



# House of Representatives

General Assembly

**File No. 627**

January Session, 2015

Substitute House Bill No. 6949

*House of Representatives, April 14, 2015*

The Committee on Public Health reported through REP. RITTER of the 1st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING CHILDHOOD VACCINATIONS.**

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

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2 repealed and the following is substituted in lieu thereof (*Effective July*  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

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 influenzae type B and any other vaccine required by the schedule for  
9 active immunization adopted pursuant to section 19a-7f before being  
10 permitted to enroll in any program operated by a public or nonpublic  
11 school under its jurisdiction. Before being permitted to enter seventh  
12 grade, a child shall receive a second immunization against measles.  
13 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 from a physician, physician assistant or advanced  
19 practice registered nurse stating that in the opinion of such physician,  
20 physician assistant or advanced practice registered nurse such  
21 immunization is medically contraindicated because of the physical  
22 condition of such child; or (3) presents a notarized statement from the  
23 parents or guardian of such child that such immunization would be  
24 contrary to the religious beliefs of such child; or (4) in the case of  
25 measles, mumps or rubella, presents a certificate from a physician,  
26 physician assistant or advanced practice registered nurse or from the  
27 director of health in such child's present or previous town of residence,  
28 stating that the child has had a confirmed case of such disease; or (5) in  
29 the case of hemophilus influenzae type B has passed his fifth birthday;  
30 or (6) in the case of pertussis, has passed his sixth birthday, shall be  
31 exempt from the appropriate provisions of this section. If the parents  
32 or guardians of any children are unable to pay for such  
33 immunizations, the expense of such immunizations shall, on the  
34 recommendations of such board of education, be paid by the town.

35 Sec. 2. Subsection (a) of section 19a-79 of the general statutes is  
36 repealed and the following is substituted in lieu thereof (*Effective July*  
37 *1, 2015*):

38 (a) The Commissioner of Early Childhood shall adopt regulations,  
39 in accordance with the provisions of chapter 54, to carry out the  
40 purposes of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87,  
41 inclusive, and to assure that child day care centers and group day care  
42 homes shall meet the health, educational and social needs of children  
43 utilizing such child day care centers and group day care homes. Such  
44 regulations shall (1) specify that before being permitted to attend any  
45 child day care center or group day care home, each child shall be  
46 protected as age-appropriate by adequate immunization against  
47 diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella,  
48 hemophilus influenzae type B and any other vaccine required by the  
49 schedule of active immunization adopted pursuant to section 19a-7f,

50 including appropriate exemptions for children for whom such  
51 immunization is medically contraindicated and for children whose  
52 parents [object] or guardian objects to such immunization on religious  
53 grounds, and that any objection by parents or a guardian to  
54 immunization of a child on religious grounds shall be accompanied by  
55 a notarized statement from such parents or guardian that such  
56 immunization would be contrary to the religious beliefs of such child,  
57 (2) specify conditions under which child day care center directors and  
58 teachers and group day care home providers may administer tests to  
59 monitor glucose levels in a child with diagnosed diabetes mellitus, and  
60 administer medicinal preparations, including controlled drugs  
61 specified in the regulations by the commissioner, to a child receiving  
62 child day care services at such child day care center or group day care  
63 home pursuant to the written order of a physician licensed to practice  
64 medicine or a dentist licensed to practice dental medicine in this or  
65 another state, or an advanced practice registered nurse licensed to  
66 prescribe in accordance with section 20-94a, or a physician assistant  
67 licensed to prescribe in accordance with section 20-12d, and the written  
68 authorization of a parent or guardian of such child, (3) specify that an  
69 operator of a child day care center or group day care home, licensed  
70 before January 1, 1986, or an operator who receives a license after  
71 January 1, 1986, for a facility licensed prior to January 1, 1986, shall  
72 provide a minimum of thirty square feet per child of total indoor  
73 usable space, free of furniture except that needed for the children's  
74 purposes, exclusive of toilet rooms, bathrooms, coatrooms, kitchens,  
75 halls, isolation room or other rooms used for purposes other than the  
76 activities of the children, (4) specify that a child day care center or  
77 group day care home licensed after January 1, 1986, shall provide  
78 thirty-five square feet per child of total indoor usable space, (5)  
79 establish appropriate child day care center staffing requirements for  
80 employees certified in cardiopulmonary resuscitation by the American  
81 Red Cross, the American Heart Association, the National Safety  
82 Council, American Safety and Health Institute or Medic First Aid  
83 International, Inc., (6) specify that on and after January 1, 2003, a child  
84 day care center or group day care home (A) shall not deny services to a

85 child on the basis of a child's known or suspected allergy or because a  
86 child has a prescription for an automatic prefilled cartridge injector or  
87 similar automatic injectable equipment used to treat an allergic  
88 reaction, or for injectable equipment used to administer glucagon, (B)  
89 shall, not later than three weeks after such child's enrollment in such a  
90 center or home, have staff trained in the use of such equipment on-site  
91 during all hours when such a child is on-site, (C) shall require such  
92 child's parent or guardian to provide the injector or injectable  
93 equipment and a copy of the prescription for such medication and  
94 injector or injectable equipment upon enrollment of such child, and (D)  
95 shall require a parent or guardian enrolling such a child to replace  
96 such medication and equipment prior to its expiration date, (7) specify  
97 that on and after January 1, 2005, a child day care center or group day  
98 care home (A) shall not deny services to a child on the basis of a child's  
99 diagnosis of asthma or because a child has a prescription for an  
100 inhalant medication to treat asthma, and (B) shall, not later than three  
101 weeks after such child's enrollment in such a center or home, have staff  
102 trained in the administration of such medication on-site during all  
103 hours when such a child is on-site, and (8) establish physical plant  
104 requirements for licensed child day care centers and licensed group  
105 day care homes that exclusively serve school-age children. When  
106 establishing such requirements, the Office of Early Childhood shall  
107 give consideration to child day care centers and group day care homes  
108 that are located in private or public school buildings. With respect to  
109 this subdivision only, the commissioner shall implement policies and  
110 procedures necessary to implement the physical plant requirements  
111 established pursuant to this subdivision while in the process of  
112 adopting such policies and procedures in regulation form. Until  
113 replaced by policies and procedures implemented pursuant to this  
114 subdivision, any physical plant requirement specified in the office's  
115 regulations that is generally applicable to child day care centers and  
116 group day care homes shall continue to be applicable to such centers  
117 and group day care homes that exclusively serve school-age children.  
118 The commissioner shall print notice of the intent to adopt regulations  
119 pursuant to this subdivision in the Connecticut Law Journal not later

120 than twenty days after the date of implementation of such policies and  
121 procedures. Policies and procedures implemented pursuant to this  
122 subdivision shall be valid until the time final regulations are adopted.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2015</i>	10-204a(a)
Sec. 2	<i>July 1, 2015</i>	19a-79(a)

**PH**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

---

***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

There is no fiscal impact to the state associated with requiring parents or guardians to notarize certain statements regarding the immunization of their children.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

**OLR Bill Analysis****sHB 6949****AN ACT CONCERNING CHILDHOOD VACCINATIONS.****SUMMARY:**

Current law exempts children from school immunization requirements if a child presents a statement from his or her parents or guardians that the immunization would be contrary to the child's religious beliefs. This bill requires that the statement be notarized. The bill also extends the notarization requirement to children attending child day care centers and group day care homes whose parents or guardians object to such immunization on religious grounds.

Existing law requires children attending child day care centers, group day care homes, and public and private schools to be immunized against certain diseases, such as measles, mumps, and rubella; diphtheria, tetanus, and pertussis; and polio, among others (see BACKGROUND). In addition to the above religious exemption, the law provides a medical exemption for children who can document that immunization is medically contraindicated.

EFFECTIVE DATE: July 1, 2015

**BACKGROUND*****Childhood Immunization Requirements***

Connecticut requires children attending day care facilities or public and private schools to be immunized against the following diseases:

1. Measles, Mumps, Rubella (preschool through grade 12);
2. Polio (preschool through grade 12);
3. Diphtheria, Tetanus, Pertussis (preschool through grade 12);

4. Hemophilus influenza B (under age 5);
5. Hepatitis B (preschool through grade 12);
6. Hepatitis A (preschool and kindergarten);
7. Chicken Pox (preschool through grade 12);
8. Influenza (preschool);
9. Pneumonia (under age 5); and
10. Meningitis (7<sup>th</sup> grade) (CGS § 10-204a, 19a-7f and Conn. Agencies Regs. §§ 10-204a et seq. and 19a-79-6a).

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable Substitute

Yea 23 Nay 4 (03/27/2015)