



General Assembly

**Amendment**

January Session, 2021

LCO No. 7091



Offered by:  
REP. CASE, 63<sup>rd</sup> 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 Section 10-204a of the general statutes is repealed and the  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) [presents] prior to September 1, 2022,  
25 presented 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) [provides] prior to September 1, 2022, provided 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) [presents] prior  
179 to September 1, 2022, presented 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) prior  
282 to September 1, 2022, presented a statement that such immunizations  
283 are contrary to the religious beliefs of such child or the parents or

284 guardian of such child, shall be exempt from the immunization  
285 requirements set forth in such regulations. The statement described in  
286 subdivision (2) of this subsection shall be acknowledged, in accordance  
287 with the provisions of sections 1-32, 1-34 and 1-35, by a judge of a court  
288 of record or a family support magistrate, a clerk or deputy clerk of a  
289 court having a seal, a town clerk, a notary public, a justice of the peace,  
290 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) prior to September 1,  
457 2022, presented a statement that such immunizations are contrary to the  
458 religious beliefs of such child or the parents or guardian of such child,  
459 shall be exempt from the immunization requirements set forth in such  
460 regulations. The statement described in subdivision (2) of this  
461 subsection shall be acknowledged, in accordance with the provisions of  
462 sections 1-32, 1-34 and 1-35, by (A) a judge of a court of record or a family  
463 support magistrate, (B) a clerk or deputy clerk of a court having a seal,  
464 (C) a town clerk, (D) a notary public, (E) a justice of the peace, or (F) an  
465 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)