



General Assembly

Amendment

January Session, 2015

LCO No. 7676



Offered by:
SEN. KANE, 32nd Dist.

To: Subst. House Bill No. **6949** File No. 809 Cal. No. 487

(As Amended by House Amendment Schedule "A")

"AN ACT CONCERNING CHILDHOOD VACCINATIONS."

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

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4 repealed and the following is substituted in lieu thereof (*Effective July*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

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

14 grade, a child shall receive a second immunization against measles.
15 Any such child who (1) presents a certificate from a physician,
16 physician assistant, advanced practice registered nurse or local health
17 agency stating that initial immunizations have been given to such child
18 and additional immunizations are in process under guidelines and
19 schedules specified by the Commissioner of Public Health; or (2)
20 presents a certificate from a physician, physician assistant or advanced
21 practice registered nurse stating that in the opinion of such physician,
22 physician assistant or advanced practice registered nurse such
23 immunization is medically contraindicated because of the physical
24 condition of such child; or (3) presents a statement from the parents or
25 guardian of such child that such immunization would be contrary to
26 the religious or personal beliefs of such child or the parents or
27 guardian of such child; or (4) in the case of measles, mumps or rubella,
28 presents a certificate from a physician, physician assistant or advanced
29 practice registered nurse or from the director of health in such child's
30 present or previous town of residence, stating that the child has had a
31 confirmed case of such disease; or (5) in the case of hemophilus
32 influenzae type B has passed his fifth birthday; or (6) in the case of
33 pertussis, has passed his sixth birthday, shall be exempt from the
34 appropriate provisions of this section. If the parents or guardians of
35 any [children] child are unable to pay for such immunizations, the
36 expense of such immunizations shall, on the recommendations of such
37 board of education, be paid by the town.

38 Sec. 2. Subsection (a) of section 19a-79 of the general statutes is
39 repealed and the following is substituted in lieu thereof (*Effective July*
40 *1, 2015*):

41 (a) The Commissioner of Early Childhood shall adopt regulations,
42 in accordance with the provisions of chapter 54, to carry out the
43 purposes of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87,
44 inclusive, and to assure that child day care centers and group day care
45 homes shall meet the health, educational and social needs of children
46 utilizing such child day care centers and group day care homes. Such

47 regulations shall (1) specify that before being permitted to attend any
48 child day care center or group day care home, each child shall be
49 protected as age-appropriate by adequate immunization against
50 diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella,
51 hemophilus influenzae type B and any other vaccine required by the
52 schedule of active immunization adopted pursuant to section 19a-7f,
53 including appropriate exemptions for children for whom such
54 immunization is medically contraindicated and for children whose
55 parents [object] or guardian objects to such immunization on religious
56 or personal grounds, (2) specify conditions under which child day care
57 center directors and teachers and group day care home providers may
58 administer tests to monitor glucose levels in a child with diagnosed
59 diabetes mellitus, and administer medicinal preparations, including
60 controlled drugs specified in the regulations by the commissioner, to a
61 child receiving child day care services at such child day care center or
62 group day care home pursuant to the written order of a physician
63 licensed to practice medicine or a dentist licensed to practice dental
64 medicine in this or another state, or an advanced practice registered
65 nurse licensed to prescribe in accordance with section 20-94a, or a
66 physician assistant licensed to prescribe in accordance with section 20-
67 12d, and the written authorization of a parent or guardian of such
68 child, (3) specify that an operator of a child day care center or group
69 day care home, licensed before January 1, 1986, or an operator who
70 receives a license after January 1, 1986, for a facility licensed prior to
71 January 1, 1986, shall provide a minimum of thirty square feet per
72 child of total indoor usable space, free of furniture except that needed
73 for the children's purposes, exclusive of toilet rooms, bathrooms,
74 coatrooms, kitchens, halls, isolation room or other rooms used for
75 purposes other than the activities of the children, (4) specify that a
76 child day care center or group day care home licensed after January 1,
77 1986, shall provide thirty-five square feet per child of total indoor
78 usable space, (5) establish appropriate child day care center staffing
79 requirements for employees certified in cardiopulmonary resuscitation
80 by the American Red Cross, the American Heart Association, the
81 National Safety Council, American Safety and Health Institute or

82 Medic First Aid International, Inc., (6) specify that on and after January
83 1, 2003, a child day care center or group day care home (A) shall not
84 deny services to a child on the basis of a child's known or suspected
85 allergy or because a child has a prescription for an automatic prefilled
86 cartridge injector or similar automatic injectable equipment used to
87 treat an allergic reaction, or for injectable equipment used to
88 administer glucagon, (B) shall, not later than three weeks after such
89 child's enrollment in such a center or home, have staff trained in the
90 use of such equipment on-site during all hours when such a child is
91 on-site, (C) shall require such child's parent or guardian to provide the
92 injector or injectable equipment and a copy of the prescription for such
93 medication and injector or injectable equipment upon enrollment of
94 such child, and (D) shall require a parent or guardian enrolling such a
95 child to replace such medication and equipment prior to its expiration
96 date, (7) specify that on and after January 1, 2005, a child day care
97 center or group day care home (A) shall not deny services to a child on
98 the basis of a child's diagnosis of asthma or because a child has a
99 prescription for an inhalant medication to treat asthma, and (B) shall,
100 not later than three weeks after such child's enrollment in such a center
101 or home, have staff trained in the administration of such medication
102 on-site during all hours when such a child is on-site, and (8) establish
103 physical plant requirements for licensed child day care centers and
104 licensed group day care homes that exclusively serve school-age
105 children. When establishing such requirements, the Office of Early
106 Childhood shall give consideration to child day care centers and group
107 day care homes that are located in private or public school buildings.
108 With respect to this subdivision only, the commissioner shall
109 implement policies and procedures necessary to implement the
110 physical plant requirements established pursuant to this subdivision
111 while in the process of adopting such policies and procedures in
112 regulation form. Until replaced by policies and procedures
113 implemented pursuant to this subdivision, any physical plant
114 requirement specified in the office's regulations that is generally
115 applicable to child day care centers and group day care homes shall
116 continue to be applicable to such centers and group day care homes

117 that exclusively serve school-age children. The commissioner shall
118 print notice of the intent to adopt regulations pursuant to this
119 subdivision in the Connecticut Law Journal not later than twenty days
120 after the date of implementation of such policies and procedures.
121 Policies and procedures implemented pursuant to this subdivision
122 shall be valid until the time final regulations are adopted.

123 Sec. 3. Subsection (f) of section 19a-87b of the general statutes is
124 repealed and the following is substituted in lieu thereof (*Effective July*
125 *1, 2015*):

126 (f) The commissioner shall adopt regulations, in accordance with the
127 provisions of chapter 54, to assure that family day care homes, as
128 defined in section 19a-77, shall meet the health, educational and social
129 needs of children utilizing such homes. Such regulations shall ensure
130 that the family day care home is treated as a residence, and not an
131 institutional facility. Such regulations shall specify that each child be
132 protected as age-appropriate by adequate immunization against
133 diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps, rubella,
134 hemophilus influenzae type B and any other vaccine required by the
135 schedule of active immunization adopted pursuant to section 19a-7f.
136 Such regulations shall provide appropriate exemptions for children for
137 whom such immunization is medically contraindicated and for
138 children whose parents [object] or guardian objects to such
139 immunization on religious or personal grounds. Such regulations shall
140 also specify conditions under which family day care home providers
141 may administer tests to monitor glucose levels in a child with
142 diagnosed diabetes mellitus, and administer medicinal preparations,
143 including controlled drugs specified in the regulations by the
144 commissioner, to a child receiving day care services at a family day
145 care home pursuant to a written order of a physician licensed to
146 practice medicine in this or another state, an advanced practice
147 registered nurse licensed to prescribe in accordance with section 20-94a
148 or a physician assistant licensed to prescribe in accordance with section
149 20-12d, and the written authorization of a parent or guardian of such

150 child. Such regulations shall specify appropriate standards for
151 extended care and intermittent short-term overnight care. The
152 commissioner shall inform each licensee, by way of a plain language
153 summary provided not later than sixty days after the regulation's
154 effective date, of any new or changed regulations adopted under this
155 subsection with which a licensee must comply."

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