



General Assembly

**Amendment**

January Session, 2021

LCO No. 7368



Offered by:  
SEN. SOMERS, 18<sup>th</sup> Dist.

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

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 Section 10-204a of the general statutes are repealed and the  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

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

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

84 (c) Any child who is enrolled in a preschool program or other  
85 prekindergarten program prior to the effective date of this section who  
86 presented a statement, prior to the effective date of this section, from the  
87 parents or guardian of such child that the immunization is contrary to  
88 the religious beliefs of such child or the parents or guardian of such  
89 child, which statement was acknowledged, in accordance with the  
90 provisions of sections 1-32, 1-34 and 1-35, by (1) a judge of a court of  
91 record or a family support magistrate, (2) a clerk or deputy clerk of a  
92 court having a seal, (3) a town clerk, (4) a notary public, (5) a justice of  
93 the peace, (6) an attorney admitted to the bar of this state, or (7)  
94 notwithstanding any provision of chapter 6, a school nurse, but did not  
95 present a written declaration from a physician, a physician assistant or  
96 an advanced practice registered nurse stating that additional  
97 immunizations are in process as recommended by such physician,  
98 physician assistant or advanced practice registered nurse, rather than as  
99 recommended under guidelines and schedules specified by the  
100 Commissioner of Public Health, shall comply with the immunization  
101 requirements provided for in subparagraph (A) of subdivision (1) of  
102 subsection (a) of this section on or before September 1, 2023, or not later  
103 than fourteen days after transferring to a program operated by a public  
104 or nonpublic school under the jurisdiction of a local or regional board of  
105 education or similar body governing a nonpublic school or schools,  
106 whichever is later.

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

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

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

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

127 Sec. 2. Section 19a-25 of the general statutes is repealed and the  
128 following is substituted in lieu thereof (*Effective from passage*):

129 (a) All information, records of interviews, written reports, statements,  
130 notes, memoranda or other data, including personal data as defined in  
131 subdivision (9) of section 4-190, procured by: [the] (1) The Department  
132 of Public Health, by staff committees of facilities accredited by the  
133 Department of Public Health or the maternity mortality review  
134 committee, established pursuant to section 19a-59i, in connection with  
135 studies of morbidity and mortality conducted by the Department of  
136 Public Health, such staff committees or the maternal mortality review  
137 committee, or carried on by said department, such staff committees or  
138 the maternal mortality review committee jointly with other persons,  
139 agencies or organizations, [or procured by] (2) the directors of health of  
140 towns, cities or boroughs or the Department of Public Health pursuant  
141 to section 19a-215, or [procured by] (3) such other persons, agencies or  
142 organizations, for the purpose of reducing the morbidity or mortality  
143 from any cause or condition, shall be confidential and shall be used  
144 solely for the purposes of medical or scientific research and, for  
145 information obtained pursuant to section 19a-215, disease prevention  
146 and control by the local director of health and the Department of Public  
147 Health. Such information, records, reports, statements, notes,  
148 memoranda or other data shall not be admissible as evidence in any  
149 action of any kind in any court or before any other tribunal, board,  
150 agency or person, nor shall it be exhibited or its contents disclosed in

151 any way, in whole or in part, by any officer or representative of the  
152 Department of Public Health or of any such facility, by any person  
153 participating in such a research project or by any other person, except  
154 as may be necessary for the purpose of furthering the research project to  
155 which it relates.

156 (b) Notwithstanding the provisions of chapter 55, the Department of  
157 Public Health may exchange personal data for the purpose of medical  
158 or scientific research, with any other governmental agency or private  
159 research organization; provided such state, governmental agency or  
160 private research organization shall not further disclose such personal  
161 data. The Commissioner of Public Health shall adopt regulations, in  
162 accordance with the provisions of chapter 54, consistent with the  
163 purposes of this section to establish the procedures to ensure the  
164 confidentiality of such disclosures. The furnishing of such information  
165 to the Department of Public Health or its authorized representative, or  
166 to any other agency cooperating in such a research project, shall not  
167 subject any person, hospital, [sanitarium] behavioral health facility, rest  
168 home, nursing home or other person or agency furnishing such  
169 information to any action for damages or other relief because of such  
170 disclosure. [This section shall not be deemed to affect disclosure]

171 (c) The provisions of this section shall not affect: (1) Disclosure of  
172 regular hospital and medical records made in the course of the regular  
173 notation of the care and treatment of any patient, but only records or  
174 notations by [such] the staff committees described in subsection (a) of  
175 this section pursuant to their work, or (2) release by the Department of  
176 Public Health of annual immunization rates for each public and  
177 nonpublic school in the state pursuant to section 10-204a, as amended  
178 by this act.

179 Sec. 3. Section 10a-155 of the general statutes is repealed and the  
180 following is substituted in lieu thereof (*Effective from passage*):

181 (a) Each institution of higher education shall require each full-time or  
182 matriculating student born after December 31, 1956, to provide proof of

183 adequate immunization against measles, rubella, [and on and after  
184 August 1, 2010, to provide proof of adequate immunization against]  
185 mumps and varicella as recommended by the national Advisory  
186 Committee for Immunization Practices before permitting such student  
187 to enroll in such institution. [Any such]

188 (b) Notwithstanding the provisions of subsection (a) of this section,  
189 any student who (1) presents a certificate, in a form prescribed by the  
190 Commissioner of Public Health pursuant to section 7 of this act, from a  
191 physician, a physician assistant or an advanced practice registered nurse  
192 stating that in the opinion of such physician, physician assistant or  
193 advanced practice registered nurse such immunization is medically  
194 contraindicated, (2) [provides] prior to the effective date of this section,  
195 provided a statement that such immunization [would be] is contrary to  
196 his or her religious beliefs, (3) presents a certificate from a physician, a  
197 physician assistant, an advanced practice registered nurse or the  
198 director of health in the student's present or previous town of residence,  
199 stating that the student has had a confirmed case of such disease, (4) is  
200 enrolled exclusively in a program for which students do not congregate  
201 on campus for classes or to participate in institutional-sponsored events,  
202 such as students enrolled in distance learning programs for  
203 individualized home study or programs conducted entirely through  
204 electronic media in a setting without other students present, or (5)  
205 graduated from a public or nonpublic high school in this state in 1999 or  
206 later and was not exempt from the measles, rubella and [on and after  
207 August 1, 2010, the] mumps vaccination requirement pursuant to  
208 subdivision (2) [or (3)] of subsection (a) of section 10-204a, as amended  
209 by this act, shall be exempt from the appropriate provisions of this  
210 section.

211 [(b)] (c) Each institution of higher education shall keep uniform  
212 records of the immunizations and immunization status of each student,  
213 based on the certificate of immunization or other evidence acceptable  
214 pursuant to subsection [(a)] (b) of this section. The record shall be part  
215 of the student's permanent record. By November first of each year, the  
216 chief administrative officer of each institution of higher education shall

217 cause to be submitted to the Commissioner of Public Health, on a form  
218 provided by the commissioner, a summary report of the immunization  
219 status of all students enrolling in such institution.

220 Sec. 4. Subsection (a) of section 10a-155b of the general statutes is  
221 repealed and the following is substituted in lieu thereof (*Effective from*  
222 *passage*):

223 (a) For students who first enroll in the 2014-2015 school year, and first  
224 enroll in each school year thereafter, each public or private college or  
225 university in this state shall require that each student who resides in on-  
226 campus housing be vaccinated against meningitis and submit evidence  
227 of having received a meningococcal conjugate vaccine not more than  
228 five years before enrollment as a condition of such residence. The  
229 provisions of this subsection shall not apply to any such student who (1)  
230 presents a certificate, in a form prescribed by the Commissioner of  
231 Public Health pursuant to section 7 of this act, from a physician, an  
232 advanced practice registered nurse or a physician assistant stating that,  
233 in the opinion of such physician, advanced practice registered nurse or  
234 physician assistant, such vaccination is medically contraindicated  
235 because of the physical condition of such student, or (2) [presents] prior  
236 to the effective date of this section, presented a statement that such  
237 vaccination [would be] is contrary to the religious beliefs of such  
238 student.

239 Sec. 5. Section 19a-79 of the general statutes is repealed and the  
240 following is substituted in lieu thereof (*Effective from passage*):

241 (a) The Commissioner of Early Childhood shall adopt regulations, in  
242 accordance with the provisions of chapter 54, to carry out the purposes  
243 of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87, inclusive,  
244 and to assure that child care centers and group child care homes meet  
245 the health, educational and social needs of children utilizing such child  
246 care centers and group child care homes. Such regulations shall (1)  
247 specify that before being permitted to attend any child care center or  
248 group child care home, each child shall be protected as age-appropriate



249 by adequate immunization against diphtheria, pertussis, tetanus,  
250 poliomyelitis, measles, mumps, rubella, [hemophilus] haemophilus  
251 influenzae type B and any other vaccine required by the schedule of  
252 active immunization adopted pursuant to section 19a-7f, [including  
253 appropriate exemptions for children for whom such immunization is  
254 medically contraindicated and for children whose parent or guardian  
255 objects to such immunization on religious grounds, and that any  
256 objection by a parent or a guardian to immunization of a child on  
257 religious grounds shall be accompanied by a statement from such parent  
258 or guardian that such immunization would be contrary to the religious  
259 beliefs of such child or the parent or guardian of such child, which  
260 statement shall be acknowledged, in accordance with the provisions of  
261 sections 1-32, 1-34 and 1-35, by (A) a judge of a court of record or a family  
262 support magistrate, (B) a clerk or deputy clerk of a court having a seal,  
263 (C) a town clerk, (D) a notary public, (E) a justice of the peace, or (F) an  
264 attorney admitted to the bar of this state,] (2) specify conditions under  
265 which child care center directors and teachers and group child care  
266 home providers may administer tests to monitor glucose levels in a child  
267 with diagnosed diabetes mellitus, and administer medicinal  
268 preparations, including controlled drugs specified in the regulations by  
269 the commissioner, to a child receiving child care services at such child  
270 care center or group child care home pursuant to the written order of a  
271 physician licensed to practice medicine or a dentist licensed to practice  
272 dental medicine in this or another state, or an advanced practice  
273 registered nurse licensed to prescribe in accordance with section 20-94a,  
274 or a physician assistant licensed to prescribe in accordance with section  
275 20-12d, and the written authorization of a parent or guardian of such  
276 child, (3) specify that an operator of a child care center or group child  
277 care home, licensed before January 1, 1986, or an operator who receives  
278 a license after January 1, 1986, for a facility licensed prior to January 1,  
279 1986, shall provide a minimum of thirty square feet per child of total  
280 indoor usable space, free of furniture except that needed for the  
281 children's purposes, exclusive of toilet rooms, bathrooms, coatrooms,  
282 kitchens, halls, isolation room or other rooms used for purposes other  
283 than the activities of the children, (4) specify that a child care center or

284 group child care home licensed after January 1, 1986, shall provide  
285 thirty-five square feet per child of total indoor usable space, (5) establish  
286 appropriate child care center staffing requirements for employees  
287 certified in cardiopulmonary resuscitation by the American Red Cross,  
288 the American Heart Association, the National Safety Council, American  
289 Safety and Health Institute, Medic First Aid International, Inc. or an  
290 organization using guidelines for cardiopulmonary resuscitation and  
291 emergency cardiovascular care published by the American Heart  
292 Association and International Liaison Committee on Resuscitation, (6)  
293 specify that [on and after January 1, 2003,] a child care center or group  
294 child care home (A) shall not deny services to a child on the basis of a  
295 child's known or suspected allergy or because a child has a prescription  
296 for an automatic prefilled cartridge injector or similar automatic  
297 injectable equipment used to treat an allergic reaction, or for injectable  
298 equipment used to administer glucagon, (B) shall, not later than three  
299 weeks after such child's enrollment in such a center or home, have staff  
300 trained in the use of such equipment on-site during all hours when such  
301 a child is on-site, (C) shall require such child's parent or guardian to  
302 provide the injector or injectable equipment and a copy of the  
303 prescription for such medication and injector or injectable equipment  
304 upon enrollment of such child, and (D) shall require a parent or  
305 guardian enrolling such a child to replace such medication and  
306 equipment prior to its expiration date, (7) specify that [on and after  
307 January 1, 2005,] a child care center or group child care home (A) shall  
308 not deny services to a child on the basis of a child's diagnosis of asthma  
309 or because a child has a prescription for an inhalant medication to treat  
310 asthma, and (B) shall, not later than three weeks after such child's  
311 enrollment in such a center or home, have staff trained in the  
312 administration of such medication on-site during all hours when such a  
313 child is on-site, and (8) establish physical plant requirements for  
314 licensed child care centers and licensed group child care homes that  
315 exclusively serve school-age children. When establishing such  
316 requirements, the Office of Early Childhood shall give consideration to  
317 child care centers and group child care homes that are located in private  
318 or public school buildings. With respect to this subdivision only, the

319 commissioner shall implement policies and procedures necessary to  
320 implement the physical plant requirements established pursuant to this  
321 subdivision while in the process of adopting such policies and  
322 procedures in regulation form. Until replaced by policies and  
323 procedures implemented pursuant to this subdivision, any physical  
324 plant requirement specified in the office's regulations that is generally  
325 applicable to child care centers and group child care homes shall  
326 continue to be applicable to such centers and homes that exclusively  
327 serve school-age children. The commissioner shall [print] post notice of  
328 the intent to adopt regulations pursuant to this subdivision on the  
329 eRegulations System not later than twenty days after the date of  
330 implementation of such policies and procedures. Policies and  
331 procedures implemented pursuant to this subdivision shall be valid  
332 until the time final regulations are adopted.

333 (b) Any child who (1) presents a certificate, in a form prescribed by  
334 the Commissioner of Public Health pursuant to section 7 of this act,  
335 signed by a physician, a physician assistant or an advanced practice  
336 registered nurse stating that, in the opinion of such physician, physician  
337 assistant or advanced practice registered nurse, the immunizations  
338 required pursuant to regulations adopted pursuant to subdivision (1) of  
339 subsection (a) of this section are medically contraindicated, (2) in the  
340 case of a child who is enrolled in kindergarten through twelfth grade,  
341 presented a statement, prior to the effective date of this section, that such  
342 immunizations are contrary to the religious beliefs of such child or the  
343 parents or guardian of such child, or (3) in the case of a child who is  
344 enrolled in a preschool program or other prekindergarten program or  
345 below, (A) presented a statement, prior to the effective date of this  
346 section, that such immunizations are contrary to the religious beliefs of  
347 such child or the parents or guardian of such child, and (B) presents a  
348 written declaration, in a form prescribed by the Commissioner of Public  
349 Health, from a physician, a physician assistant or an advanced practice  
350 registered nurse stating that an immunization against diphtheria,  
351 pertussis, tetanus, poliomyelitis, measles, mumps, rubella, haemophilus  
352 influenzae type B and any other vaccine required by the schedule of

353 active immunization adopted pursuant to section 19a-7f has been given  
354 to such child and that any additional necessary immunizations of such  
355 student against diphtheria, pertussis, tetanus, poliomyelitis, measles,  
356 mumps, rubella, haemophilus influenzae type B and any other vaccine  
357 required by such schedule of active immunization are in process under  
358 guidelines specified by the Commissioner of Public Health or as  
359 recommended for the child by the physician, physician assistant or  
360 advanced practice registered nurse, shall be exempt from the  
361 immunization requirements set forth in such regulations. The statement  
362 described in subparagraph (A) of subdivision (3) of this subsection shall  
363 be acknowledged, in accordance with the provisions of sections 1-32, 1-  
364 34 and 1-35, by a judge of a court of record or a family support  
365 magistrate, a clerk or deputy clerk of a court having a seal, a town clerk,  
366 a notary public, a justice of the peace, or an attorney admitted to the bar  
367 of this state.

368 (c) Any child who is enrolled in a preschool program or other  
369 prekindergarten program or below on or before the effective date of this  
370 section who presented, prior to the effective date of this section, the  
371 statement described in subparagraph (A) of subdivision (3) of  
372 subsection (b) of this section, but did not present the written declaration  
373 described in subparagraph (B) of subdivision (3) of subsection (b) of this  
374 section, shall comply, on or before September 1, 2023, or not later than  
375 fourteen days after applying to enroll in the child care center or group  
376 child care home, whichever is later, with the immunization  
377 requirements set forth in the regulations adopted pursuant to  
378 subdivision (1) of subsection (a) of this section.

379 [(b)] (d) The commissioner may adopt regulations, pursuant to  
380 chapter 54, to establish civil penalties of not more than one hundred  
381 dollars per day for each day of violation and other disciplinary remedies  
382 that may be imposed, following a contested-case hearing, upon the  
383 holder of a license issued under section 19a-80 to operate a child care  
384 center or group child care home or upon the holder of a license issued  
385 under section 19a-87b, as amended by this act, to operate a family child  
386 care home.

387        [(c)] (e) The commissioner shall exempt Montessori schools  
388 accredited by the American Montessori Society or the Association  
389 Montessori Internationale from any provision in regulations adopted  
390 pursuant to subsection (a) of this section which sets requirements on  
391 group size or child to staff ratios or the provision of cots.

392        [(d)] (f) Upon the declaration by the Governor of a civil preparedness  
393 emergency pursuant to section 28-9 or a public health emergency  
394 pursuant to section 19a-131a, the commissioner may waive the  
395 provisions of any regulation adopted pursuant to this section if the  
396 commissioner determines that such waiver would not endanger the life,  
397 safety or health of any child. The commissioner shall prescribe the  
398 duration of such waiver, provided such waiver shall not extend beyond  
399 the duration of the declared emergency. The commissioner shall  
400 establish the criteria by which a waiver request shall be made and the  
401 conditions for which a waiver will be granted or denied. The provisions  
402 of section 19a-84 shall not apply to a denial of a waiver request under  
403 this subsection.

404        [(e)] (g) Any child care center or group child care home may provide  
405 child care services to homeless children and youths, as defined in 42  
406 USC 11434a, as amended from time to time, for a period not to exceed  
407 ninety days without complying with any provision in regulations  
408 adopted pursuant to this section relating to immunization and physical  
409 examination requirements. Any child care center or group child care  
410 home that provides child care services to homeless children and youths  
411 at such center or home under this subsection shall maintain a record on  
412 file of all homeless children and youths who have attended such center  
413 or home for a period of two years after such homeless children or youths  
414 are no longer receiving child care services at such center or home.

415        [(f)] (h) Any child care center or group child care home may provide  
416 child care services to a foster child for a period not to exceed forty-five  
417 days without complying with any provision in regulations adopted  
418 pursuant to this section relating to immunization and physical  
419 examination requirements. Any child care center or group child care

420 home that provides child care services to a foster child at such center or  
421 home under this subsection shall maintain a record on file of such foster  
422 child for a period of two years after such foster child is no longer  
423 receiving child care services at such center or home. For purposes of this  
424 subsection, "foster child" means a child who is in the care and custody  
425 of the Commissioner of Children and Families and placed in a foster  
426 home licensed pursuant to section 17a-114, foster home approved by a  
427 child-placing agency licensed pursuant to section 17a-149, facility  
428 licensed pursuant to section 17a-145 or with a relative or fictive kin  
429 caregiver pursuant to section 17a-114.

430 Sec. 6. Section 19a-87b of the general statutes is repealed and the  
431 following is substituted in lieu thereof (*Effective from passage*):

432 (a) No person, group of persons, association, organization,  
433 corporation, institution or agency, public or private, shall maintain a  
434 family child care home, as defined in section 19a-77, without a license  
435 issued by the Commissioner of Early Childhood. Licensure forms shall  
436 be obtained from the Office of Early Childhood. Applications for  
437 licensure shall be made to the commissioner on forms provided by the  
438 office and shall contain the information required by regulations adopted  
439 under this section. The licensure and application forms shall contain a  
440 notice that false statements made therein are punishable in accordance  
441 with section 53a-157b. Applicants shall state, in writing, that they are in  
442 compliance with the regulations adopted by the commissioner pursuant  
443 to subsection (f) of this section. Before a family child care home license  
444 is granted, the office shall make an inquiry and investigation which shall  
445 include a visit and inspection of the premises for which the license is  
446 requested. Any inspection conducted by the office shall include an  
447 inspection for evident sources of lead poisoning. The office shall provide  
448 for a chemical analysis of any paint chips found on such premises.  
449 Neither the commissioner nor the commissioner's designee shall require  
450 an annual inspection for homes seeking license renewal or for licensed  
451 homes, except that the commissioner or the commissioner's designee  
452 shall make an unannounced visit, inspection or investigation of each  
453 licensed family child care home at least once every year. A licensed

454 family child care home shall not be subject to any conditions on the  
455 operation of such home by local officials, other than those imposed by  
456 the office pursuant to this subsection, if the home complies with all local  
457 codes and ordinances applicable to single and multifamily dwellings.

458 (b) No person shall act as an assistant or substitute staff member to a  
459 person or entity maintaining a family child care home, as defined in  
460 section 19a-77, without an approval issued by the commissioner. Any  
461 person seeking to act as an assistant or substitute staff member in a  
462 family child care home shall submit an application for such approval to  
463 the office. Applications for approval shall: (1) Be made to the  
464 commissioner on forms provided by the office, (2) contain the  
465 information required by regulations adopted under this section, and (3)  
466 be accompanied by a fee of fifteen dollars. The approval application  
467 forms shall contain a notice that false statements made in such form are  
468 punishable in accordance with section 53a-157b.

469 (c) The commissioner, within available appropriations, shall require  
470 each initial applicant or prospective employee of a family child care  
471 home in a position requiring the provision of care to a child, including  
472 an assistant or substitute staff member and each household member  
473 who is sixteen years of age or older, to submit to comprehensive  
474 background checks, including state and national criminal history  
475 records checks. The criminal history records checks required pursuant  
476 to this subsection shall be conducted in accordance with section 29-17a.  
477 The commissioner shall also request a check of the state child abuse  
478 registry established pursuant to section 17a-101k. The commissioner  
479 shall notify each licensee of the provisions of this subsection. For  
480 purposes of this subsection, "household member" means any person,  
481 other than the person who is licensed to conduct, operate or maintain a  
482 family child care home, who resides in the family child care home, such  
483 as the licensee's spouse or children, tenants and any other occupant.

484 (d) An application for initial licensure pursuant to this section shall  
485 be accompanied by a fee of forty dollars and such license shall be issued  
486 for a term of four years. An application for renewal of a license issued

487 pursuant to this section shall be accompanied by a fee of forty dollars  
488 and a certification from the licensee that any child enrolled in the family  
489 child care home has received age-appropriate immunizations in  
490 accordance with regulations adopted pursuant to subsection (f) of this  
491 section. A license issued pursuant to this section shall be renewed for a  
492 term of four years. In the case of an applicant submitting an application  
493 for renewal of a license that has expired, and who has ceased operations  
494 of a family child care home due to such expired license, the  
495 commissioner may renew such expired license within thirty days of the  
496 date of such expiration upon receipt of an application for renewal that  
497 is accompanied by such fee and such certification.

498 (e) An application for initial staff approval or renewal of staff  
499 approval shall be accompanied by a fee of fifteen dollars. Such  
500 approvals shall be issued or renewed for a term of two years.

501 (f) The commissioner shall adopt regulations, in accordance with the  
502 provisions of chapter 54, to assure that family child care homes, as  
503 defined in section 19a-77, meet the health, educational and social needs  
504 of children utilizing such homes. Such regulations shall ensure that the  
505 family child care home is treated as a residence, and not an institutional  
506 facility. Such regulations shall specify that each child be protected as  
507 age-appropriate by adequate immunization against diphtheria,  
508 pertussis, tetanus, poliomyelitis, measles, mumps, rubella,  
509 [hemophilus] haemophilus influenzae type B and any other vaccine  
510 required by the schedule of active immunization adopted pursuant to  
511 section 19a-7f. [Such regulations shall provide appropriate exemptions  
512 for children for whom such immunization is medically contraindicated  
513 and for children whose parents or guardian objects to such  
514 immunization on religious grounds and require that any such objection  
515 be accompanied by a statement from such parents or guardian that such  
516 immunization would be contrary to the religious beliefs of such child or  
517 the parents or guardian of such child, which statement shall be  
518 acknowledged, in accordance with the provisions of sections 1-32, 1-34  
519 and 1-35, by (1) a judge of a court of record or a family support  
520 magistrate, (2) a clerk or deputy clerk of a court having a seal, (3) a town



521 clerk, (4) a notary public, (5) a justice of the peace, or (6) an attorney  
522 admitted to the bar of this state.] Such regulations shall also specify  
523 conditions under which family child care home providers may  
524 administer tests to monitor glucose levels in a child with diagnosed  
525 diabetes mellitus, and administer medicinal preparations, including  
526 controlled drugs specified in the regulations by the commissioner, to a  
527 child receiving child care services at a family child care home pursuant  
528 to a written order of a physician licensed to practice medicine in this or  
529 another state, an advanced practice registered nurse licensed to  
530 prescribe in accordance with section 20-94a or a physician assistant  
531 licensed to prescribe in accordance with section 20-12d, and the written  
532 authorization of a parent or guardian of such child. Such regulations  
533 shall specify appropriate standards for extended care and intermittent  
534 short-term overnight care. The commissioner shall inform each licensee,  
535 by way of a plain language summary provided not later than sixty days  
536 after the regulation's effective date, of any new or changed regulations  
537 adopted under this subsection with which a licensee must comply.

538 (g) Any child who (1) presents a certificate, in a form prescribed by  
539 the Commissioner of Public Health pursuant to section 7 of this act,  
540 signed by a physician, a physician assistant or an advanced practice  
541 registered nurse stating that, in the opinion of such physician, physician  
542 assistant or advanced practice registered nurse, the immunizations  
543 required pursuant to regulations adopted pursuant to subsection (f) of  
544 this section are medically contraindicated, (2) in the case of a child who  
545 is enrolled in kindergarten through twelfth grade, presented a  
546 statement, prior to the effective date of this section, that such  
547 immunizations are contrary to the religious beliefs of such child or the  
548 parents or guardian of such child, or (3) in the case of a child who is  
549 enrolled in a preschool program or other prekindergarten program or  
550 below, (A) presented a statement, prior to the effective date of this  
551 section, that such immunizations are contrary to the religious beliefs of  
552 such child or the parents or guardian of such child, and (B) presents a  
553 written declaration, in a form prescribed by the Commissioner of Public  
554 Health, from a physician, physician assistant or advanced practice

555 registered nurse stating that an immunization against diphtheria,  
556 pertussis, tetanus, poliomyelitis, measles, mumps, rubella, haemophilus  
557 influenzae type B and any other vaccine required by the schedule of  
558 active immunization adopted pursuant to section 19a-7f has been given  
559 to such child and that any additional necessary immunizations of such  
560 student against diphtheria, pertussis, tetanus, poliomyelitis, measles,  
561 mumps, rubella, haemophilus influenzae type B and any other vaccine  
562 required by such schedule of active immunization are in process under  
563 guidelines specified by the Commissioner of Public Health or as  
564 recommended for the child by the physician, physician assistant or  
565 advanced practice registered nurse, shall be exempt from the  
566 immunization requirements set forth in such regulations. The statement  
567 described in subparagraph (A) of subdivision (3) of this subsection shall  
568 be acknowledged, in accordance with the provisions of sections 1-32, 1-  
569 34 and 1-35, by (i) a judge of a court of record or a family support  
570 magistrate, (ii) a clerk or deputy clerk of a court having a seal, (iii) a  
571 town clerk, (iv) a notary public, (v) a justice of the peace, or (vi) an  
572 attorney admitted to the bar of this state.

573 (h) Any child who is enrolled in a preschool program or other  
574 prekindergarten program or below on or before the effective date of this  
575 section who presented, prior to the effective date of this section, the  
576 statement described in subparagraph (A) of subdivision (3) of  
577 subsection (g) of this section, but did not present the written declaration  
578 described in subparagraph (B) of subdivision (3) of subsection (g) of this  
579 section shall comply, on or before September 1, 2023, or not later than  
580 fourteen days after applying to enroll in the family child care home,  
581 whichever is later, with the immunization requirements set forth in the  
582 regulations adopted pursuant to subsection (f) of this section.

583 [(g)] (i) Upon the declaration by the Governor of a civil preparedness  
584 emergency pursuant to section 28-9 or a public health emergency  
585 pursuant to section 19a-131a, the commissioner may waive the  
586 provisions of any regulation adopted pursuant to this section if the  
587 commissioner determines that such waiver would not endanger the life,  
588 safety or health of any child. The commissioner shall prescribe the

589 duration of such waiver, provided such waiver shall not extend beyond  
590 the duration of the declared emergency. The commissioner shall  
591 establish the criteria by which a waiver request shall be made and the  
592 conditions for which a waiver will be granted or denied. The provisions  
593 of section 19a-84 shall not apply to a denial of a waiver request under  
594 this subsection.

595 [(h)] (j) Any family child care home may provide child care services  
596 to homeless children and youths, as defined in 42 USC 11434a, as  
597 amended from time to time, for a period not to exceed ninety days  
598 without complying with any provision in regulations adopted pursuant  
599 to this section relating to immunization and physical examination  
600 requirements. Any family child care home that provides child care  
601 services to homeless children and youths at such home under this  
602 subsection shall maintain a record on file of all homeless children and  
603 youths who have attended such home for a period of two years after  
604 such homeless children or youths are no longer receiving child care  
605 services at such home.

606 [(i)] (k) Any family child care home may provide child care services  
607 to a foster child for a period not to exceed forty-five days without  
608 complying with any provision in regulations adopted pursuant to this  
609 section relating to immunization and physical examination  
610 requirements. Any family child care home that provides child care  
611 services to a foster child at such home under this subsection shall  
612 maintain a record on file of such foster child for a period of two years  
613 after such foster child is no longer receiving child care services at such  
614 home. For purposes of this subsection, "foster child" means a child who  
615 is in the care and custody of the Commissioner of Children and Families  
616 and placed in a foster home licensed pursuant to section 17a-114, foster  
617 home approved by a child-placing agency licensed pursuant to section  
618 17a-149, facility licensed pursuant to section 17a-145 or with a relative  
619 or fictive kin caregiver pursuant to section 17a-114.

620 Sec. 7. (NEW) (*Effective from passage*) On or before October 1, 2021, the  
621 Commissioner of Public Health shall develop and make available on the

622 Internet web site of the Department of Public Health a certificate for use  
623 by a physician, physician assistant or advanced practice registered  
624 nurse stating that, in the opinion of such physician, physician assistant  
625 or advanced practice registered nurse, a vaccination required by the  
626 general statutes is medically contraindicated for a person because of the  
627 physical condition of such person. The certificate shall include (1)  
628 definitions of the terms "contraindication" and "precaution", (2) a list of  
629 contraindications and precautions recognized by the National Centers  
630 for Disease Control and Prevention for each of the statutorily required  
631 vaccinations, from which the physician, physician assistant or advanced  
632 practice registered nurse may select the relevant contraindication or  
633 precaution on behalf of such person, (3) a section in which the physician,  
634 physician assistant or advanced practice registered nurse may record a  
635 contraindication or precaution that is not recognized by the National  
636 Centers for Disease Control and Prevention, but in his or her discretion,  
637 results in the vaccination being medically contraindicated, including,  
638 but not limited to, any autoimmune disorder, family history of any  
639 autoimmune disorder, family history of any reaction to a vaccination,  
640 genetic predisposition to any reaction to a vaccination as determined  
641 through genetic testing and a previous documented reaction of a person  
642 that is correlated to a vaccination, (4) a section in which the physician,  
643 physician assistant or advanced practice registered nurse may include a  
644 written explanation for the exemption from any statutorily required  
645 vaccinations, (5) a section requiring the signature of the physician,  
646 physician assistant or advanced practice registered nurse, (6) a  
647 requirement that the physician, physician assistant or advanced practice  
648 registered nurse attach such person's most current immunization  
649 record, and (7) a synopsis of the grounds for any order of quarantine or  
650 isolation pursuant to section 19a-131b of the general statutes.

651 Sec. 8. (NEW) (*Effective from passage*) (a) There is established an  
652 Advisory Committee on Medically Contraindicated Vaccinations within  
653 the Department of Public Health for the purpose of advising the  
654 Commissioner of Public Health on issues concerning exemptions from  
655 state or federal requirements for vaccinations that result from a

656 physician, physician assistant or advanced practice registered nurse  
657 stating that a vaccination is medically contraindicated for a person due  
658 to the medical condition of such person. Said advisory committee shall  
659 not be responsible for confirming or denying any determination by a  
660 physician, physician assistant or advanced practice registered nurse that  
661 a vaccination is medically contraindicated for a specific individual. In  
662 order to carry out its duties, the advisory committee shall (1) have access  
663 to the childhood immunization registry established by the department  
664 pursuant to section 19a-7h of the general statutes, (2) evaluate the  
665 process used by the department in collecting data concerning  
666 exemptions resulting from a vaccination being medically  
667 contraindicated and whether the department should have any oversight  
668 over such exemptions, (3) examine whether enrollment of an  
669 unvaccinated child into a program operated by a public or nonpublic  
670 school, institution of higher education, child care center or group child  
671 care home should be conditioned upon the child meeting certain  
672 criteria, (4) calculate the ratio of school nurses to students in each public  
673 and nonpublic school in the state and the funding issues surrounding  
674 such ratio, (5) assess whether immunizations should be required more  
675 frequently than prior to enrollment into a program operated by a public  
676 or nonpublic school and prior to entering seventh grade, and (6)  
677 determine whether (A) there are any discrepancies in the issuance of  
678 certificates stating that a vaccine is medically contraindicated, and (B) to  
679 recommend continuing education of physicians, physician assistants or  
680 advanced practice registered nurses in vaccine contraindications and  
681 precautions. All information obtained by the advisory committee from  
682 such registry shall be confidential pursuant to section 19a-25 of the  
683 general statutes, as amended by this act.

684 (b) The advisory committee shall consist of the following members:

685 (1) Two appointed by the speaker of the House of Representatives,  
686 one of whom shall be a physician licensed pursuant to chapter 370 of the  
687 general statutes who is a pediatrician, and one of whom shall be a  
688 member of the public;

689 (2) Two appointed by the president pro tempore of the Senate, one of  
690 whom shall be a physician licensed pursuant to chapter 370 of the  
691 general statutes who has expertise in the efficacy of vaccines, and one of  
692 whom shall be a member of the public;

693 (3) One appointed by the majority leader of the House of  
694 Representatives, who shall be a school nurse;

695 (4) One appointed by the majority leader of the Senate, who shall be  
696 a physician assistant licensed pursuant to chapter 370 of the general  
697 statutes who has experience in the administration of vaccines;

698 (5) One appointed by the minority leader of the House of  
699 Representatives, who shall be an advanced practice registered nurse  
700 licensed pursuant to chapter 378 of the general statutes who has  
701 experience in the administration of vaccines;

702 (6) One appointed by the minority leader of the Senate, who shall be  
703 a representative of the Connecticut Chapter of the American Academy  
704 of Pediatrics;

705 (7) The Commissioner of Public Health, or the commissioner's  
706 designee;

707 (8) The Commissioner of Education, or the commissioner's designee;  
708 and

709 (9) The Commissioner of Early Childhood, or the commissioner's  
710 designee.

711 (c) The members of the advisory committee shall elect a chairperson  
712 of the advisory committee from among its members. Such chairperson  
713 shall schedule the first meeting of the advisory committee, which shall  
714 be held not later than October 1, 2021. The advisory committee shall  
715 meet not less than biannually. On or before January 1, 2022, and  
716 annually thereafter, the committee shall report, in accordance with the  
717 provisions of section 11-4a of the general statutes, on its activities and  
718 findings to the joint standing committee of the General Assembly

719 having cognizance of matters relating to public health.

720 Sec. 9. (NEW) (*Effective from passage*) The Department of Public  
721 Health, in collaboration with the state Department of Education and the  
722 Office of Early Childhood, shall evaluate all of the data collected by said  
723 departments concerning exemptions from immunization requirements.  
724 Not later than January 1, 2022, and annually thereafter, the  
725 Commissioners of Public Health, Education and Early Childhood shall  
726 jointly report, in accordance with the provisions of section 11-4a of the  
727 general statutes, to the joint standing committees of the General  
728 Assembly having cognizance of matters relating to public health and  
729 education regarding the evaluation of such data.

730 Sec. 10. Subsection (a) of section 38a-492r of the general statutes is  
731 repealed and the following is substituted in lieu thereof (*Effective January*  
732 *1, 2022*):

733 (a) Each individual health insurance policy providing coverage of the  
734 type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469  
735 delivered, issued for delivery, renewed, amended or continued in this  
736 state that provides coverage for prescription drugs shall provide  
737 [coverage for] (1) coverage for immunizations recommended by the  
738 American Academy of Pediatrics, American Academy of Family  
739 Physicians and the American College of Obstetricians and  
740 Gynecologists, and (2) with respect to immunizations that have in effect  
741 a recommendation from the Advisory Committee on Immunization  
742 Practices of the Centers for Disease Control and Prevention with respect  
743 to the individual involved, coverage for such immunizations and at least  
744 a twenty-minute consultation between such individual and a health care  
745 provider authorized to administer such immunizations to such  
746 individual.

747 Sec. 11. Subsection (a) of section 38a-518r of the general statutes is  
748 repealed and the following is substituted in lieu thereof (*Effective January*  
749 *1, 2022*):

750 (a) Each group health insurance policy providing coverage of the type

751 specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469  
752 delivered, issued for delivery, renewed, amended or continued in this  
753 state that provides coverage for prescription drugs shall provide  
754 [coverage for] (1) coverage for immunizations recommended by the  
755 American Academy of Pediatrics, American Academy of Family  
756 Physicians and the American College of Obstetricians and  
757 Gynecologists, and (2) with respect to immunizations that have in effect  
758 a recommendation from the Advisory Committee on Immunization  
759 Practices of the Centers for Disease Control and Prevention with respect  
760 to the individual involved, coverage for such immunizations and at least  
761 a twenty-minute consultation between such individual and a health care  
762 provider authorized to administer such immunizations to such  
763 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)