



General Assembly

January Session, 2021

**Raised Bill No. 6423**

LCO No. 3269



Referred to Committee on PUBLIC HEALTH

Introduced by:  
(PH)

***AN ACT CONCERNING IMMUNIZATIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (a) and (b) of section 10-204a of the general  
2 statutes are repealed and the following is substituted in lieu thereof  
3 (*Effective from passage*):

4 (a) Each local or regional board of education, or similar body  
5 governing a nonpublic school or schools, shall require each child to be  
6 protected by adequate immunization against diphtheria, pertussis,  
7 tetanus, poliomyelitis, measles, mumps, rubella, [hemophilus]  
8 haemophilus influenzae type B and any other vaccine required by the  
9 schedule for active immunization adopted pursuant to section 19a-7f  
10 before being permitted to enroll in any program operated by a public or  
11 nonpublic school under its jurisdiction. Before being permitted to enter  
12 seventh grade, a child shall receive a second immunization against  
13 measles. Any such child who (1) presents a certificate from a physician,

14 physician assistant, advanced practice registered nurse or local health  
15 agency stating that initial immunizations have been given to such child  
16 and additional immunizations are in process under guidelines and  
17 schedules specified by the Commissioner of Public Health; or (2)  
18 presents a certificate, in a form prescribed by the commissioner  
19 pursuant to section 7 of this act, from a physician, physician assistant or  
20 advanced practice registered nurse stating that in the opinion of such  
21 physician, physician assistant or advanced practice registered nurse  
22 such immunization is medically contraindicated because of the physical  
23 condition of such child; [or (3) presents a statement from the parents or  
24 guardian of such child that such immunization would be contrary to the  
25 religious beliefs of such child or the parents or guardian of such child,  
26 which statement shall be acknowledged, in accordance with the  
27 provisions of sections 1-32, 1-34 and 1-35, by (A) a judge of a court of  
28 record or a family support magistrate, (B) a clerk or deputy clerk of a  
29 court having a seal, (C) a town clerk, (D) a notary public, (E) a justice of  
30 the peace, (F) an attorney admitted to the bar of this state, or (G)  
31 notwithstanding any provision of chapter 6, a school nurse;] or [(4)] (3)  
32 in 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)] (4) in the case of [hemophilus] haemophilus influenzae  
37 type B has passed [his] such child's fifth birthday; or [(6)] (5) in the case  
38 of pertussis, has passed [his] such child's sixth birthday, shall be exempt  
39 from the appropriate provisions of this section. [If the parents or  
40 guardians of any child are unable to pay for such immunizations, the  
41 expense of such immunizations shall, on the recommendations of such  
42 board of education, be paid by the town. Before being permitted to enter  
43 seventh grade, the parents or guardian of any child who is exempt on  
44 religious grounds from the immunization requirements of this section,  
45 pursuant to subdivision (3) of this subsection, shall present to such  
46 school a statement that such immunization requirements are contrary to  
47 the religious beliefs of such child or the parents or guardian of such  
48 child, which statement shall be acknowledged, in accordance with the

49 provisions of sections 1-32, 1-34 and 1-35, by (A) a judge of a court of  
50 record or a family support magistrate, (B) a clerk or deputy clerk of a  
51 court having a seal, (C) a town clerk, (D) a notary public, (E) a justice of  
52 the peace, (F) an attorney admitted to the bar of this state, or (G)  
53 notwithstanding any provision of chapter 6, a school nurse.]

54 (b) The immunization requirements provided for in subsection (a) of  
55 this section shall not apply to any child who is enrolled in seventh grade  
56 through grade twelve on or before the effective date of this section if  
57 such child presented a statement, prior to the effective date of this  
58 section, from the parents or guardians of such child that such  
59 immunization is contrary to the religious beliefs of such child or the  
60 parents or guardian of such child, and such statement was  
61 acknowledged, in accordance with the provisions of sections 1-32, 1-34  
62 and 1-35, by (A) a judge of a court of record or a family support  
63 magistrate, (B) a clerk or deputy clerk of a court having a seal, (C) a town  
64 clerk, (D) a notary public, (E) a justice of the peace, (F) an attorney  
65 admitted to the bar of this state, or (G) notwithstanding any provision  
66 of chapter 6, a school nurse.

67 (c) Any child who is enrolled in kindergarten through sixth grade on  
68 or before the effective date of this section who presented a statement,  
69 prior to the effective date of this section, from the parents or guardians  
70 of such child that such immunization is contrary to the religious beliefs  
71 of such child or the parents or guardian of such child, and such  
72 statement was acknowledged, in accordance with the provisions of  
73 sections 1-32, 1-34 and 1-35, by (1) a judge of a court of record or a family  
74 support magistrate, (2) a clerk or deputy clerk of a court having a seal,  
75 (3) a town clerk, (4) a notary public, (5) a justice of the peace, (6) an  
76 attorney admitted to the bar of this state, or (7) notwithstanding any  
77 provision of chapter 6, a school nurse shall comply with the  
78 immunization requirements provided for in subsection (a) of this  
79 section by September 1, 2022.

80 (d) If the parents or guardians of any child are unable to pay for any  
81 immunization required by subsection (a) of this section, the expense of

82 such immunization shall, on the recommendation of such child's local  
83 or regional board of education, or similar body governing a nonpublic  
84 school or schools, be paid by the town.

85 [(b)] (e) The definitions of adequate immunization shall reflect the  
86 schedule for active immunization adopted pursuant to section 19a-7f  
87 and be established by regulation adopted in accordance with the  
88 provisions of chapter 54 by the Commissioner of Public Health, who  
89 shall also be responsible for providing procedures under which [said]  
90 such boards and [said] such similar governing bodies shall collect and  
91 report immunization data on each child to the Department of Public  
92 Health for (1) compilation and analysis by [said] the department, and  
93 (2) release by the department of annual immunization rates for each  
94 public and nonpublic school in the state, provided such immunization  
95 data may not contain information that identifies a specific individual.

96 Sec. 2. Section 19a-25 of the general statutes is repealed and the  
97 following is substituted in lieu thereof (*Effective from passage*):

98 (a) All information, records of interviews, written reports, statements,  
99 notes, memoranda or other data, including personal data as defined in  
100 subdivision (9) of section 4-190, procured by: [the] (1) The Department  
101 of Public Health, by staff committees of facilities accredited by the  
102 Department of Public Health or the maternity mortality review  
103 committee, established pursuant to section 19a-59i, in connection with  
104 studies of morbidity and mortality conducted by the Department of  
105 Public Health, such staff committees or the maternal mortality review  
106 committee, or carried on by said department, such staff committees or  
107 the maternal mortality review committee jointly with other persons,  
108 agencies or organizations, [or procured by] (2) the directors of health of  
109 towns, cities or boroughs or the Department of Public Health pursuant  
110 to section 19a-215, or [procured by] (3) such other persons, agencies or  
111 organizations, for the purpose of reducing the morbidity or mortality  
112 from any cause or condition, shall be confidential and shall be used  
113 solely for the purposes of medical or scientific research and, for  
114 information obtained pursuant to section 19a-215, disease prevention

115 and control by the local director of health and the Department of Public  
116 Health. Such information, records, reports, statements, notes,  
117 memoranda or other data shall not be admissible as evidence in any  
118 action of any kind in any court or before any other tribunal, board,  
119 agency or person, nor shall it be exhibited or its contents disclosed in  
120 any way, in whole or in part, by any officer or representative of the  
121 Department of Public Health or of any such facility, by any person  
122 participating in such a research project or by any other person, except  
123 as may be necessary for the purpose of furthering the research project to  
124 which it relates.

125 (b) Notwithstanding the provisions of chapter 55, the Department of  
126 Public Health may exchange personal data for the purpose of medical  
127 or scientific research, with any other governmental agency or private  
128 research organization; provided such state, governmental agency or  
129 private research organization shall not further disclose such personal  
130 data. The Commissioner of Public Health shall adopt regulations, in  
131 accordance with the provisions of chapter 54, consistent with the  
132 purposes of this section to establish the procedures to ensure the  
133 confidentiality of such disclosures. The furnishing of such information  
134 to the Department of Public Health or its authorized representative, or  
135 to any other agency cooperating in such a research project, shall not  
136 subject any person, hospital, [sanitarium] behavioral health facility, rest  
137 home, nursing home or other person or agency furnishing such  
138 information to any action for damages or other relief because of such  
139 disclosure. [This section shall not be deemed to affect disclosure.]

140 (c) The provisions of this section shall not affect: (1) Disclosure of  
141 regular hospital and medical records made in the course of the regular  
142 notation of the care and treatment of any patient, but only records or  
143 notations by [such] the staff committees described in subsection (a) of  
144 this section pursuant to their work, or (2) release by the Department of  
145 Public Health of annual immunization rates for each public and  
146 nonpublic school in the state pursuant to section 10-204a, as amended  
147 by this act.

148 Sec. 3. Section 10a-155 of the general statutes is repealed and the  
149 following is substituted in lieu thereof (*Effective from passage*):

150 (a) Each institution of higher education shall require each full-time or  
151 matriculating student born after December 31, 1956, to provide proof of  
152 adequate immunization against measles, rubella, [and on and after  
153 August 1, 2010, to provide proof of adequate immunization against]  
154 mumps and varicella as recommended by the national Advisory  
155 Committee for Immunization Practices before permitting such student  
156 to enroll in such institution. [Any such]

157 (b) Notwithstanding the provisions of subsection (a) of this section,  
158 any student who (1) presents a certificate, in a form prescribed by the  
159 Commissioner of Public Health pursuant to section 7 of this act, from a  
160 physician, physician assistant or an advanced practice registered nurse  
161 stating that in the opinion of such physician, physician assistant or  
162 advanced practice registered nurse such immunization is medically  
163 contraindicated, (2) [provides] prior to the effective date of this section,  
164 provided a statement that such immunization [would be] is contrary to  
165 his or her religious beliefs, (3) presents a certificate from a physician,  
166 physician assistant, an advanced practice registered nurse or the  
167 director of health in the student's present or previous town of residence,  
168 stating that the student has had a confirmed case of such disease, (4) is  
169 enrolled exclusively in a program for which students do not congregate  
170 on campus for classes or to participate in institutional-sponsored events,  
171 such as students enrolled in distance learning programs for  
172 individualized home study or programs conducted entirely through  
173 electronic media in a setting without other students present, or (5)  
174 graduated from a public or nonpublic high school in this state in 1999 or  
175 later and was not exempt from the measles, rubella, [and on and after  
176 August 1, 2010, the] mumps and varicella vaccination requirement  
177 pursuant to subdivision (2) or (3) of subsection (a) of section 10-204a, as  
178 amended by this act, shall be exempt from the appropriate provisions of  
179 this section.

180 [(b)] (c) Each institution of higher education shall keep uniform

181 records of the immunizations and immunization status of each student,  
182 based on the certificate of immunization or other evidence acceptable  
183 pursuant to subsection (a) of this section. The record shall be part of the  
184 student's permanent record. By November first of each year, the chief  
185 administrative officer of each institution of higher education shall cause  
186 to be submitted to the Commissioner of Public Health, on a form  
187 provided by the commissioner, a summary report of the immunization  
188 status of all students enrolling in such institution.

189 Sec. 4. Subsection (a) of section 10a-155b of the general statutes is  
190 repealed and the following is substituted in lieu thereof (*Effective from*  
191 *passage*):

192 (a) For students who first enroll in the 2014-2015 school year, and first  
193 enroll in each school year thereafter, each public or private college or  
194 university in this state shall require that each student who resides in on-  
195 campus housing be vaccinated against meningitis and submit evidence  
196 of having received a meningococcal conjugate vaccine not more than  
197 five years before enrollment as a condition of such residence. The  
198 provisions of this subsection shall not apply to any such student who (1)  
199 presents a certificate, in a form prescribed by the Commissioner of  
200 Public Health pursuant to section 7 of this act, from a physician, an  
201 advanced practice registered nurse or a physician assistant stating that,  
202 in the opinion of such physician, advanced practice registered nurse or  
203 physician assistant, such vaccination is medically contraindicated  
204 because of the physical condition of such student, or (2) [presents] prior  
205 to the effective date of this section, presented a statement that such  
206 vaccination [would be] is contrary to the religious beliefs of such  
207 student.

208 Sec. 5. Section 19a-79 of the general statutes is repealed and the  
209 following is substituted in lieu thereof (*Effective from passage*):

210 (a) The Commissioner of Early Childhood shall adopt regulations, in  
211 accordance with the provisions of chapter 54, to carry out the purposes  
212 of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87, inclusive,

213 and to assure that child care centers and group child care homes meet  
214 the health, educational and social needs of children utilizing such child  
215 care centers and group child care homes. Such regulations shall (1)  
216 specify that before being permitted to attend any child care center or  
217 group child care home, each child shall be protected as age-appropriate  
218 by adequate immunization against diphtheria, pertussis, tetanus,  
219 poliomyelitis, measles, mumps, rubella, [hemophilus] haemophilus  
220 influenzae type B and any other vaccine required by the schedule of  
221 active immunization adopted pursuant to section 19a-7f, [including  
222 appropriate exemptions for children for whom such immunization is  
223 medically contraindicated and for children whose parent or guardian  
224 objects to such immunization on religious grounds, and that any  
225 objection by a parent or a guardian to immunization of a child on  
226 religious grounds shall be accompanied by a statement from such parent  
227 or guardian that such immunization would be contrary to the religious  
228 beliefs of such child or the parent or guardian of such child, which  
229 statement shall be acknowledged, in accordance with the provisions of  
230 sections 1-32, 1-34 and 1-35, by (A) a judge of a court of record or a family  
231 support magistrate, (B) a clerk or deputy clerk of a court having a seal,  
232 (C) a town clerk, (D) a notary public, (E) a justice of the peace, or (F) an  
233 attorney admitted to the bar of this state,] (2) specify conditions under  
234 which child care center directors and teachers and group child care  
235 home providers may administer tests to monitor glucose levels in a child  
236 with diagnosed diabetes mellitus, and administer medicinal  
237 preparations, including controlled drugs specified in the regulations by  
238 the commissioner, to a child receiving child care services at such child  
239 care center or group child care home pursuant to the written order of a  
240 physician licensed to practice medicine or a dentist licensed to practice  
241 dental medicine in this or another state, or an advanced practice  
242 registered nurse licensed to prescribe in accordance with section 20-94a,  
243 or a physician assistant licensed to prescribe in accordance with section  
244 20-12d, and the written authorization of a parent or guardian of such  
245 child, (3) specify that an operator of a child care center or group child  
246 care home, licensed before January 1, 1986, or an operator who receives  
247 a license after January 1, 1986, for a facility licensed prior to January 1,



248 1986, shall provide a minimum of thirty square feet per child of total  
249 indoor usable space, free of furniture except that needed for the  
250 children's purposes, exclusive of toilet rooms, bathrooms, coatrooms,  
251 kitchens, halls, isolation room or other rooms used for purposes other  
252 than the activities of the children, (4) specify that a child care center or  
253 group child care home licensed after January 1, 1986, shall provide  
254 thirty-five square feet per child of total indoor usable space, (5) establish  
255 appropriate child care center staffing requirements for employees  
256 certified in cardiopulmonary resuscitation by the American Red Cross,  
257 the American Heart Association, the National Safety Council, American  
258 Safety and Health Institute, Medic First Aid International, Inc. or an  
259 organization using guidelines for cardiopulmonary resuscitation and  
260 emergency cardiovascular care published by the American Heart  
261 Association and International Liaison Committee on Resuscitation, (6)  
262 specify that [on and after January 1, 2003,] a child care center or group  
263 child care home (A) shall not deny services to a child on the basis of a  
264 child's known or suspected allergy or because a child has a prescription  
265 for an automatic prefilled cartridge injector or similar automatic  
266 injectable equipment used to treat an allergic reaction, or for injectable  
267 equipment used to administer glucagon, (B) shall, not later than three  
268 weeks after such child's enrollment in such a center or home, have staff  
269 trained in the use of such equipment on-site during all hours when such  
270 a child is on-site, (C) shall require such child's parent or guardian to  
271 provide the injector or injectable equipment and a copy of the  
272 prescription for such medication and injector or injectable equipment  
273 upon enrollment of such child, and (D) shall require a parent or  
274 guardian enrolling such a child to replace such medication and  
275 equipment prior to its expiration date, (7) specify that [on and after  
276 January 1, 2005,] a child care center or group child care home (A) shall  
277 not deny services to a child on the basis of a child's diagnosis of asthma  
278 or because a child has a prescription for an inhalant medication to treat  
279 asthma, and (B) shall, not later than three weeks after such child's  
280 enrollment in such a center or home, have staff trained in the  
281 administration of such medication on-site during all hours when such a  
282 child is on-site, and (8) establish physical plant requirements for

283 licensed child care centers and licensed group child care homes that  
284 exclusively serve school-age children. When establishing such  
285 requirements, the Office of Early Childhood shall give consideration to  
286 child care centers and group child care homes that are located in private  
287 or public school buildings. With respect to this subdivision only, the  
288 commissioner shall implement policies and procedures necessary to  
289 implement the physical plant requirements established pursuant to this  
290 subdivision while in the process of adopting such policies and  
291 procedures in regulation form. Until replaced by policies and  
292 procedures implemented pursuant to this subdivision, any physical  
293 plant requirement specified in the office's regulations that is generally  
294 applicable to child care centers and group child care homes shall  
295 continue to be applicable to such centers and homes that exclusively  
296 serve school-age children. The commissioner shall [print] post notice of  
297 the intent to adopt regulations pursuant to this subdivision on the  
298 eRegulations System not later than twenty days after the date of  
299 implementation of such policies and procedures. Policies and  
300 procedures implemented pursuant to this subdivision shall be valid  
301 until the time final regulations are adopted.

302 (b) Any child who (1) presents a certificate, in a form prescribed by  
303 the Commissioner of Public Health pursuant to section 7 of this act,  
304 signed by a physician, physician assistant or advanced practice  
305 registered nurse stating that, in the opinion of such physician, physician  
306 assistant or advanced practice registered nurse, the immunizations  
307 required pursuant to regulations adopted pursuant to subdivision (1) of  
308 subsection (a) of this section are medically contraindicated, or (2) in the  
309 case of a child who is enrolled in seventh grade through grade twelve,  
310 presented a statement, prior to the effective date of this section, that such  
311 immunizations are contrary to the religious beliefs of such child or the  
312 parents or guardians of such child, shall be exempt from the  
313 immunization requirements set forth in such regulations. Such  
314 statement shall be acknowledged, in accordance with the provisions of  
315 sections 1-32, 1-34 and 1-35, by (A) a judge of a court of record or a family  
316 support magistrate, (B) a clerk or deputy clerk of a court having a seal,

317 (C) a town clerk, (D) a notary public, (E) a justice of the peace, or (F) an  
318 attorney admitted to the bar of this state.

319 (c) Any child who is enrolled in sixth grade or below on or before the  
320 effective date of this section who presented a statement, prior to the  
321 effective date of this section, from the parents or guardians of such child  
322 that such immunization is contrary to the religious beliefs of such child  
323 or the parents or guardian of such child, and such statement was  
324 acknowledged, in accordance with the provisions of sections 1-32, 1-34  
325 and 1-35, by (1) a judge of a court of record or a family support  
326 magistrate, (2) a clerk or deputy clerk of a court having a seal, (3) a town  
327 clerk, (4) a notary public, (5) a justice of the peace, or (6) an attorney  
328 admitted to the bar of this state shall comply with the immunizations  
329 requirements set forth in the regulations adopted pursuant to  
330 subdivision (1) of subsection (a) of this section by September 1, 2022.

331 ~~[(b)]~~ (d) The commissioner may adopt regulations, pursuant to  
332 chapter 54, to establish civil penalties of not more than one hundred  
333 dollars per day for each day of violation and other disciplinary remedies  
334 that may be imposed, following a contested-case hearing, upon the  
335 holder of a license issued under section 19a-80 to operate a child care  
336 center or group child care home or upon the holder of a license issued  
337 under section 19a-87b, as amended by this act, to operate a family child  
338 care home.

339 ~~[(c)]~~ (e) The commissioner shall exempt Montessori schools  
340 accredited by the American Montessori Society or the Association  
341 Montessori Internationale from any provision in regulations adopted  
342 pursuant to subsection (a) of this section which sets requirements on  
343 group size or child to staff ratios or the provision of cots.

344 ~~[(d)]~~ (f) Upon the declaration by the Governor of a civil preparedness  
345 emergency pursuant to section 28-9 or a public health emergency  
346 pursuant to section 19a-131a, the commissioner may waive the  
347 provisions of any regulation adopted pursuant to this section if the  
348 commissioner determines that such waiver would not endanger the life,

349 safety or health of any child. The commissioner shall prescribe the  
350 duration of such waiver, provided such waiver shall not extend beyond  
351 the duration of the declared emergency. The commissioner shall  
352 establish the criteria by which a waiver request shall be made and the  
353 conditions for which a waiver will be granted or denied. The provisions  
354 of section 19a-84 shall not apply to a denial of a waiver request under  
355 this subsection.

356 ~~[(e)]~~ (g) Any child care center or group child care home may provide  
357 child care services to homeless children and youths, as defined in 42  
358 USC 11434a, as amended from time to time, for a period not to exceed  
359 ninety days without complying with any provision in regulations  
360 adopted pursuant to this section relating to immunization and physical  
361 examination requirements. Any child care center or group child care  
362 home that provides child care services to homeless children and youths  
363 at such center or home under this subsection shall maintain a record on  
364 file of all homeless children and youths who have attended such center  
365 or home for a period of two years after such homeless children or youths  
366 are no longer receiving child care services at such center or home.

367 ~~[(f)]~~ (h) Any child care center or group child care home may provide  
368 child care services to a foster child for a period not to exceed forty-five  
369 days without complying with any provision in regulations adopted  
370 pursuant to this section relating to immunization and physical  
371 examination requirements. Any child care center or group child care  
372 home that provides child care services to a foster child at such center or  
373 home under this subsection shall maintain a record on file of such foster  
374 child for a period of two years after such foster child is no longer  
375 receiving child care services at such center or home. For purposes of this  
376 subsection, "foster child" means a child who is in the care and custody  
377 of the Commissioner of Children and Families and placed in a foster  
378 home licensed pursuant to section 17a-114, foster home approved by a  
379 child-placing agency licensed pursuant to section 17a-149, facility  
380 licensed pursuant to section 17a-145 or with a relative or fictive kin  
381 caregiver pursuant to section 17a-114.

382 Sec. 6. Section 19a-87b of the general statutes is repealed and the  
383 following is substituted in lieu thereof (*Effective from passage*):

384 (a) No person, group of persons, association, organization,  
385 corporation, institution or agency, public or private, shall maintain a  
386 family child care home, as defined in section 19a-77, without a license  
387 issued by the Commissioner of Early Childhood. Licensure forms shall  
388 be obtained from the Office of Early Childhood. Applications for  
389 licensure shall be made to the commissioner on forms provided by the  
390 office and shall contain the information required by regulations adopted  
391 under this section. The licensure and application forms shall contain a  
392 notice that false statements made therein are punishable in accordance  
393 with section 53a-157b. Applicants shall state, in writing, that they are in  
394 compliance with the regulations adopted by the commissioner pursuant  
395 to subsection (f) of this section. Before a family child care home license  
396 is granted, the office shall make an inquiry and investigation which shall  
397 include a visit and inspection of the premises for which the license is  
398 requested. Any inspection conducted by the office shall include an  
399 inspection for evident sources of lead poisoning. The office shall provide  
400 for a chemical analysis of any paint chips found on such premises.  
401 Neither the commissioner nor the commissioner's designee shall require  
402 an annual inspection for homes seeking license renewal or for licensed  
403 homes, except that the commissioner or the commissioner's designee  
404 shall make an unannounced visit, inspection or investigation of each  
405 licensed family child care home at least once every year. A licensed  
406 family child care home shall not be subject to any conditions on the  
407 operation of such home by local officials, other than those imposed by  
408 the office pursuant to this subsection, if the home complies with all local  
409 codes and ordinances applicable to single and multifamily dwellings.

410 (b) No person shall act as an assistant or substitute staff member to a  
411 person or entity maintaining a family child care home, as defined in  
412 section 19a-77, without an approval issued by the commissioner. Any  
413 person seeking to act as an assistant or substitute staff member in a  
414 family child care home shall submit an application for such approval to  
415 the office. Applications for approval shall: (1) Be made to the

416 commissioner on forms provided by the office, (2) contain the  
417 information required by regulations adopted under this section, and (3)  
418 be accompanied by a fee of fifteen dollars. The approval application  
419 forms shall contain a notice that false statements made in such form are  
420 punishable in accordance with section 53a-157b.

421 (c) The commissioner, within available appropriations, shall require  
422 each initial applicant or prospective employee of a family child care  
423 home in a position requiring the provision of care to a child, including  
424 an assistant or substitute staff member and each household member  
425 who is sixteen years of age or older, to submit to comprehensive  
426 background checks, including state and national criminal history  
427 records checks. The criminal history records checks required pursuant  
428 to this subsection shall be conducted in accordance with section 29-17a.  
429 The commissioner shall also request a check of the state child abuse  
430 registry established pursuant to section 17a-101k. The commissioner  
431 shall notify each licensee of the provisions of this subsection. For  
432 purposes of this subsection, "household member" means any person,  
433 other than the person who is licensed to conduct, operate or maintain a  
434 family child care home, who resides in the family child care home, such  
435 as the licensee's spouse or children, tenants and any other occupant.

436 (d) An application for initial licensure pursuant to this section shall  
437 be accompanied by a fee of forty dollars and such license shall be issued  
438 for a term of four years. An application for renewal of a license issued  
439 pursuant to this section shall be accompanied by a fee of forty dollars  
440 and a certification from the licensee that any child enrolled in the family  
441 child care home has received age-appropriate immunizations in  
442 accordance with regulations adopted pursuant to subsection (f) of this  
443 section. A license issued pursuant to this section shall be renewed for a  
444 term of four years. In the case of an applicant submitting an application  
445 for renewal of a license that has expired, and who has ceased operations  
446 of a family child care home due to such expired license, the  
447 commissioner may renew such expired license within thirty days of the  
448 date of such expiration upon receipt of an application for renewal that  
449 is accompanied by such fee and such certification.

450 (e) An application for initial staff approval or renewal of staff  
451 approval shall be accompanied by a fee of fifteen dollars. Such  
452 approvals shall be issued or renewed for a term of two years.

453 (f) The commissioner shall adopt regulations, in accordance with the  
454 provisions of chapter 54, to assure that family child care homes, as  
455 defined in section 19a-77, meet the health, educational and social needs  
456 of children utilizing such homes. Such regulations shall ensure that the  
457 family child care home is treated as a residence, and not an institutional  
458 facility. Such regulations shall specify that each child be protected as  
459 age-appropriate by adequate immunization against diphtheria,  
460 pertussis, tetanus, poliomyelitis, measles, mumps, rubella,  
461 [hemophilus] haemophilus influenzae type B and any other vaccine  
462 required by the schedule of active immunization adopted pursuant to  
463 section 19a-7f. [Such regulations shall provide appropriate exemptions  
464 for children for whom such immunization is medically contraindicated  
465 and for children whose parents or guardian objects to such  
466 immunization on religious grounds and require that any such objection  
467 be accompanied by a statement from such parents or guardian that such  
468 immunization would be contrary to the religious beliefs of such child or  
469 the parents or guardian of such child, which statement shall be  
470 acknowledged, in accordance with the provisions of sections 1-32, 1-34  
471 and 1-35, by (1) a judge of a court of record or a family support  
472 magistrate, (2) a clerk or deputy clerk of a court having a seal, (3) a town  
473 clerk, (4) a notary public, (5) a justice of the peace, or (6) an attorney  
474 admitted to the bar of this state.] Such regulations shall also specify  
475 conditions under which family child care home providers may  
476 administer tests to monitor glucose levels in a child with diagnosed  
477 diabetes mellitus, and administer medicinal preparations, including  
478 controlled drugs specified in the regulations by the commissioner, to a  
479 child receiving child care services at a family child care home pursuant  
480 to a written order of a physician licensed to practice medicine in this or  
481 another state, an advanced practice registered nurse licensed to  
482 prescribe in accordance with section 20-94a or a physician assistant  
483 licensed to prescribe in accordance with section 20-12d, and the written

484 authorization of a parent or guardian of such child. Such regulations  
485 shall specify appropriate standards for extended care and intermittent  
486 short-term overnight care. The commissioner shall inform each licensee,  
487 by way of a plain language summary provided not later than sixty days  
488 after the regulation's effective date, of any new or changed regulations  
489 adopted under this subsection with which a licensee must comply.

490 (g) Any child who (1) presents a certificate, in a form prescribed by  
491 the Commissioner of Public Health pursuant to section 7 of this act,  
492 signed by a physician, physician assistant or advanced practice  
493 registered nurse stating that, in the opinion of such physician, physician  
494 assistant or advanced practice registered nurse, the immunizations  
495 required pursuant to regulations adopted pursuant to subsection (f) of  
496 this section are medically contraindicated, or (2) in the case of a child  
497 who is enrolled in seventh grade through grade twelve, presented a  
498 statement, prior to the effective date of this section, that such  
499 immunizations are contrary to the religious beliefs of such child or the  
500 parents or guardians of such child, shall be exempt from the  
501 immunization requirements set forth in such regulations. Such  
502 statement shall be acknowledged, in accordance with the provisions of  
503 sections 1-32, 1-34 and 1-35, by (A) a judge of a court of record or a family  
504 support magistrate, (B) a clerk or deputy clerk of a court having a seal,  
505 (C) a town clerk, (D) a notary public, (E) a justice of the peace, or (F) an  
506 attorney admitted to the bar of this state.

507 (h) Any child who is enrolled in sixth grade or below on or before the  
508 effective date of this section who presented a statement, prior to the  
509 effective date of this section, from the parents or guardians of such child  
510 that such immunization is contrary to the religious beliefs of such child  
511 or the parents or guardian of such child, and such statement was  
512 acknowledged, in accordance with the provisions of sections 1-32, 1-34  
513 and 1-35, by (1) a judge of a court of record or a family support  
514 magistrate, (2) a clerk or deputy clerk of a court having a seal, (3) a town  
515 clerk, (4) a notary public, (5) a justice of the peace, or (6) an attorney  
516 admitted to the bar of this state shall comply with the immunizations  
517 requirements set forth in the regulations adopted pursuant to subsection



518 (f) of this section by September 1, 2022.

519        ~~[(g)]~~ (i) Upon the declaration by the Governor of a civil preparedness  
520 emergency pursuant to section 28-9 or a public health emergency  
521 pursuant to section 19a-131a, the commissioner may waive the  
522 provisions of any regulation adopted pursuant to this section if the  
523 commissioner determines that such waiver would not endanger the life,  
524 safety or health of any child. The commissioner shall prescribe the  
525 duration of such waiver, provided such waiver shall not extend beyond  
526 the duration of the declared emergency. The commissioner shall  
527 establish the criteria by which a waiver request shall be made and the  
528 conditions for which a waiver will be granted or denied. The provisions  
529 of section 19a-84 shall not apply to a denial of a waiver request under  
530 this subsection.

531        ~~[(h)]~~ (j) Any family child care home may provide child care services  
532 to homeless children and youths, as defined in 42 USC 11434a, as  
533 amended from time to time, for a period not to exceed ninety days  
534 without complying with any provision in regulations adopted pursuant  
535 to this section relating to immunization and physical examination  
536 requirements. Any family child care home that provides child care  
537 services to homeless children and youths at such home under this  
538 subsection shall maintain a record on file of all homeless children and  
539 youths who have attended such home for a period of two years after  
540 such homeless children or youths are no longer receiving child care  
541 services at such home.

542        ~~[(i)]~~ (k) Any family child care home may provide child care services  
543 to a foster child for a period not to exceed forty-five days without  
544 complying with any provision in regulations adopted pursuant to this  
545 section relating to immunization and physical examination  
546 requirements. Any family child care home that provides child care  
547 services to a foster child at such home under this subsection shall  
548 maintain a record on file of such foster child for a period of two years  
549 after such foster child is no longer receiving child care services at such  
550 home. For purposes of this subsection, "foster child" means a child who

551 is in the care and custody of the Commissioner of Children and Families  
552 and placed in a foster home licensed pursuant to section 17a-114, foster  
553 home approved by a child-placing agency licensed pursuant to section  
554 17a-149, facility licensed pursuant to section 17a-145 or with a relative  
555 or fictive kin caregiver pursuant to section 17a-114.

556       Sec. 7. (NEW) (*Effective from passage*) On or before October 1, 2021, the  
557 Commissioner of Public Health shall develop and make available on the  
558 Internet web site of the Department of Public Health a certificate for use  
559 by a physician, physician assistant or advanced practice registered  
560 nurse stating that, in the opinion of such physician, physician assistant  
561 or advanced practice registered nurse, a vaccination required by the  
562 general statutes is medically contraindicated for a person because of the  
563 physical condition of such person. The certificate shall include (1)  
564 definitions of the terms "contraindication" and "precaution", (2) a list of  
565 contraindications and precautions recognized by the National Centers  
566 for Disease Control and Prevention for each of the statutorily required  
567 vaccinations, from which the physician, physician assistant or advanced  
568 practice registered nurse may select the relevant contraindication or  
569 precaution on behalf of such person, (3) a section in which the physician,  
570 physician assistant or advanced practice registered nurse may record a  
571 contraindication or precaution that is not recognized by the National  
572 Centers for Disease Control and Prevention, but in his or her discretion,  
573 results in the vaccination being medically contraindicated, including,  
574 but not limited to, any autoimmune disorder or family history of any  
575 autoimmune disorder, (4) a section in which the physician, physician  
576 assistant or advanced practice registered nurse may include a written  
577 explanation for the exemption from any statutorily required  
578 vaccinations, (5) a section requiring the signature of the physician,  
579 physician assistant or advanced practice registered nurse, (6) a  
580 requirement that the physician, physician assistant or advanced practice  
581 registered nurse attach such person's most current immunization  
582 record, and (7) a synopsis of the grounds for any order of quarantine or  
583 isolation pursuant to section 19a-131b of the general statutes.

584       Sec. 8. (NEW) (*Effective from passage*) (a) There is established an

585 Advisory Committee on Medically Contraindicated Vaccinations within  
586 the Department of Public Health for the purpose of advising the  
587 Commissioner of Public Health on issues concerning exemptions from  
588 state or federal requirements for vaccinations that result from a  
589 physician, physician assistant or advanced practice registered nurse  
590 stating that a vaccination is medically contraindicated for a person due  
591 to the medical condition of such person. In order to carry out its duties,  
592 the advisory committee shall (1) have access to the childhood  
593 immunization registry established by the department pursuant to  
594 section 19a-7h of the general statutes, (2) evaluate the process used by  
595 the department in collecting data concerning exemptions resulting from  
596 a vaccination being medically contraindicated and whether the  
597 department should have any oversight over such exemptions, (3)  
598 examine whether enrollment of an unvaccinated child into a program  
599 operated by a public or nonpublic school, institution of higher  
600 education, child care center or group child care home should be  
601 conditioned upon the child meeting certain criteria, (4) calculate the  
602 ratio of school nurses to students in each public and nonpublic school in  
603 the state and the funding issues surrounding such ratio, (5) assess  
604 whether immunizations should be required more frequently than prior  
605 to enrollment into a program operated by a public or nonpublic school  
606 and prior to entering seventh grade, and (6) determine whether (A)  
607 there are any discrepancies in the issuance of certificates stating that a  
608 vaccine is medically contraindicated, and (B) to recommend continuing  
609 education of physicians, physician assistants or advanced practice  
610 registered nurses in vaccine contraindications and precautions. All  
611 information obtained by the advisory committee from such registry  
612 shall be confidential pursuant to section 19a-25 of the general statutes,  
613 as amended by this act.

614 (b) The advisory committee shall consist of the following members:

615 (1) Two appointed by the speaker of the House of Representatives,  
616 one of whom shall be a physician licensed pursuant to chapter 370 of the  
617 general statutes who is a pediatrician, and one of whom shall be a  
618 member of the public;

619 (2) Two appointed by the president pro tempore of the Senate, one of  
620 whom shall be a physician licensed pursuant to chapter 370 of the  
621 general statutes who has expertise in the efficacy of vaccines, and one of  
622 whom shall be a member of the public;

623 (3) One appointed by the majority leader of the House of  
624 Representatives, who shall be a school nurse;

625 (4) One appointed by the majority leader of the Senate, who shall be  
626 a physician assistant licensed pursuant to chapter 370 of the general  
627 statutes who has experience in the administration of vaccines;

628 (5) One appointed by the minority leader of the House of  
629 Representatives, who shall be an advanced practice registered nurse  
630 licensed pursuant to chapter 378 of the general statutes who has  
631 experience in the administration of vaccines;

632 (6) One appointed by the minority leader of the Senate, who shall be  
633 a representative of the Connecticut Chapter of the American Academy  
634 of Pediatrics;

635 (7) The Commissioner of Public Health, or the commissioner's  
636 designee;

637 (8) The Commissioner of Education, or the commissioner's designee;  
638 and

639 (9) The Commissioner of Early Childhood, or the commissioner's  
640 designee.

641 (c) The advisory committee shall meet not less than biannually. On or  
642 before January 1, 2022, and annually thereafter, the committee shall  
643 report, in accordance with the provisions of section 11-4a of the general  
644 statutes, on its activities and findings to the joint standing committee of  
645 the General Assembly having cognizance of matters relating to public  
646 health.

647 Sec. 9. (NEW) (*Effective from passage*) The Department of Public

648 Health, in collaboration with the state Department of Education and the  
 649 Office of Early Childhood, shall evaluate all of the data collected by said  
 650 departments concerning exemptions from immunization requirements.  
 651 Not later than January 1, 2022, and annually thereafter, the  
 652 Commissioners of Public Health, Education and Early Childhood shall  
 653 jointly report, in accordance with the provisions of section 11-4a of the  
 654 general statutes, to the joint standing committees of the General  
 655 Assembly having cognizance of matters relating to public health and  
 656 education regarding the evaluation of such data.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-204a(a) and (b)
Sec. 2	<i>from passage</i>	19a-25
Sec. 3	<i>from passage</i>	10a-155
Sec. 4	<i>from passage</i>	10a-155b(a)
Sec. 5	<i>from passage</i>	19a-79
Sec. 6	<i>from passage</i>	19a-87b
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section

**Statement of Purpose:**

To protect the public health by ensuring adequate and appropriate immunizations of children.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*