, Ginal, Labuda, McCann, McNulty, Peniston, Schafer, Buckner, Fields, Fischer, Hullinghorst, Kagan, McLachlan, Melton, Primavera, Rosenthal, Ryden, Salazar, Tyler, Vigil, Becker, Kraft-Tharp; also SENATOR(S) Aguilar, Guzman, Todd, Ulibarri, Nicholson, Tochtrop.

AN ACT
CONCERNING INFORMATION AVAILABLE REGARDING PERSONAL BELIEF EXEMPTIONS TO IMMUNIZATION REQUIREMENTS FOR CHILDREN PRIOR TO ATTENDING SCHOOL.

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

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

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;

(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; and

(i) Vaccination does carry some risk for the child receiving the vaccination, and parents should weigh the benefits and risks before choosing to have their child vaccinated.

SECTION 2. In Colorado Revised Statutes, 25-4-903, **add** (2.5) and (5) as follows:

25-4-903. Exemptions from immunization - rules. (2.5) THE STATE BOARD OF HEALTH SHALL PROMULGATE RULES REGARDING:

(a) IMMUNIZATION INFORMATION, INCLUDING EXEMPTION RATES, THAT IS AVAILABLE TO THE PUBLIC THROUGH THE DEPARTMENT, INCLUDING EVIDENCE-BASED RESEARCH, RESOURCES AND INFORMATION FROM CREDIBLE SCIENTIFIC AND PUBLIC HEALTH ORGANIZATIONS, PEER-REVIEWED STUDIES, AND AN ON-LINE LEARNING MODULE; AND

(b) THE FREQUENCY OF SUBMISSION OF EXEMPTION FORMS.

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

SECTION 3. 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 SCHOOLS WITH THE ANALYSIS AND INTERPRETATION OF THE IMMUNIZATION DATA.

SECTION 4. Effective date. This act takes effect July 1, 2014.

SECTION 5. 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.

Approved: May 21, 2014