



General Assembly

Amendment

January Session, 2021

LCO No. 7021



Offered by:

REP. DAUPHINAIS, 44th Dist.

SEN. SOMERS, 18th Dist.

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

File No. 431

Cal. No. 323

(As Amended)

"AN ACT CONCERNING IMMUNIZATIONS."

1 Strike section 1 in its entirety and insert the following in lieu thereof:

2 "Section 1. Section 10-204a of the general statutes are repealed and the
3 following is substituted in lieu thereof (*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 (A) under guidelines and
17 schedules specified by the Commissioner of Public Health, or (B) in the
18 case of a child enrolled in a preschool program or other prekindergarten
19 program who, prior to the effective date of this section, was exempt
20 from the appropriate provisions of this section upon presentation of a
21 statement that such immunizations would be contrary to the religious
22 beliefs of such child or the parents or guardian of such child, as such
23 additional immunizations are recommended, in a written declaration,
24 in a form prescribed by the Commissioner of Public Health, for such
25 child by a physician, a physician assistant or an advanced practice
26 registered nurse; or (2) presents a certificate, in a form prescribed by the
27 commissioner pursuant to section 7 of this act, from a physician,
28 physician assistant or advanced practice registered nurse stating that in
29 the opinion of such physician, physician assistant or advanced practice
30 registered nurse such immunization is medically contraindicated
31 because of the physical condition of such child; [or (3) presents a
32 statement from the parents or guardian of such child that such
33 immunization would be contrary to the religious beliefs of such child or
34 the parents or guardian of such child, which statement shall be
35 acknowledged, in accordance with the provisions of sections 1-32, 1-34
36 and 1-35, by (A) a judge of a court of record or a family support
37 magistrate, (B) a clerk or deputy clerk of a court having a seal, (C) a town
38 clerk, (D) a notary public, (E) a justice of the peace, (F) an attorney
39 admitted to the bar of this state, or (G) notwithstanding any provision
40 of chapter 6, a school nurse;] or [(4)] (3) in the case of measles, mumps
41 or rubella, presents a certificate from a physician, physician assistant or
42 advanced practice registered nurse or from the director of health in such
43 child's present or previous town of residence, stating that the child has
44 had a confirmed case of such disease; or [(5)] (4) in the case of
45 [hemophilus] haemophilus influenzae type B has passed [his] such
46 child's fifth birthday; or [(6)] (5) in the case of pertussis, has passed [his]
47 such child's sixth birthday, shall be exempt from the appropriate
48 provisions of this section. [If the parents or guardians of any child are

49 unable to pay for such immunizations, the expense of such
50 immunizations shall, on the recommendations of such board of
51 education, be paid by the town. Before being permitted to enter seventh
52 grade, the parents or guardian of any child who is exempt on religious
53 grounds from the immunization requirements of this section, pursuant
54 to subdivision (3) of this subsection, shall present to such school a
55 statement that such immunization requirements are contrary to the
56 religious beliefs of such child or the parents or guardian of such child,
57 which statement shall be acknowledged, in accordance with the
58 provisions of sections 1-32, 1-34 and 1-35, by (A) a judge of a court of
59 record or a family support magistrate, (B) a clerk or deputy clerk of a
60 court having a seal, (C) a town clerk, (D) a notary public, (E) a justice of
61 the peace, (F) an attorney admitted to the bar of this state, or (G)
62 notwithstanding any provision of chapter 6, a school nurse.] The
63 statement described in subparagraph (B) of subdivision (1) of this
64 subsection shall be acknowledged, in accordance with the provisions of
65 sections 1-32, 1-34 and 1-35, by a judge of a court of record or a family
66 support magistrate, a clerk or deputy clerk of a court having a seal, a
67 town clerk, a notary public, a justice of the peace, an attorney admitted
68 to the bar of this state, or notwithstanding any provision of chapter 6, a
69 school nurse.

70 (b) The immunization requirements provided for in subsection (a) of
71 this section shall not apply to any child who is enrolled in kindergarten
72 through twelfth grade on or before the effective date of this section if
73 such child presented a statement, prior to the effective date of this
74 section, from the parents or guardian of such child that such
75 immunization is contrary to the religious beliefs of such child or the
76 parents or guardian of such child, and such statement was
77 acknowledged, in accordance with the provisions of sections 1-32, 1-34
78 and 1-35, by (1) a judge of a court of record or a family support
79 magistrate, (2) a clerk or deputy clerk of a court having a seal, (3) a town
80 clerk, (4) a notary public, (5) a justice of the peace, (6) an attorney
81 admitted to the bar of this state, or (7) notwithstanding any provision of
82 chapter 6, a school nurse.

83 (c) Any child who is enrolled in a preschool program or other
84 prekindergarten program prior to the effective date of this section who
85 presented a statement, prior to the effective date of this section, from the
86 parents or guardian of such child that the immunization is contrary to
87 the religious beliefs of such child or the parents or guardian of such
88 child, which statement was acknowledged, in accordance with the
89 provisions of sections 1-32, 1-34 and 1-35, by (1) a judge of a court of
90 record or a family support magistrate, (2) a clerk or deputy clerk of a
91 court having a seal, (3) a town clerk, (4) a notary public, (5) a justice of
92 the peace, (6) an attorney admitted to the bar of this state, or (7)
93 notwithstanding any provision of chapter 6, a school nurse, but did not
94 present a written declaration from a physician, a physician assistant or
95 an advanced practice registered nurse stating that additional
96 immunizations are in process as recommended by such physician,
97 physician assistant or advanced practice registered nurse, rather than as
98 recommended under guidelines and schedules specified by the
99 Commissioner of Public Health, shall comply with the immunization
100 requirements provided for in subparagraph (A) of subdivision (1) of
101 subsection (a) of this section on or before September 1, 2022, or not later
102 than fourteen days after transferring to a program operated by a public
103 or nonpublic school under the jurisdiction of a local or regional board of
104 education or similar body governing a nonpublic school or schools,
105 whichever is later.

106 (d) If the parents or guardian of any child are unable to pay for any
107 immunization required by subsection (a) of this section, the expense of
108 such immunization shall, on the recommendation of such child's local
109 or regional board of education, or similar body governing a nonpublic
110 school or schools, be paid by the town.

111 [(b)] (e) The definitions of adequate immunization shall reflect the
112 schedule for active immunization adopted pursuant to section 19a-7f
113 and be established by regulation adopted in accordance with the
114 provisions of chapter 54 by the Commissioner of Public Health, who
115 shall also be responsible for providing procedures under which [said]
116 such boards and [said] such similar governing bodies shall collect and

117 report immunization data on each child to the Department of Public
 118 Health for (1) compilation and analysis by [said] the department, and
 119 (2) release by the department of annual immunization rates for each
 120 public and nonpublic school in the state, provided such immunization
 121 data may not contain information that identifies a specific individual.

122 [(c)] (f) The Commissioner of Public Health may issue a temporary
 123 waiver to the schedule for active immunization for any vaccine if the
 124 National Centers for Disease Control and Prevention recognizes a
 125 nation-wide shortage of supply for such vaccine.

126 (g) The parents or guardian of any child who is exempt from the
 127 immunization requirements set forth in this section on religious
 128 grounds shall provide, on or before September 1, 2022, a record of all
 129 immunizations such child has received to the relevant local or regional
 130 board of education or similar body governing a nonpublic school or
 131 schools and update such record not later than seven days after receiving
 132 any additional immunizations."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	10-204a