



General Assembly

Amendment

January Session, 2015

LCO No. 6998



Offered by:
REP. CARTER, 2nd Dist.

To: Subst. House Bill No. 6949 File No. 627 Cal. No. 397

(As Amended)

"AN ACT CONCERNING CHILDHOOD VACCINATIONS."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 10-204a of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective July*
5 *1, 2015*):

6 (a) Each local or regional board of education, or similar body
7 governing a nonpublic school or schools, shall require each child to be
8 protected by adequate immunization against diphtheria, pertussis,
9 tetanus, poliomyelitis, measles, mumps, rubella, hemophilus
10 influenzae type B and any other vaccine required by the schedule for
11 active immunization adopted pursuant to section 19a-7f before being
12 permitted to enroll in any program operated by a public or nonpublic
13 school under its jurisdiction. Before being permitted to enter seventh

14 grade, a child shall receive a second immunization against measles.
15 Any such child who (1) presents a certificate from a physician,
16 physician assistant, advanced practice registered nurse or local health
17 agency stating that initial immunizations have been given to such child
18 and additional immunizations are in process under guidelines and
19 schedules specified by the Commissioner of Public Health; or (2)
20 presents a certificate from a physician, physician assistant or advanced
21 practice registered nurse stating that in the opinion of such physician,
22 physician assistant or advanced practice registered nurse such
23 immunization is medically contraindicated because of the physical
24 condition of such child; or (3) presents a statement from the parents or
25 guardian of such child that such immunization would be contrary to
26 the religious beliefs of such child or the parents or guardian of such
27 child, which statement shall be acknowledged, in accordance with the
28 provisions of sections 1-32, 1-34 and 1-35, by (A) a judge of a court of
29 record or a family support magistrate, (B) a clerk or deputy clerk of a
30 court having a seal, (C) a town clerk, (D) a notary public, (E) a justice of
31 the peace, or (F) an attorney admitted to the bar in this state; or (4) in
32 the case of measles, mumps or rubella, presents a certificate from a
33 physician, physician assistant or advanced practice registered nurse or
34 from the director of health in such child's present or previous town of
35 residence, stating that the child has had a confirmed case of such
36 disease; or (5) in the case of hemophilus influenzae type B has passed
37 his fifth birthday; or (6) in the case of pertussis, has passed his sixth
38 birthday, shall be exempt from the appropriate provisions of this
39 section. If the parents or guardians of any [children] child are unable to
40 pay for such immunizations, the expense of such immunizations shall,
41 on the recommendations of such board of education, be paid by the
42 town.

43 Sec. 2. Subsection (a) of section 19a-79 of the general statutes is
44 repealed and the following is substituted in lieu thereof (*Effective July*
45 *1, 2015*):

46 (a) The Commissioner of Early Childhood shall adopt regulations,

47 in accordance with the provisions of chapter 54, to carry out the
48 purposes of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87,
49 inclusive, and to assure that child day care centers and group day care
50 homes shall meet the health, educational and social needs of children
51 utilizing such child day care centers and group day care homes. Such
52 regulations shall (1) specify that before being permitted to attend any
53 child day care center or group day care home, each child shall be
54 protected as age-appropriate by adequate immunization against
55 diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella,
56 hemophilus influenzae type B and any other vaccine required by the
57 schedule of active immunization adopted pursuant to section 19a-7f,
58 including appropriate exemptions for children for whom such
59 immunization is medically contraindicated and for children whose
60 parents [object] or guardian objects to such immunization on religious
61 grounds, and that any objection by parents or a guardian to
62 immunization of a child on religious grounds shall be accompanied by
63 a statement from such parents or guardian that such immunization
64 would be contrary to the religious beliefs of such child or the parents
65 or guardian of such child, which statement shall be acknowledged, in
66 accordance with the provisions of sections 1-32, 1-34 and 1-35, by (A) a
67 judge of a court of record or a family support magistrate, (B) a clerk or
68 deputy clerk of a court having a seal, (C) a town clerk, (D) a notary
69 public, (E) a justice of the peace, or (F) an attorney admitted to the bar
70 in this state, (2) specify conditions under which child day care center
71 directors and teachers and group day care home providers may
72 administer tests to monitor glucose levels in a child with diagnosed
73 diabetes mellitus, and administer medicinal preparations, including
74 controlled drugs specified in the regulations by the commissioner, to a
75 child receiving child day care services at such child day care center or
76 group day care home pursuant to the written order of a physician
77 licensed to practice medicine or a dentist licensed to practice dental
78 medicine in this or another state, or an advanced practice registered
79 nurse licensed to prescribe in accordance with section 20-94a, or a
80 physician assistant licensed to prescribe in accordance with section 20-
81 12d, and the written authorization of a parent or guardian of such

82 child, (3) specify that an operator of a child day care center or group
83 day care home, licensed before January 1, 1986, or an operator who
84 receives a license after January 1, 1986, for a facility licensed prior to
85 January 1, 1986, shall provide a minimum of thirty square feet per
86 child of total indoor usable space, free of furniture except that needed
87 for the children's purposes, exclusive of toilet rooms, bathrooms,
88 coatrooms, kitchens, halls, isolation room or other rooms used for
89 purposes other than the activities of the children, (4) specify that a
90 child day care center or group day care home licensed after January 1,
91 1986, shall provide thirty-five square feet per child of total indoor
92 usable space, (5) establish appropriate child day care center staffing
93 requirements for employees certified in cardiopulmonary resuscitation
94 by the American Red Cross, the American Heart Association, the
95 National Safety Council, American Safety and Health Institute or
96 Medic First Aid International, Inc., (6) specify that on and after January
97 1, 2003, a child day care center or group day care home (A) shall not
98 deny services to a child on the basis of a child's known or suspected
99 allergy or because a child has a prescription for an automatic prefilled
100 cartridge injector or similar automatic injectable equipment used to
101 treat an allergic reaction, or for injectable equipment used to
102 administer glucagon, (B) shall, not later than three weeks after such
103 child's enrollment in such a center or home, have staff trained in the
104 use of such equipment on-site during all hours when such a child is
105 on-site, (C) shall require such child's parent or guardian to provide the
106 injector or injectable equipment and a copy of the prescription for such
107 medication and injector or injectable equipment upon enrollment of
108 such child, and (D) shall require a parent or guardian enrolling such a
109 child to replace such medication and equipment prior to its expiration
110 date, (7) specify that on and after January 1, 2005, a child day care
111 center or group day care home (A) shall not deny services to a child on
112 the basis of a child's diagnosis of asthma or because a child has a
113 prescription for an inhalant medication to treat asthma, and (B) shall,
114 not later than three weeks after such child's enrollment in such a center
115 or home, have staff trained in the administration of such medication
116 on-site during all hours when such a child is on-site, and (8) establish

117 physical plant requirements for licensed child day care centers and
118 licensed group day care homes that exclusively serve school-age
119 children. When establishing such requirements, the Office of Early
120 Childhood shall give consideration to child day care centers and group
121 day care homes that are located in private or public school buildings.
122 With respect to this subdivision only, the commissioner shall
123 implement policies and procedures necessary to implement the
124 physical plant requirements established pursuant to this subdivision
125 while in the process of adopting such policies and procedures in
126 regulation form. Until replaced by policies and procedures
127 implemented pursuant to this subdivision, any physical plant
128 requirement specified in the office's regulations that is generally
129 applicable to child day care centers and group day care homes shall
130 continue to be applicable to such centers and group day care homes
131 that exclusively serve school-age children. The commissioner shall
132 print notice of the intent to adopt regulations pursuant to this
133 subdivision in the Connecticut Law Journal not later than twenty days
134 after the date of implementation of such policies and procedures.
135 Policies and procedures implemented pursuant to this subdivision
136 shall be valid until the time final regulations are adopted.

137 Sec. 3. Subsection (f) of section 19a-87b of the general statutes is
138 repealed and the following is substituted in lieu thereof (*Effective July*
139 *1, 2015*):

140 (f) The commissioner shall adopt regulations, in accordance with the
141 provisions of chapter 54, to assure that family day care homes, as
142 defined in section 19a-77, shall meet the health, educational and social
143 needs of children utilizing such homes. Such regulations shall ensure
144 that the family day care home is treated as a residence, and not an
145 institutional facility. Such regulations shall specify that each child be
146 protected as age-appropriate by adequate immunization against
147 diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella,
148 hemophilus influenzae type B and any other vaccine required by the
149 schedule of active immunization adopted pursuant to section 19a-7f.

150 Such regulations shall provide appropriate exemptions for children for
 151 whom such immunization is medically contraindicated and for
 152 children whose parents [object] or guardian objects to such
 153 immunization on religious grounds and require that any such
 154 objection be accompanied by a statement from such parents or
 155 guardian that such immunization would be contrary to the religious
 156 beliefs of such child or the parents or guardian of such child, which
 157 statement shall be acknowledged, in accordance with the provisions of
 158 sections 1-32, 1-34 and 1-35, by (1) a judge of a court of record or a
 159 family support magistrate, (2) a clerk or deputy clerk of a court having
 160 a seal, (3) a town clerk, (4) a notary public, (5) a justice of the peace, or
 161 (6) an attorney admitted to the bar of this state. Such regulations shall
 162 also specify conditions under which family day care home providers
 163 may administer tests to monitor glucose levels in a child with
 164 diagnosed diabetes mellitus, and administer medicinal preparations,
 165 including controlled drugs specified in the regulations by the
 166 commissioner, to a child receiving day care services at a family day
 167 care home pursuant to a written order of a physician licensed to
 168 practice medicine in this or another state, an advanced practice
 169 registered nurse licensed to prescribe in accordance with section 20-94a
 170 or a physician assistant licensed to prescribe in accordance with section
 171 20-12d, and the written authorization of a parent or guardian of such
 172 child. Such regulations shall specify appropriate standards for
 173 extended care and intermittent short-term overnight care. The
 174 commissioner shall inform each licensee, by way of a plain language
 175 summary provided not later than sixty days after the regulation's
 176 effective date, of any new or changed regulations adopted under this
 177 subsection with which a licensee must comply."

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2015	10-204a(a)
Sec. 2	July 1, 2015	19a-79(a)
Sec. 3	July 1, 2015	19a-87b(f)