



General Assembly

Amendment

January Session, 2021

LCO No. 7090



Offered by:
REP. CASE, 63rd Dist.

To: Subst. House Bill No. **6423**

File No. 431

Cal. No. 323

(As Amended)

"AN ACT CONCERNING IMMUNIZATIONS."

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

3 "Section 1. Section 10-204a of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

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

15 physician assistant, advanced practice registered nurse or local health
16 agency stating that initial immunizations have been given to such child
17 and additional immunizations are in process under guidelines and
18 schedules specified by the Commissioner of Public Health; or (2)
19 presents a certificate, in a form prescribed by the commissioner
20 pursuant to section 7 of this act, from a physician, physician assistant or
21 advanced practice registered nurse stating that in the opinion of such
22 physician, physician assistant or advanced practice registered nurse
23 such immunization is medically contraindicated because of the physical
24 condition of such child; or (3) was born prior to January 1, 2023, and
25 presents a statement from the parents or guardian of such child that
26 such immunization would be contrary to the religious beliefs of such
27 child or the parents or guardian of such child, which statement shall be
28 acknowledged, in accordance with the provisions of sections 1-32, 1-34
29 and 1-35, by (A) a judge of a court of record or a family support
30 magistrate, (B) a clerk or deputy clerk of a court having a seal, (C) a town
31 clerk, (D) a notary public, (E) a justice of the peace, (F) an attorney
32 admitted to the bar of this state, or (G) notwithstanding any provision
33 of chapter 6, a school nurse; or (4) in the case of measles, mumps or
34 rubella, presents a certificate from a physician, physician assistant or
35 advanced practice registered nurse or from the director of health in such
36 child's present or previous town of residence, stating that the child has
37 had a confirmed case of such disease; or (5) in the case of [*hemophilus*]
38 haemophilus influenzae type B has passed [*his*] such child's fifth
39 birthday; or (6) in the case of pertussis, has passed [*his*] such child's sixth
40 birthday, shall be exempt from the appropriate provisions of this
41 section. If the parents or [*guardians*] guardian of any child are unable to
42 pay for such immunizations, the expense of such immunizations shall,
43 on the recommendations of such board of education, be paid by the
44 town. Before being permitted to enter seventh grade, the parents or
45 guardian of any child who is exempt on religious grounds from the
46 immunization requirements of this section, pursuant to subdivision (3)
47 of this subsection, shall present to such school a statement that such
48 immunization requirements are contrary to the religious beliefs of such
49 child or the parents or guardian of such child, which statement shall be

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

56 (b) The definitions of adequate immunization shall reflect the
57 schedule for active immunization adopted pursuant to section 19a-7f
58 and be established by regulation adopted in accordance with the
59 provisions of chapter 54 by the Commissioner of Public Health, who
60 shall also be responsible for providing procedures under which [said]
61 such boards and [said] such similar governing bodies shall collect and
62 report immunization data on each child to the Department of Public
63 Health for (1) compilation and analysis by [said] the department, and
64 (2) release by the department of annual immunization rates for each
65 public and nonpublic school in the state, provided such immunization
66 data may not contain information that identifies a specific individual.

67 (c) The Commissioner of Public Health may issue a temporary waiver
68 to the schedule for active immunization for any vaccine if the National
69 Centers for Disease Control and Prevention recognizes a nation-wide
70 shortage of supply for such vaccine.

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

73 (a) All information, records of interviews, written reports, statements,
74 notes, memoranda or other data, including personal data as defined in
75 subdivision (9) of section 4-190, procured by: [the] (1) The Department
76 of Public Health, by staff committees of facilities accredited by the
77 Department of Public Health or the maternity mortality review
78 committee, established pursuant to section 19a-59i, in connection with
79 studies of morbidity and mortality conducted by the Department of
80 Public Health, such staff committees or the maternal mortality review
81 committee, or carried on by said department, such staff committees or

82 the maternal mortality review committee jointly with other persons,
83 agencies or organizations, [or procured by] (2) the directors of health of
84 towns, cities or boroughs or the Department of Public Health pursuant
85 to section 19a-215, or [procured by] (3) such other persons, agencies or
86 organizations, for the purpose of reducing the morbidity or mortality
87 from any cause or condition, shall be confidential and shall be used
88 solely for the purposes of medical or scientific research and, for
89 information obtained pursuant to section 19a-215, disease prevention
90 and control by the local director of health and the Department of Public
91 Health. Such information, records, reports, statements, notes,
92 memoranda or other data shall not be admissible as evidence in any
93 action of any kind in any court or before any other tribunal, board,
94 agency or person, nor shall it be exhibited or its contents disclosed in
95 any way, in whole or in part, by any officer or representative of the
96 Department of Public Health or of any such facility, by any person
97 participating in such a research project or by any other person, except
98 as may be necessary for the purpose of furthering the research project to
99 which it relates.

100 (b) Notwithstanding the provisions of chapter 55, the Department of
101 Public Health may exchange personal data for the purpose of medical
102 or scientific research, with any other governmental agency or private
103 research organization; provided such state, governmental agency or
104 private research organization shall not further disclose such personal
105 data. The Commissioner of Public Health shall adopt regulations, in
106 accordance with the provisions of chapter 54, consistent with the
107 purposes of this section to establish the procedures to ensure the
108 confidentiality of such disclosures. The furnishing of such information
109 to the Department of Public Health or its authorized representative, or
110 to any other agency cooperating in such a research project, shall not
111 subject any person, hospital, [sanitarium] behavioral health facility, rest
112 home, nursing home or other person or agency furnishing such
113 information to any action for damages or other relief because of such
114 disclosure. [This section shall not be deemed to affect disclosure]

115 (c) The provisions of this section shall not affect: (1) Disclosure of

116 regular hospital and medical records made in the course of the regular
117 notation of the care and treatment of any patient, but only records or
118 notations by [such] the staff committees described in subsection (a) of
119 this section pursuant to their work, or (2) release by the Department of
120 Public Health of annual immunization rates for each public and
121 nonpublic school in the state pursuant to section 10-204a, as amended
122 by this act.

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

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

132 (b) Notwithstanding the provisions of subsection (a) of this section,
133 any student who (1) presents a certificate, in a form prescribed by the
134 Commissioner of Public Health pursuant to section 7 of this act, from a
135 physician, a physician assistant or an advanced practice registered nurse
136 stating that in the opinion of such physician, physician assistant or
137 advanced practice registered nurse such immunization is medically
138 contraindicated, (2) was born prior to January 1, 2023, and provides a
139 statement that such immunization [would be] is contrary to his or her
140 religious beliefs, (3) presents a certificate from a physician, a physician
141 assistant, an advanced practice registered nurse or the director of health
142 in the student's present or previous town of residence, stating that the
143 student has had a confirmed case of such disease, (4) is enrolled
144 exclusively in a program for which students do not congregate on
145 campus for classes or to participate in institutional-sponsored events,
146 such as students enrolled in distance learning programs for
147 individualized home study or programs conducted entirely through
148 electronic media in a setting without other students present, or (5)

149 graduated from a public or nonpublic high school in this state in 1999 or
150 later and was not exempt from the measles, rubella and [on and after
151 August 1, 2010, the] mumps vaccination requirement pursuant to
152 subdivision (2) or (3) of subsection (a) of section 10-204a, as amended by
153 this act, shall be exempt from the appropriate provisions of this section.

154 [(b)] (c) Each institution of higher education shall keep uniform
155 records of the immunizations and immunization status of each student,
156 based on the certificate of immunization or other evidence acceptable
157 pursuant to subsection [(a)] (b) of this section. The record shall be part
158 of the student's permanent record. By November first of each year, the
159 chief administrative officer of each institution of higher education shall
160 cause to be submitted to the Commissioner of Public Health, on a form
161 provided by the commissioner, a summary report of the immunization
162 status of all students enrolling in such institution.

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

166 (a) For students who first enroll in the 2014-2015 school year, and first
167 enroll in each school year thereafter, each public or private college or
168 university in this state shall require that each student who resides in on-
169 campus housing be vaccinated against meningitis and submit evidence
170 of having received a meningococcal conjugate vaccine not more than
171 five years before enrollment as a condition of such residence. The
172 provisions of this subsection shall not apply to any such student who (1)
173 presents a certificate, in a form prescribed by the Commissioner of
174 Public Health pursuant to section 7 of this act, from a physician, an
175 advanced practice registered nurse or a physician assistant stating that,
176 in the opinion of such physician, advanced practice registered nurse or
177 physician assistant, such vaccination is medically contraindicated
178 because of the physical condition of such student, or (2) was born prior
179 to January 1, 2023, and presents a statement that such vaccination
180 [would be] is contrary to the religious beliefs of such student.

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

183 (a) The Commissioner of Early Childhood shall adopt regulations, in
184 accordance with the provisions of chapter 54, to carry out the purposes
185 of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87, inclusive,
186 and to assure that child care centers and group child care homes meet
187 the health, educational and social needs of children utilizing such child
188 care centers and group child care homes. Such regulations shall (1)
189 specify that before being permitted to attend any child care center or
190 group child care home, each child shall be protected as age-appropriate
191 by adequate immunization against diphtheria, pertussis, tetanus,
192 poliomyelitis, measles, mumps, rubella, [hemophilus] haemophilus
193 influenzae type B and any other vaccine required by the schedule of
194 active immunization adopted pursuant to section 19a-7f, [including
195 appropriate exemptions for children for whom such immunization is
196 medically contraindicated and for children whose parent or guardian
197 objects to such immunization on religious grounds, and that any
198 objection by a parent or a guardian to immunization of a child on
199 religious grounds shall be accompanied by a statement from such parent
200 or guardian that such immunization would be contrary to the religious
201 beliefs of such child or the parent or guardian of such child, which
202 statement shall be acknowledged, in accordance with the provisions of
203 sections 1-32, 1-34 and 1-35, by (A) a judge of a court of record or a family
204 support magistrate, (B) a clerk or deputy clerk of a court having a seal,
205 (C) a town clerk, (D) a notary public, (E) a justice of the peace, or (F) an
206 attorney admitted to the bar of this state,] (2) specify conditions under
207 which child care center directors and teachers and group child care
208 home providers may administer tests to monitor glucose levels in a child
209 with diagnosed diabetes mellitus, and administer medicinal
210 preparations, including controlled drugs specified in the regulations by
211 the commissioner, to a child receiving child care services at such child
212 care center or group child care home pursuant to the written order of a
213 physician licensed to practice medicine or a dentist licensed to practice
214 dental medicine in this or another state, or an advanced practice

215 registered nurse licensed to prescribe in accordance with section 20-94a,
216 or a physician assistant licensed to prescribe in accordance with section
217 20-12d, and the written authorization of a parent or guardian of such
218 child, (3) specify that an operator of a child care center or group child
219 care home, licensed before January 1, 1986, or an operator who receives
220 a license after January 1, 1986, for a facility licensed prior to January 1,
221 1986, shall provide a minimum of thirty square feet per child of total
222 indoor usable space, free of furniture except that needed for the
223 children's purposes, exclusive of toilet rooms, bathrooms, coatrooms,
224 kitchens, halls, isolation room or other rooms used for purposes other
225 than the activities of the children, (4) specify that a child care center or
226 group child care home licensed after January 1, 1986, shall provide
227 thirty-five square feet per child of total indoor usable space, (5) establish
228 appropriate child care center staffing requirements for employees
229 certified in cardiopulmonary resuscitation by the American Red Cross,
230 the American Heart Association, the National Safety Council, American
231 Safety and Health Institute, Medic First Aid International, Inc. or an
232 organization using guidelines for cardiopulmonary resuscitation and
233 emergency cardiovascular care published by the American Heart
234 Association and International Liaison Committee on Resuscitation, (6)
235 specify that [on and after January 1, 2003,] a child care center or group
236 child care home (A) shall not deny services to a child on the basis of a
237 child's known or suspected allergy or because a child has a prescription
238 for an automatic prefilled cartridge injector or similar automatic
239 injectable equipment used to treat an allergic reaction, or for injectable
240 equipment used to administer glucagon, (B) shall, not later than three
241 weeks after such child's enrollment in such a center or home, have staff
242 trained in the use of such equipment on-site during all hours when such
243 a child is on-site, (C) shall require such child's parent or guardian to
244 provide the injector or injectable equipment and a copy of the
245 prescription for such medication and injector or injectable equipment
246 upon enrollment of such child, and (D) shall require a parent or
247 guardian enrolling such a child to replace such medication and
248 equipment prior to its expiration date, (7) specify that [on and after
249 January 1, 2005,] a child care center or group child care home (A) shall

250 not deny services to a child on the basis of a child's diagnosis of asthma
251 or because a child has a prescription for an inhalant medication to treat
252 asthma, and (B) shall, not later than three weeks after such child's
253 enrollment in such a center or home, have staff trained in the
254 administration of such medication on-site during all hours when such a
255 child is on-site, and (8) establish physical plant requirements for
256 licensed child care centers and licensed group child care homes that
257 exclusively serve school-age children. When establishing such
258 requirements, the Office of Early Childhood shall give consideration to
259 child care centers and group child care homes that are located in private
260 or public school buildings. With respect to this subdivision only, the
261 commissioner shall implement policies and procedures necessary to
262 implement the physical plant requirements established pursuant to this
263 subdivision while in the process of adopting such policies and
264 procedures in regulation form. Until replaced by policies and
265 procedures implemented pursuant to this subdivision, any physical
266 plant requirement specified in the office's regulations that is generally
267 applicable to child care centers and group child care homes shall
268 continue to be applicable to such centers and homes that exclusively
269 serve school-age children. The commissioner shall [print] post notice of
270 the intent to adopt regulations pursuant to this subdivision on the
271 eRegulations System not later than twenty days after the date of
272 implementation of such policies and procedures. Policies and
273 procedures implemented pursuant to this subdivision shall be valid
274 until the time final regulations are adopted.

275 (b) Any child who (1) presents a certificate, in a form prescribed by
276 the Commissioner of Public Health pursuant to section 7 of this act,
277 signed by a physician, a physician assistant or an advanced practice
278 registered nurse stating that, in the opinion of such physician, physician
279 assistant or advanced practice registered nurse, the immunizations
280 required pursuant to regulations adopted pursuant to subdivision (1) of
281 subsection (a) of this section are medically contraindicated, or (2) was
282 born prior to January 1, 2023, and presents a statement that such
283 immunizations are contrary to the religious beliefs of such child or the

284 parents or guardian of such child, shall be exempt from the
285 immunization requirements set forth in such regulations. The statement
286 described in subdivision (2) of this subsection shall be acknowledged,
287 in accordance with the provisions of sections 1-32, 1-34 and 1-35, by a
288 judge of a court of record or a family support magistrate, a clerk or
289 deputy clerk of a court having a seal, a town clerk, a notary public, a
290 justice of the peace, or an attorney admitted to the bar of this state.

291 [(b)] (c) The commissioner may adopt regulations, pursuant to
292 chapter 54, to establish civil penalties of not more than one hundred
293 dollars per day for each day of violation and other disciplinary remedies
294 that may be imposed, following a contested-case hearing, upon the
295 holder of a license issued under section 19a-80 to operate a child care
296 center or group child care home or upon the holder of a license issued
297 under section 19a-87b, as amended by this act, to operate a family child
298 care home.

299 [(c)] (d) The commissioner shall exempt Montessori schools
300 accredited by the American Montessori Society or the Association
301 Montessori Internationale from any provision in regulations adopted
302 pursuant to subsection (a) of this section which sets requirements on
303 group size or child to staff ratios or the provision of cots.

304 [(d)] (e) Upon the declaration by the Governor of a civil preparedness
305 emergency pursuant to section 28-9 or a public health emergency
306 pursuant to section 19a-131a, the commissioner may waive the
307 provisions of any regulation adopted pursuant to this section if the
308 commissioner determines that such waiver would not endanger the life,
309 safety or health of any child. The commissioner shall prescribe the
310 duration of such waiver, provided such waiver shall not extend beyond
311 the duration of the declared emergency. The commissioner shall
312 establish the criteria by which a waiver request shall be made and the
313 conditions for which a waiver will be granted or denied. The provisions
314 of section 19a-84 shall not apply to a denial of a waiver request under
315 this subsection.

316 [(e)] (f) Any child care center or group child care home may provide
317 child care services to homeless children and youths, as defined in 42
318 USC 11434a, as amended from time to time, for a period not to exceed
319 ninety days without complying with any provision in regulations
320 adopted pursuant to this section relating to immunization and physical
321 examination requirements. Any child care center or group child care
322 home that provides child care services to homeless children and youths
323 at such center or home under this subsection shall maintain a record on
324 file of all homeless children and youths who have attended such center
325 or home for a period of two years after such homeless children or youths
326 are no longer receiving child care services at such center or home.

327 [(f)] (g) Any child care center or group child care home may provide
328 child care services to a foster child for a period not to exceed forty-five
329 days without complying with any provision in regulations adopted
330 pursuant to this section relating to immunization and physical
331 examination requirements. Any child care center or group child care
332 home that provides child care services to a foster child at such center or
333 home under this subsection shall maintain a record on file of such foster
334 child for a period of two years after such foster child is no longer
335 receiving child care services at such center or home. For purposes of this
336 subsection, "foster child" means a child who is in the care and custody
337 of the Commissioner of Children and Families and placed in a foster
338 home licensed pursuant to section 17a-114, foster home approved by a
339 child-placing agency licensed pursuant to section 17a-149, facility
340 licensed pursuant to section 17a-145 or with a relative or fictive kin
341 caregiver pursuant to section 17a-114.

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

344 (a) No person, group of persons, association, organization,
345 corporation, institution or agency, public or private, shall maintain a
346 family child care home, as defined in section 19a-77, without a license
347 issued by the Commissioner of Early Childhood. Licensure forms shall
348 be obtained from the Office of Early Childhood. Applications for

349 licensure shall be made to the commissioner on forms provided by the
350 office and shall contain the information required by regulations adopted
351 under this section. The licensure and application forms shall contain a
352 notice that false statements made therein are punishable in accordance
353 with section 53a-157b. Applicants shall state, in writing, that they are in
354 compliance with the regulations adopted by the commissioner pursuant
355 to subsection (f) of this section. Before a family child care home license
356 is granted, the office shall make an inquiry and investigation which shall
357 include a visit and inspection of the premises for which the license is
358 requested. Any inspection conducted by the office shall include an
359 inspection for evident sources of lead poisoning. The office shall provide
360 for a chemical analysis of any paint chips found on such premises.
361 Neither the commissioner nor the commissioner's designee shall require
362 an annual inspection for homes seeking license renewal or for licensed
363 homes, except that the commissioner or the commissioner's designee
364 shall make an unannounced visit, inspection or investigation of each
365 licensed family child care home at least once every year. A licensed
366 family child care home shall not be subject to any conditions on the
367 operation of such home by local officials, other than those imposed by
368 the office pursuant to this subsection, if the home complies with all local
369 codes and ordinances applicable to single and multifamily dwellings.

370 (b) No person shall act as an assistant or substitute staff member to a
371 person or entity maintaining a family child care home, as defined in
372 section 19a-77, without an approval issued by the commissioner. Any
373 person seeking to act as an assistant or substitute staff member in a
374 family child care home shall submit an application for such approval to
375 the office. Applications for approval shall: (1) Be made to the
376 commissioner on forms provided by the office, (2) contain the
377 information required by regulations adopted under this section, and (3)
378 be accompanied by a fee of fifteen dollars. The approval application
379 forms shall contain a notice that false statements made in such form are
380 punishable in accordance with section 53a-157b.

381 (c) The commissioner, within available appropriations, shall require
382 each initial applicant or prospective employee of a family child care

383 home in a position requiring the provision of care to a child, including
384 an assistant or substitute staff member and each household member
385 who is sixteen years of age or older, to submit to comprehensive
386 background checks, including state and national criminal history
387 records checks. The criminal history records checks required pursuant
388 to this subsection shall be conducted in accordance with section 29-17a.
389 The commissioner shall also request a check of the state child abuse
390 registry established pursuant to section 17a-101k. The commissioner
391 shall notify each licensee of the provisions of this subsection. For
392 purposes of this subsection, "household member" means any person,
393 other than the person who is licensed to conduct, operate or maintain a
394 family child care home, who resides in the family child care home, such
395 as the licensee's spouse or children, tenants and any other occupant.

396 (d) An application for initial licensure pursuant to this section shall
397 be accompanied by a fee of forty dollars and such license shall be issued
398 for a term of four years. An application for renewal of a license issued
399 pursuant to this section shall be accompanied by a fee of forty dollars
400 and a certification from the licensee that any child enrolled in the family
401 child care home has received age-appropriate immunizations in
402 accordance with regulations adopted pursuant to subsection (f) of this
403 section. A license issued pursuant to this section shall be renewed for a
404 term of four years. In the case of an applicant submitting an application
405 for renewal of a license that has expired, and who has ceased operations
406 of a family child care home due to such expired license, the
407 commissioner may renew such expired license within thirty days of the
408 date of such expiration upon receipt of an application for renewal that
409 is accompanied by such fee and such certification.

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

413 (f) The commissioner shall adopt regulations, in accordance with the
414 provisions of chapter 54, to assure that family child care homes, as
415 defined in section 19a-77, meet the health, educational and social needs

416 of children utilizing such homes. Such regulations shall ensure that the
417 family child care home is treated as a residence, and not an institutional
418 facility. Such regulations shall specify that each child be protected as
419 age-appropriate by adequate immunization against diphtheria,
420 pertussis, tetanus, poliomyelitis, measles, mumps, rubella,
421 [hemophilus] haemophilus influenzae type B and any other vaccine
422 required by the schedule of active immunization adopted pursuant to
423 section 19a-7f. [Such regulations shall provide appropriate exemptions
424 for children for whom such immunization is medically contraindicated
425 and for children whose parents or guardian objects to such
426 immunization on religious grounds and require that any such objection
427 be accompanied by a statement from such parents or guardian that such
428 immunization would be contrary to the religious beliefs of such child or
429 the parents or guardian of such child, which statement shall be
430 acknowledged, in accordance with the provisions of sections 1-32, 1-34
431 and 1-35, by (1) a judge of a court of record or a family support
432 magistrate, (2) a clerk or deputy clerk of a court having a seal, (3) a town
433 clerk, (4) a notary public, (5) a justice of the peace, or (6) an attorney
434 admitted to the bar of this state.] Such regulations shall also specify
435 conditions under which family child care home providers may
436 administer tests to monitor glucose levels in a child with diagnosed
437 diabetes mellitus, and administer medicinal preparations, including
438 controlled drugs specified in the regulations by the commissioner, to a
439 child receiving child care services at a family child care home pursuant
440 to a written order of a physician licensed to practice medicine in this or
441 another state, an advanced practice registered nurse licensed to
442 prescribe in accordance with section 20-94a or a physician assistant
443 licensed to prescribe in accordance with section 20-12d, and the written
444 authorization of a parent or guardian of such child. Such regulations
445 shall specify appropriate standards for extended care and intermittent
446 short-term overnight care. The commissioner shall inform each licensee,
447 by way of a plain language summary provided not later than sixty days
448 after the regulation's effective date, of any new or changed regulations
449 adopted under this subsection with which a licensee must comply.

450 (g) Any child who (1) presents a certificate, in a form prescribed by
451 the Commissioner of Public Health pursuant to section 7 of this act,
452 signed by a physician, a physician assistant or an advanced practice
453 registered nurse stating that, in the opinion of such physician, physician
454 assistant or advanced practice registered nurse, the immunizations
455 required pursuant to regulations adopted pursuant to subsection (f) of
456 this section are medically contraindicated, or (2) was born prior to
457 January 1, 2023, and presents a statement that such immunizations are
458 contrary to the religious beliefs of such child or the parents or guardian
459 of such child, shall be exempt from the immunization requirements set
460 forth in such regulations. The statement described in subdivision (2) of
461 this subsection shall be acknowledged, in accordance with the
462 provisions of sections 1-32, 1-34 and 1-35, by (A) a judge of a court of
463 record or a family support magistrate, (B) a clerk or deputy clerk of a
464 court having a seal, (C) a town clerk, (D) a notary public, (E) a justice of
465 the peace, or (F) an attorney admitted to the bar of this state.

466 [(g)] (h) Upon the declaration by the Governor of a civil preparedness
467 emergency pursuant to section 28-9 or a public health emergency
468 pursuant to section 19a-131a, the commissioner may waive the
469 provisions of any regulation adopted pursuant to this section if the
470 commissioner determines that such waiver would not endanger the life,
471 safety or health of any child. The commissioner shall prescribe the
472 duration of such waiver, provided such waiver shall not extend beyond
473 the duration of the declared emergency. The commissioner shall
474 establish the criteria by which a waiver request shall be made and the
475 conditions for which a waiver will be granted or denied. The provisions
476 of section 19a-84 shall not apply to a denial of a waiver request under
477 this subsection.

478 [(h)] (i) Any family child care home may provide child care services
479 to homeless children and youths, as defined in 42 USC 11434a, as
480 amended from time to time, for a period not to exceed ninety days
481 without complying with any provision in regulations adopted pursuant
482 to this section relating to immunization and physical examination
483 requirements. Any family child care home that provides child care

484 services to homeless children and youths at such home under this
485 subsection shall maintain a record on file of all homeless children and
486 youths who have attended such home for a period of two years after
487 such homeless children or youths are no longer receiving child care
488 services at such home.

489 [(i)] (j) Any family child care home may provide child care services to
490 a foster child for a period not to exceed forty-five days without
491 complying with any provision in regulations adopted pursuant to this
492 section relating to immunization and physical examination
493 requirements. Any family child care home that provides child care
494 services to a foster child at such home under this subsection shall
495 maintain a record on file of such foster child for a period of two years
496 after such foster child is no longer receiving child care services at such
497 home. For purposes of this subsection, "foster child" means a child who
498 is in the care and custody of the Commissioner of Children and Families
499 and placed in a foster home licensed pursuant to section 17a-114, foster
500 home approved by a child-placing agency licensed pursuant to section
501 17a-149, facility licensed pursuant to section 17a-145 or with a relative
502 or fictive kin caregiver pursuant to section 17a-114.

503 Sec. 7. (NEW) (*Effective from passage*) On or before October 1, 2021, the
504 Commissioner of Public Health shall develop and make available on the
505 Internet web site of the Department of Public Health a certificate for use
506 by a physician, physician assistant or advanced practice registered
507 nurse stating that, in the opinion of such physician, physician assistant
508 or advanced practice registered nurse, a vaccination required by the
509 general statutes is medically contraindicated for a person because of the
510 physical condition of such person. The certificate shall include (1)
511 definitions of the terms "contraindication" and "precaution", (2) a list of
512 contraindications and precautions recognized by the National Centers
513 for Disease Control and Prevention for each of the statutorily required
514 vaccinations, from which the physician, physician assistant or advanced
515 practice registered nurse may select the relevant contraindication or
516 precaution on behalf of such person, (3) a section in which the physician,
517 physician assistant or advanced practice registered nurse may record a

518 contraindication or precaution that is not recognized by the National
519 Centers for Disease Control and Prevention, but in his or her discretion,
520 results in the vaccination being medically contraindicated, including,
521 but not limited to, any autoimmune disorder, family history of any
522 autoimmune disorder, family history of any reaction to a vaccination,
523 genetic predisposition to any reaction to a vaccination as determined
524 through genetic testing and a previous documented reaction of a person
525 that is correlated to a vaccination, (4) a section in which the physician,
526 physician assistant or advanced practice registered nurse may include a
527 written explanation for the exemption from any statutorily required
528 vaccinations, (5) a section requiring the signature of the physician,
529 physician assistant or advanced practice registered nurse, (6) a
530 requirement that the physician, physician assistant or advanced practice
531 registered nurse attach such person's most current immunization
532 record, and (7) a synopsis of the grounds for any order of quarantine or
533 isolation pursuant to section 19a-131b of the general statutes.

534 Sec. 8. (NEW) (*Effective from passage*) (a) There is established an
535 Advisory Committee on Medically Contraindicated Vaccinations within
536 the Department of Public Health for the purpose of advising the
537 Commissioner of Public Health on issues concerning exemptions from
538 state or federal requirements for vaccinations that result from a
539 physician, physician assistant or advanced practice registered nurse
540 stating that a vaccination is medically contraindicated for a person due
541 to the medical condition of such person. Said advisory committee shall
542 not be responsible for confirming or denying any determination by a
543 physician, physician assistant or advanced practice registered nurse that
544 a vaccination is medically contraindicated for a specific individual. In
545 order to carry out its duties, the advisory committee shall (1) have access
546 to the childhood immunization registry established by the department
547 pursuant to section 19a-7h of the general statutes, (2) evaluate the
548 process used by the department in collecting data concerning
549 exemptions resulting from a vaccination being medically
550 contraindicated and whether the department should have any oversight
551 over such exemptions, (3) examine whether enrollment of an

552 unvaccinated child into a program operated by a public or nonpublic
553 school, institution of higher education, child care center or group child
554 care home should be conditioned upon the child meeting certain
555 criteria, (4) calculate the ratio of school nurses to students in each public
556 and nonpublic school in the state and the funding issues surrounding
557 such ratio, (5) assess whether immunizations should be required more
558 frequently than prior to enrollment into a program operated by a public
559 or nonpublic school and prior to entering seventh grade, and (6)
560 determine whether (A) there are any discrepancies in the issuance of
561 certificates stating that a vaccine is medically contraindicated, and (B) to
562 recommend continuing education of physicians, physician assistants or
563 advanced practice registered nurses in vaccine contraindications and
564 precautions. All information obtained by the advisory committee from
565 such registry shall be confidential pursuant to section 19a-25 of the
566 general statutes, as amended by this act.

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

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

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

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

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

581 (5) One appointed by the minority leader of the House of
582 Representatives, who shall be an advanced practice registered nurse

583 licensed pursuant to chapter 378 of the general statutes who has
584 experience in the administration of vaccines;

585 (6) One appointed by the minority leader of the Senate, who shall be
586 a representative of the Connecticut Chapter of the American Academy
587 of Pediatrics;

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

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

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

594 (c) The members of the advisory committee shall elect a chairperson
595 of the advisory committee from among its members. Such chairperson
596 shall schedule the first meeting of the advisory committee, which shall
597 be held not later than October 1, 2021. The advisory committee shall
598 meet not less than biannually. On or before January 1, 2022, and
599 annually thereafter, the committee shall report, in accordance with the
600 provisions of section 11-4a of the general statutes, on its activities and
601 findings to the joint standing committee of the General Assembly
602 having cognizance of matters relating to public health.

603 Sec. 9. (NEW) (*Effective from passage*) The Department of Public
604 Health, in collaboration with the state Department of Education and the
605 Office of Early Childhood, shall evaluate all of the data collected by said
606 departments concerning exemptions from immunization requirements.
607 Not later than January 1, 2022, and annually thereafter, the
608 Commissioners of Public Health, Education and Early Childhood shall
609 jointly report, in accordance with the provisions of section 11-4a of the
610 general statutes, to the joint standing committees of the General
611 Assembly having cognizance of matters relating to public health and
612 education regarding the evaluation of such data.

613 Sec. 10. Subsection (a) of section 38a-492r of the general statutes is
614 repealed and the following is substituted in lieu thereof (*Effective January*
615 *1, 2022*):

616 (a) Each individual health insurance policy providing coverage of the
617 type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469
618 delivered, issued for delivery, renewed, amended or continued in this
619 state that provides coverage for prescription drugs shall provide
620 [coverage for] (1) coverage for immunizations recommended by the
621 American Academy of Pediatrics, American Academy of Family
622 Physicians and the American College of Obstetricians and
623 Gynecologists, and (2) with respect to immunizations that have in effect
624 a recommendation from the Advisory Committee on Immunization
625 Practices of the Centers for Disease Control and Prevention with respect
626 to the individual involved, coverage for such immunizations and at least
627 a twenty-minute consultation between such individual and a health care
628 provider authorized to administer such immunizations to such
629 individual.

630 Sec. 11. Subsection (a) of section 38a-518r of the general statutes is
631 repealed and the following is substituted in lieu thereof (*Effective January*
632 *1, 2022*):

633 (a) Each group health insurance policy providing coverage of the type
634 specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469
635 delivered, issued for delivery, renewed, amended or continued in this
636 state that provides coverage for prescription drugs shall provide
637 [coverage for] (1) coverage for immunizations recommended by the
638 American Academy of Pediatrics, American Academy of Family
639 Physicians and the American College of Obstetricians and
640 Gynecologists, and (2) with respect to immunizations that have in effect
641 a recommendation from the Advisory Committee on Immunization
642 Practices of the Centers for Disease Control and Prevention with respect
643 to the individual involved, coverage for such immunizations and at least
644 a twenty-minute consultation between such individual and a health care
645 provider authorized to administer such immunizations to such

646 individual."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-204a
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
Sec. 10	<i>January 1, 2022</i>	38a-492r(a)
Sec. 11	<i>January 1, 2022</i>	38a-518r(a)