



General Assembly

**Amendment**

January Session, 2021

LCO No. 7467



Offered by:  
SEN. SAMPSON, 16<sup>th</sup> Dist.

To: Subst. House Bill No. 6423      File No. 431      Cal. No. 320

(As Amended by House Amendment Schedules "A" and "G")

**"AN ACT CONCERNING IMMUNIZATIONS."**

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

3      "Section 1. Subsection (a) of section 10-204a of the general statutes is  
4      repealed and the following is substituted in lieu thereof (*Effective July 1,*  
5      *2021*):

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

15 measles. Any such child who (1) presents a certificate from a physician,  
16 physician assistant, advanced practice registered nurse or local health  
17 agency stating that initial immunizations have been given to such child  
18 and additional immunizations are in process under guidelines and  
19 schedules specified by the Commissioner of Public Health; or (2)  
20 presents a certificate from a physician, physician assistant or advanced  
21 practice registered nurse stating that in the opinion of such physician,  
22 physician assistant or advanced practice registered nurse such  
23 immunization is medically contraindicated because of the physical  
24 condition of such child; or (3) presents a statement from the parents or  
25 guardian of such child that such immunization would be contrary to the  
26 [religious] philosophical beliefs of such child or the parents or guardian  
27 of such child, which statement shall be acknowledged, in accordance  
28 with the provisions of sections 1-32, 1-34 and 1-35, by (A) a judge of a  
29 court of record or a family support magistrate, (B) a clerk or deputy clerk  
30 of a court having a seal, (C) a town clerk, (D) a notary public, (E) a justice  
31 of the peace, (F) an attorney admitted to the bar of this state, or (G)  
32 notwithstanding any provision of chapter 6, a school nurse; or (4) in the  
33 case of measles, mumps or rubella, presents a certificate from a  
34 physician, physician assistant or advanced practice registered nurse or  
35 from the director of health in such child's present or previous town of  
36 residence, stating that the child has had a confirmed case of such  
37 disease; or (5) in the case of [hemophilus] haemophilus influenzae type  
38 B has passed his fifth birthday; or (6) in the case of pertussis, has passed  
39 his sixth birthday, shall be exempt from the appropriate provisions of  
40 this section. If the parents or guardians of any child are unable to pay  
41 for such immunizations, the expense of such immunizations shall, on  
42 the recommendations of such board of education, be paid by the town.  
43 Before being permitted to enter seventh grade, the parents or guardian  
44 of any child who is exempt on [religious] personal, philosophical or  
45 moral grounds from the immunization requirements of this section,  
46 pursuant to subdivision (3) of this subsection, shall present to such  
47 school a statement that such immunization requirements are contrary to  
48 the [religious] personal, philosophical or moral beliefs of such child or  
49 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 Sec. 2. Subsection (a) of section 19a-79 of the general statutes is  
57 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
58 *2021*):

59 (a) The Commissioner of Early Childhood shall adopt regulations, in  
60 accordance with the provisions of chapter 54, to carry out the purposes  
61 of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87, inclusive,  
62 and to assure that child care centers and group child care homes meet  
63 the health, educational and social needs of children utilizing such child  
64 care centers and group child care homes. Such regulations shall (1)  
65 specify that before being permitted to attend any child care center or  
66 group child care home, each child shall be protected as age-appropriate  
67 by adequate immunization against diphtheria, pertussis, tetanus,  
68 poliomyelitis, measles, mumps, rubella, [hemophilus] haemophilus  
69 influenzae type B and any other vaccine required by the schedule of  
70 active immunization adopted pursuant to section 19a-7f, including  
71 appropriate exemptions for children for whom such immunization is  
72 medically contraindicated and for children whose parent or guardian  
73 objects to such immunization on [religious] philosophical grounds, and  
74 that any objection by a parent or a guardian to immunization of a child  
75 on [religious] philosophical grounds shall be accompanied by a  
76 statement from such parent or guardian that such immunization would  
77 be contrary to the [religious] philosophical beliefs of such child or the  
78 parent or guardian of such child, which statement shall be  
79 acknowledged, in accordance with the provisions of sections 1-32, 1-34  
80 and 1-35, by (A) a judge of a court of record or a family support  
81 magistrate, (B) a clerk or deputy clerk of a court having a seal, (C) a town  
82 clerk, (D) a notary public, (E) a justice of the peace, or (F) an attorney  
83 admitted to the bar of this state, (2) specify conditions under which child

84 care center directors and teachers and group child care home providers  
85 may administer tests to monitor glucose levels in a child with diagnosed  
86 diabetes mellitus, and administer medicinal preparations, including  
87 controlled drugs specified in the regulations by the commissioner, to a  
88 child receiving child care services at such child care center or group  
89 child care home pursuant to the written order of a physician licensed to  
90 practice medicine or a dentist licensed to practice dental medicine in this  
91 or another state, or an advanced practice registered nurse licensed to  
92 prescribe in accordance with section 20-94a, or a physician assistant  
93 licensed to prescribe in accordance with section 20-12d, and the written  
94 authorization of a parent or guardian of such child, (3) specify that an  
95 operator of a child care center or group child care home, licensed before  
96 January 1, 1986, or an operator who receives a license after January 1,  
97 1986, for a facility licensed prior to January 1, 1986, shall provide a  
98 minimum of thirty square feet per child of total indoor usable space, free  
99 of furniture except that needed for the children's purposes, exclusive of  
100 toilet rooms, bathrooms, coatrooms, kitchens, halls, isolation room or  
101 other rooms used for purposes other than the activities of the children,  
102 (4) specify that a child care center or group child care home licensed  
103 after January 1, 1986, shall provide thirty-five square feet per child of  
104 total indoor usable space, (5) establish appropriate child care center  
105 staffing requirements for employees certified in cardiopulmonary  
106 resuscitation by the American Red Cross, the American Heart  
107 Association, the National Safety Council, American Safety and Health  
108 Institute, Medic First Aid International, Inc. or an organization using  
109 guidelines for cardiopulmonary resuscitation and emergency  
110 cardiovascular care published by the American Heart Association and  
111 International Liaison Committee on Resuscitation, (6) specify that on  
112 and after January 1, 2003, a child care center or group child care home  
113 (A) shall not deny services to a child on the basis of a child's known or  
114 suspected allergy or because a child has a prescription for an automatic  
115 prefilled cartridge injector or similar automatic injectable equipment  
116 used to treat an allergic reaction, or for injectable equipment used to  
117 administer glucagon, (B) shall, not later than three weeks after such  
118 child's enrollment in such a center or home, have staff trained in the use

119 of such equipment on-site during all hours when such a child is on-site,  
120 (C) shall require such child's parent or guardian to provide the injector  
121 or injectable equipment and a copy of the prescription for such  
122 medication and injector or injectable equipment upon enrollment of  
123 such child, and (D) shall require a parent or guardian enrolling such a  
124 child to replace such medication and equipment prior to its expiration  
125 date, (7) specify that on and after January 1, 2005, a child care center or  
126 group child care home (A) shall not deny services to a child on the basis  
127 of a child's diagnosis of asthma or because a child has a prescription for  
128 an inhalant medication to treat asthma, and (B) shall, not later than three  
129 weeks after such child's enrollment in such a center or home, have staff  
130 trained in the administration of such medication on-site during all hours  
131 when such a child is on-site, and (8) establish physical plant  
132 requirements for licensed child care centers and licensed group child  
133 care homes that exclusively serve school-age children. When  
134 establishing such requirements, the Office of Early Childhood shall give  
135 consideration to child care centers and group child care homes that are  
136 located in private or public school buildings. With respect to this  
137 subdivision only, the commissioner shall implement policies and  
138 procedures necessary to implement the physical plant requirements  
139 established pursuant to this subdivision while in the process of adopting  
140 such policies and procedures in regulation form. Until replaced by  
141 policies and procedures implemented pursuant to this subdivision, any  
142 physical plant requirement specified in the office's regulations that is  
143 generally applicable to child care centers and group child care homes  
144 shall continue to be applicable to such centers and homes that  
145 exclusively serve school-age children. The commissioner shall print  
146 notice of the intent to adopt regulations pursuant to this subdivision on  
147 the eRegulations System not later than twenty days after the date of  
148 implementation of such policies and procedures. Policies and  
149 procedures implemented pursuant to this subdivision shall be valid  
150 until the time final regulations are adopted.

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

153 2021):

154 (f) The commissioner shall adopt regulations, in accordance with the  
155 provisions of chapter 54, to assure that family child care homes, as  
156 defined in section 19a-77, meet the health, educational and social needs  
157 of children utilizing such homes. Such regulations shall ensure that the  
158 family child care home is treated as a residence, and not an institutional  
159 facility. Such regulations shall specify that each child be protected as  
160 age-appropriate by adequate immunization against diphtheria,  
161 pertussis, tetanus, poliomyelitis, measles, mumps, rubella,  
162 [hemophilus] haemophilus influenzae type B and any other vaccine  
163 required by the schedule of active immunization adopted pursuant to  
164 section 19a-7f. Such regulations shall provide appropriate exemptions  
165 for children for whom such immunization is medically contraindicated  
166 and for children whose parents or guardian objects to such  
167 immunization on [religious] philosophical grounds and require that any  
168 such objection be accompanied by a statement from such parents or  
169 guardian that such immunization would be contrary to the [religious]  
170 philosophical beliefs of such child or the parents or guardian of such  
171 child, which statement shall be acknowledged, in accordance with the  
172 provisions of sections 1-32, 1-34 and 1-35, by (1) a judge of a court of  
173 record or a family support magistrate, (2) a clerk or deputy clerk of a  
174 court having a seal, (3) a town clerk, (4) a notary public, (5) a justice of  
175 the peace, or (6) an attorney admitted to the bar of this state. Such  
176 regulations shall also specify conditions under which family child care  
177 home providers may administer tests to monitor glucose levels in a child  
178 with diagnosed diabetes mellitus, and administer medicinal  
179 preparations, including controlled drugs specified in the regulations by  
180 the commissioner, to a child receiving child care services at a family  
181 child care home pursuant to a written order of a physician licensed to  
182 practice medicine in this or another state, an advanced practice  
183 registered nurse licensed to prescribe in accordance with section 20-94a  
184 or a physician assistant licensed to prescribe in accordance with section  
185 20-12d, and the written authorization of a parent or guardian of such  
186 child. Such regulations shall specify appropriate standards for extended

187 care and intermittent short-term overnight care. The commissioner shall  
 188 inform each licensee, by way of a plain language summary provided not  
 189 later than sixty days after the regulation's effective date, of any new or  
 190 changed regulations adopted under this subsection with which a  
 191 licensee must comply.

192 Sec. 4. (NEW) (*Effective July 1, 2021*) The Department of Public Health  
 193 shall (1) provide the parents or guardian of each child who is seeking to  
 194 enroll in a public or nonpublic school, child care center, group child care  
 195 home or family child care home with (A) information regarding (i) the  
 196 immunization requirements for enrolling in a public or nonpublic  
 197 school set forth in section 10-204a of the general statutes, as amended by  
 198 this act, child care center or group child care home set forth in section  
 199 19a-79 of the general statutes, as amended by this act, or family child  
 200 care home set forth in section 19a-89b of the general statutes, as  
 201 amended by this act, (ii) the immunization process, (iii) the risks and  
 202 potential side effects of each of the required vaccines, and (iv) how and  
 203 where to report any vaccine injury, and (B) the most recent National  
 204 Vaccine Injury Compensation Program Data Report published by the  
 205 United States Health Resources and Services Administration, and (2)  
 206 inform such parents and guardians that there are medical and  
 207 philosophical exemptions to the vaccine requirements set forth in said  
 208 sections."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	10-204a(a)
Sec. 2	<i>July 1, 2021</i>	19a-79(a)
Sec. 3	<i>July 1, 2021</i>	19a-87b(f)
Sec. 4	<i>July 1, 2021</i>	New section