



General Assembly

Amendment

January Session, 2021

LCO No. 7403



Offered by:

SEN. SOMERS, 18th Dist.

SEN. SAMPSON, 16th 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. Subsection (a) of section 10-204a of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective July 1,*
5 *2021*):

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

14 seventh grade, a child shall receive a second immunization against
15 measles. Any such child who (1) presents a certificate from a physician,
16 physician assistant, advanced practice registered nurse or local health
17 agency stating that initial immunizations have been given to such child
18 and additional immunizations are in process under guidelines and
19 schedules specified by the Commissioner of Public Health; or (2)
20 presents a certificate from a physician, physician assistant or advanced
21 practice registered nurse stating that in the opinion of such physician,
22 physician assistant or advanced practice registered nurse such
23 immunization is medically contraindicated because of the physical
24 condition of such child; or (3) presents a statement from the parents or
25 guardian of such child that such immunization would be contrary to the
26 [religious] personal, philosophical or moral beliefs of such child or the
27 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 fifth birthday; or (6) in
39 the case of pertussis, has passed his sixth birthday, shall be exempt from
40 the appropriate provisions of this section. If the parents or guardians of
41 any child are unable to pay for such immunizations, the expense of such
42 immunizations shall, on the recommendations of such board of
43 education, be paid by the town. Before being permitted to enter seventh
44 grade, the parents or guardian of any child who is exempt on [religious]
45 personal, philosophical or moral grounds from the immunization
46 requirements of this section, pursuant to subdivision (3) of this
47 subsection, shall present to such school a statement that such
48 immunization requirements are contrary to the [religious] personal,

49 philosophical or moral beliefs of such child or the parents or guardian
50 of such child, which statement shall be acknowledged, in accordance
51 with the provisions of sections 1-32, 1-34 and 1-35, by (A) a judge of a
52 court of record or a family support magistrate, (B) a clerk or deputy clerk
53 of a court having a seal, (C) a town clerk, (D) a notary public, (E) a justice
54 of the peace, (F) an attorney admitted to the bar of this state, or (G)
55 notwithstanding any provision of chapter 6, a school nurse.

56 Sec. 2. Subsection (a) of section 19a-79 of the general statutes is
57 repealed and the following is substituted in lieu thereof (*Effective July 1,*
58 *2021*):

59 (a) The Commissioner of Early Childhood shall adopt regulations, in
60 accordance with the provisions of chapter 54, to carry out the purposes
61 of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87, inclusive,
62 and to assure that child care centers and group child care homes meet
63 the health, educational and social needs of children utilizing such child
64 care centers and group child care homes. Such regulations shall (1)
65 specify that before being permitted to attend any child care center or
66 group child care home, each child shall be protected as age-appropriate
67 by adequate immunization against diphtheria, pertussis, tetanus,
68 poliomyelitis, measles, mumps, rubella, [hemophilus] haemophilus
69 influenzae type B and any other vaccine required by the schedule of
70 active immunization adopted pursuant to section 19a-7f, including
71 appropriate exemptions for children for whom such immunization is
72 medically contraindicated and for children whose parent or guardian
73 objects to such immunization on [religious] personal, philosophical or
74 moral grounds, and that any objection by a parent or a guardian to
75 immunization of a child on [religious] personal, philosophical or moral
76 grounds shall be accompanied by a statement from such parent or
77 guardian that such immunization would be contrary to the [religious]
78 personal, philosophical or moral beliefs of such child or the parent or
79 guardian of such child, which statement shall be acknowledged, in
80 accordance with the provisions of sections 1-32, 1-34 and 1-35, by (A) a
81 judge of a court of record or a family support magistrate, (B) a clerk or
82 deputy clerk of a court having a seal, (C) a town clerk, (D) a notary

83 public, (E) a justice of the peace, or (F) an attorney admitted to the bar
84 of this state, (2) specify conditions under which child care center
85 directors and teachers and group child care home providers may
86 administer tests to monitor glucose levels in a child with diagnosed
87 diabetes mellitus, and administer medicinal preparations, including
88 controlled drugs specified in the regulations by the commissioner, to a
89 child receiving child care services at such child care center or group
90 child care home pursuant to the written order of a physician licensed to
91 practice medicine or a dentist licensed to practice dental medicine in this
92 or another state, or an advanced practice registered nurse licensed to
93 prescribe in accordance with section 20-94a, or a physician assistant
94 licensed to prescribe in accordance with section 20-12d, and the written
95 authorization of a parent or guardian of such child, (3) specify that an
96 operator of a child care center or group child care home, licensed before
97 January 1, 1986, or an operator who receives a license after January 1,
98 1986, for a facility licensed prior to January 1, 1986, shall provide a
99 minimum of thirty square feet per child of total indoor usable space, free
100 of furniture except that needed for the children's purposes, exclusive of
101 toilet rooms, bathrooms, coatrooms, kitchens, halls, isolation room or
102 other rooms used for purposes other than the activities of the children,
103 (4) specify that a child care center or group child care home licensed
104 after January 1, 1986, shall provide thirty-five square feet per child of
105 total indoor usable space, (5) establish appropriate child care center
106 staffing requirements for employees certified in cardiopulmonary
107 resuscitation by the American Red Cross, the American Heart
108 Association, the National Safety Council, American Safety and Health
109 Institute, Medic First Aid International, Inc. or an organization using
110 guidelines for cardiopulmonary resuscitation and emergency
111 cardiovascular care published by the American Heart Association and
112 International Liaison Committee on Resuscitation, (6) specify that on
113 and after January 1, 2003, a child care center or group child care home
114 (A) shall not deny services to a child on the basis of a child's known or
115 suspected allergy or because a child has a prescription for an automatic
116 prefilled cartridge injector or similar automatic injectable equipment
117 used to treat an allergic reaction, or for injectable equipment used to

118 administer glucagon, (B) shall, not later than three weeks after such
119 child's enrollment in such a center or home, have staff trained in the use
120 of such equipment on-site during all hours when such a child is on-site,
121 (C) shall require such child's parent or guardian to provide the injector
122 or injectable equipment and a copy of the prescription for such
123 medication and injector or injectable equipment upon enrollment of
124 such child, and (D) shall require a parent or guardian enrolling such a
125 child to replace such medication and equipment prior to its expiration
126 date, (7) specify that on and after January 1, 2005, a child care center or
127 group child care home (A) shall not deny services to a child on the basis
128 of a child's diagnosis of asthma or because a child has a prescription for
129 an inhalant medication to treat asthma, and (B) shall, not later than three
130 weeks after such child's enrollment in such a center or home, have staff
131 trained in the administration of such medication on-site during all hours
132 when such a child is on-site, and (8) establish physical plant
133 requirements for licensed child care centers and licensed group child
134 care homes that exclusively serve school-age children. When
135 establishing such requirements, the Office of Early Childhood shall give
136 consideration to child care centers and group child care homes that are
137 located in private or public school buildings. With respect to this
138 subdivision only, the commissioner shall implement policies and
139 procedures necessary to implement the physical plant requirements
140 established pursuant to this subdivision while in the process of adopting
141 such policies and procedures in regulation form. Until replaced by
142 policies and procedures implemented pursuant to this subdivision, any
143 physical plant requirement specified in the office's regulations that is
144 generally applicable to child care centers and group child care homes
145 shall continue to be applicable to such centers and homes that
146 exclusively serve school-age children. The commissioner shall print
147 notice of the intent to adopt regulations pursuant to this subdivision on
148 the eRegulations System not later than twenty days after the date of
149 implementation of such policies and procedures. Policies and
150 procedures implemented pursuant to this subdivision shall be valid
151 until the time final regulations are adopted.

152 Sec. 3. Subsection (f) of section 19a-87b of the general statutes is
153 repealed and the following is substituted in lieu thereof (*Effective July 1,*
154 *2021*):

155 (f) The commissioner shall adopt regulations, in accordance with the
156 provisions of chapter 54, to assure that family child care homes, as
157 defined in section 19a-77, meet the health, educational and social needs
158 of children utilizing such homes. Such regulations shall ensure that the
159 family child care home is treated as a residence, and not an institutional
160 facility. Such regulations shall specify that each child be protected as
161 age-appropriate by adequate immunization against diphtheria,
162 pertussis, tetanus, poliomyelitis, measles, mumps, rubella,
163 [hemophilus] haemophilus influenzae type B and any other vaccine
164 required by the schedule of active immunization adopted pursuant to
165 section 19a-7f. Such regulations shall provide appropriate exemptions
166 for children for whom such immunization is medically contraindicated
167 and for children whose parents or guardian objects to such
168 immunization on [religious] personal, philosophical or moral grounds
169 and require that any such objection be accompanied by a statement from
170 such parents or guardian that such immunization would be contrary to
171 the [religious] personal, philosophical or moral beliefs of such child or
172 the parents or guardian of such child, which statement shall be
173 acknowledged, in accordance with the provisions of sections 1-32, 1-34
174 and 1-35, by (1) a judge of a court of record or a family support
175 magistrate, (2) a clerk or deputy clerk of a court having a seal, (3) a town
176 clerk, (4) a notary public, (5) a justice of the peace, or (6) an attorney
177 admitted to the bar of this state. Such regulations shall also specify
178 conditions under which family child care home providers may
179 administer tests to monitor glucose levels in a child with diagnosed
180 diabetes mellitus, and administer medicinal preparations, including
181 controlled drugs specified in the regulations by the commissioner, to a
182 child receiving child care services at a family child care home pursuant
183 to a written order of a physician licensed to practice medicine in this or
184 another state, an advanced practice registered nurse licensed to
185 prescribe in accordance with section 20-94a or a physician assistant

186 licensed to prescribe in accordance with section 20-12d, and the written
187 authorization of a parent or guardian of such child. Such regulations
188 shall specify appropriate standards for extended care and intermittent
189 short-term overnight care. The commissioner shall inform each licensee,
190 by way of a plain language summary provided not later than sixty days
191 after the regulation's effective date, of any new or changed regulations
192 adopted under this subsection with which a licensee must comply."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	10-204a(a)
Sec. 2	<i>July 1, 2021</i>	19a-79(a)
Sec. 3	<i>July 1, 2021</i>	19a-87b(f)