



General Assembly

January Session, 2021

**Committee Bill No. 568**

LCO No. 6219



Referred to Committee on PUBLIC HEALTH

Introduced by:  
(PH)

***AN ACT ELIMINATING THE NONMEDICAL EXEMPTION TO THE IMMUNIZATION REQUIREMENT.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10-204a of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) Each local or regional board of education, or similar body  
4 governing a nonpublic school or schools, shall require each child to be  
5 protected by adequate immunization against diphtheria, pertussis,  
6 tetanus, poliomyelitis, measles, mumps, rubella, [hemophilus]  
7 haemophilus influenzae type B and any other vaccine required by the  
8 schedule for active immunization adopted pursuant to section 19a-7f  
9 before being permitted to enroll in any program operated by a public or  
10 nonpublic school under its jurisdiction. Before being permitted to enter  
11 seventh grade, a child shall receive a second immunization against  
12 measles. Any such child who (1) presents a certificate from a physician,  
13 physician assistant, advanced practice registered nurse or local health  
14 agency stating that initial immunizations have been given to such child  
15 and additional immunizations are in process (A) under guidelines and  
16 schedules specified by the Commissioner of Public Health, or (B) in the

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

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

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

81 (c) Any child who is enrolled in sixth grade or below prior to the  
82 effective date of this section who presented a statement, prior to the  
83 effective date of this section, from the parents or guardians of such child

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

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

108 [(b)] (e) The definitions of adequate immunization shall reflect the  
109 schedule for active immunization adopted pursuant to section 19a-7f  
110 and be established by regulation adopted in accordance with the  
111 provisions of chapter 54 by the Commissioner of Public Health, who  
112 shall also be responsible for providing procedures under which [said]  
113 such boards and [said] such similar governing bodies shall collect and  
114 report immunization data on each child to the Department of Public  
115 Health for (1) compilation and analysis by [said] the department, and  
116 (2) release by the department of annual immunization rates for each

117 public and nonpublic school in the state, provided such immunization  
118 data may not contain information that identifies a specific individual.

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

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

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

149 participating in such a research project or by any other person, except  
150 as may be necessary for the purpose of furthering the research project to  
151 which it relates.

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

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

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

177 (a) Each institution of higher education shall require each full-time or  
178 matriculating student born after December 31, 1956, to provide proof of  
179 adequate immunization against measles, rubella, [and on and after  
180 August 1, 2010, to provide proof of adequate immunization against]

181 mumps and varicella as recommended by the national Advisory  
182 Committee for Immunization Practices before permitting such student  
183 to enroll in such institution. [Any such]

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

206 [(b)] (c) Each institution of higher education shall keep uniform  
207 records of the immunizations and immunization status of each student,  
208 based on the certificate of immunization or other evidence acceptable  
209 pursuant to subsection [(a)] (b) of this section. The record shall be part  
210 of the student's permanent record. By November first of each year, the  
211 chief administrative officer of each institution of higher education shall  
212 cause to be submitted to the Commissioner of Public Health, on a form  
213 provided by the commissioner, a summary report of the immunization

214 status of all students enrolling in such institution.

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

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

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

236 (a) The Commissioner of Early Childhood shall adopt regulations, in  
237 accordance with the provisions of chapter 54, to carry out the purposes  
238 of sections 19a-77 to 19a-80, inclusive, and 19a-82 to 19a-87, inclusive,  
239 and to assure that child care centers and group child care homes meet  
240 the health, educational and social needs of children utilizing such child  
241 care centers and group child care homes. Such regulations shall (1)  
242 specify that before being permitted to attend any child care center or  
243 group child care home, each child shall be protected as age-appropriate  
244 by adequate immunization against diphtheria, pertussis, tetanus,  
245 poliomyelitis, measles, mumps, rubella, [hemophilus] haemophilus



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

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

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

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

348 19a-7f has been given to such child and that any additional necessary  
349 immunizations of such student against diphtheria, pertussis, tetanus,  
350 poliomyelitis, measles, mumps, rubella, haemophilus influenzae type B  
351 and any other vaccine required by such schedule of active immunization  
352 are in process under guidelines specified by the Commissioner of Public  
353 Health or as recommended for the child by the physician, physician  
354 assistant or advanced practice registered nurse, shall be exempt from  
355 the immunization requirements set forth in such regulations. The  
356 statement described in subparagraph (A) of subdivision (3) of this  
357 subsection shall be acknowledged, in accordance with the provisions of  
358 sections 1-32, 1-34 and 1-35, by a judge of a court of record or a family  
359 support magistrate, a clerk or deputy clerk of a court having a seal, a  
360 town clerk, a notary public, a justice of the peace, or an attorney  
361 admitted to the bar of this state.

362 (c) Any child who is enrolled in sixth grade or below on or before the  
363 effective date of this section who presented, prior to the effective date of  
364 this section, the statement described in subparagraph (A) of subdivision  
365 (3) of subsection (b) of this section, but did not present the written  
366 declaration described in subparagraph (B) of subdivision (3) of  
367 subsection (b) of this section, shall comply, on or before September 1,  
368 2022, or not later than fourteen days after applying to enroll in the child  
369 care center or group child care home, whichever is later, with the  
370 immunization requirements set forth in the regulations adopted  
371 pursuant to subdivision (1) of subsection (a) of this section.

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

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

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

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

408     [(f)] (h) Any child care center or group child care home may provide  
409 child care services to a foster child for a period not to exceed forty-five  
410 days without complying with any provision in regulations adopted  
411 pursuant to this section relating to immunization and physical

412 examination requirements. Any child care center or group child care  
413 home that provides child care services to a foster child at such center or  
414 home under this subsection shall maintain a record on file of such foster  
415 child for a period of two years after such foster child is no longer  
416 receiving child care services at such center or home. For purposes of this  
417 subsection, "foster child" means a child who is in the care and custody  
418 of the Commissioner of Children and Families and placed in a foster  
419 home licensed pursuant to section 17a-114, foster home approved by a  
420 child-placing agency licensed pursuant to section 17a-149, facility  
421 licensed pursuant to section 17a-145 or with a relative or fictive kin  
422 caregiver pursuant to section 17a-114.

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

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

445 shall make an unannounced visit, inspection or investigation of each  
446 licensed family child care home at least once every year. A licensed  
447 family child care home shall not be subject to any conditions on the  
448 operation of such home by local officials, other than those imposed by  
449 the office pursuant to this subsection, if the home complies with all local  
450 codes and ordinances applicable to single and multifamily dwellings.

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

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

477 (d) An application for initial licensure pursuant to this section shall  
478 be accompanied by a fee of forty dollars and such license shall be issued  
479 for a term of four years. An application for renewal of a license issued  
480 pursuant to this section shall be accompanied by a fee of forty dollars  
481 and a certification from the licensee that any child enrolled in the family  
482 child care home has received age-appropriate immunizations in  
483 accordance with regulations adopted pursuant to subsection (f) of this  
484 section. A license issued pursuant to this section shall be renewed for a  
485 term of four years. In the case of an applicant submitting an application  
486 for renewal of a license that has expired, and who has ceased operations  
487 of a family child care home due to such expired license, the  
488 commissioner may renew such expired license within thirty days of the  
489 date of such expiration upon receipt of an application for renewal that  
490 is accompanied by such fee and such certification.

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

494 (f) The commissioner shall adopt regulations, in accordance with the  
495 provisions of chapter 54, to assure that family child care homes, as  
496 defined in section 19a-77, meet the health, educational and social needs  
497 of children utilizing such homes. Such regulations shall ensure that the  
498 family child care home is treated as a residence, and not an institutional  
499 facility. Such regulations shall specify that each child be protected as  
500 age-appropriate by adequate immunization against diphtheria,  
501 pertussis, tetanus, poliomyelitis, measles, mumps, rubella,  
502 [hemophilus] haemophilus influenzae type B and any other vaccine  
503 required by the schedule of active immunization adopted pursuant to  
504 section 19a-7f. [Such regulations shall provide appropriate exemptions  
505 for children for whom such immunization is medically contraindicated  
506 and for children whose parents or guardian objects to such  
507 immunization on religious grounds and require that any such objection  
508 be accompanied by a statement from such parents or guardian that such  
509 immunization would be contrary to the religious beliefs of such child or



510 the parents or guardian of such child, which statement shall be  
511 acknowledged, in accordance with the provisions of sections 1-32, 1-34  
512 and 1-35, by (1) a judge of a court of record or a family support  
513 magistrate, (2) a clerk or deputy clerk of a court having a seal, (3) a town  
514 clerk, (4) a notary public, (5) a justice of the peace, or (6) an attorney  
515 admitted to the bar of this state.] Such regulations shall also specify  
516 conditions under which family child care home providers may  
517 administer tests to monitor glucose levels in a child with diagnosed  
518 diabetes mellitus, and administer medicinal preparations, including  
519 controlled drugs specified in the regulations by the commissioner, to a  
520 child receiving child care services at a family child care home pursuant  
521 to a written order of a physician licensed to practice medicine in this or  
522 another state, an advanced practice registered nurse licensed to  
523 prescribe in accordance with section 20-94a or a physician assistant  
524 licensed to prescribe in accordance with section 20-12d, and the written  
525 authorization of a parent or guardian of such child. Such regulations  
526 shall specify appropriate standards for extended care and intermittent  
527 short-term overnight care. The commissioner shall inform each licensee,  
528 by way of a plain language summary provided not later than sixty days  
529 after the regulation's effective date, of any new or changed regulations  
530 adopted under this subsection with which a licensee must comply.

531 (g) Any child who (1) presents a certificate, in a form prescribed by  
532 the Commissioner of Public Health pursuant to section 7 of this act,  
533 signed by a physician, a physician assistant or an advanced practice  
534 registered nurse stating that, in the opinion of such physician, physician  
535 assistant or advanced practice registered nurse, the immunizations  
536 required pursuant to regulations adopted pursuant to subsection (f) of  
537 this section are medically contraindicated, (2) in the case of a child who  
538 is enrolled in seventh grade through twelfth grade, presented a  
539 statement, prior to the effective date of this section, that such  
540 immunizations are contrary to the religious beliefs of such child or the  
541 parents or guardians of such child, or (3) in the case of a child who is  
542 enrolled in sixth grade or below, (A) presented a statement, prior to the  
543 effective date of this section, that such immunizations are contrary to

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

565 (h) Any child who is enrolled in sixth grade or below on or before the  
566 effective date of this section who presented, prior to the effective date of  
567 this section, the statement described in subparagraph (A) of subdivision  
568 (3) of subsection (g) of this section, but did not present the written  
569 declaration described in subparagraph (B) of subdivision (3) of  
570 subsection (g) of this section shall comply, on or before September 1,  
571 2022, or not later than fourteen days after applying to enroll in the family  
572 child care home, whichever is later, with the immunization  
573 requirements set forth in the regulations adopted pursuant to subsection  
574 (f) of this section.

575 [(g)] (i) Upon the declaration by the Governor of a civil preparedness  
576 emergency pursuant to section 28-9 or a public health emergency

577 pursuant to section 19a-131a, the commissioner may waive the  
578 provisions of any regulation adopted pursuant to this section if the  
579 commissioner determines that such waiver would not endanger the life,  
580 safety or health of any child. The commissioner shall prescribe the  
581 duration of such waiver, provided such waiver shall not extend beyond  
582 the duration of the declared emergency. The commissioner shall  
583 establish the criteria by which a waiver request shall be made and the  
584 conditions for which a waiver will be granted or denied. The provisions  
585 of section 19a-84 shall not apply to a denial of a waiver request under  
586 this subsection.

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

598       [(i)] (k) Any family child care home may provide child care services  
599 to a foster child for a period not to exceed forty-five days without  
600 complying with any provision in regulations adopted pursuant to this  
601 section relating to immunization and physical examination  
602 requirements. Any family child care home that provides child care  
603 services to a foster child at such home under this subsection shall  
604 maintain a record on file of such foster child for a period of two years  
605 after such foster child is no longer receiving child care services at such  
606 home. For purposes of this subsection, "foster child" means a child who  
607 is in the care and custody of the Commissioner of Children and Families  
608 and placed in a foster home licensed pursuant to section 17a-114, foster  
609 home approved by a child-placing agency licensed pursuant to section

610 17a-149, facility licensed pursuant to section 17a-145 or with a relative  
611 or fictive kin caregiver pursuant to section 17a-114.

612       Sec. 7. (NEW) (*Effective from passage*) On or before October 1, 2021, the  
613 Commissioner of Public Health shall develop and make available on the  
614 Internet web site of the Department of Public Health a certificate for use  
615 by a physician, physician assistant or advanced practice registered  
616 nurse stating that, in the opinion of such physician, physician assistant  
617 or advanced practice registered nurse, a vaccination required by the  
618 general statutes is medically contraindicated for a person because of the  
619 physical condition of such person. The certificate shall include (1)  
620 definitions of the terms "contraindication" and "precaution", (2) a list of  
621 contraindications and precautions recognized by the National Centers  
622 for Disease Control and Prevention for each of the statutorily required  
623 vaccinations, from which the physician, physician assistant or advanced  
624 practice registered nurse may select the relevant contraindication or  
625 precaution on behalf of such person, (3) a section in which the physician,  
626 physician assistant or advanced practice registered nurse may record a  
627 contraindication or precaution that is not recognized by the National  
628 Centers for Disease Control and Prevention, but in his or her discretion,  
629 results in the vaccination being medically contraindicated, including,  
630 but not limited to, any autoimmune disorder, family history of any  
631 autoimmune disorder, family history of any reaction to a vaccination,  
632 genetic predisposition to any reaction to a vaccination as determined  
633 through genetic testing and a previous documented reaction of a person  
634 that is correlated to a vaccination, (4) a section in which the physician,  
635 physician assistant or advanced practice registered nurse may include a  
636 written explanation for the exemption from any statutorily required  
637 vaccinations, (5) a section requiring the signature of the physician,  
638 physician assistant or advanced practice registered nurse, (6) a  
639 requirement that the physician, physician assistant or advanced practice  
640 registered nurse attach such person's most current immunization  
641 record, and (7) a synopsis of the grounds for any order of quarantine or  
642 isolation pursuant to section 19a-131b of the general statutes.

643       Sec. 8. (NEW) (*Effective from passage*) (a) There is established an  
644 Advisory Committee on Medically Contraindicated Vaccinations within  
645 the Department of Public Health for the purpose of advising the  
646 Commissioner of Public Health on issues concerning exemptions from  
647 state or federal requirements for vaccinations that result from a  
648 physician, physician assistant or advanced practice registered nurse  
649 stating that a vaccination is medically contraindicated for a person due  
650 to the medical condition of such person. Said advisory committee shall  
651 not be responsible for confirming or denying any determination by a  
652 physician, physician assistant or advanced practice registered nurse that  
653 a vaccination is medically contraindicated for a specific individual. In  
654 order to carry out its duties, the advisory committee shall (1) have access  
655 to the childhood immunization registry established by the department  
656 pursuant to section 19a-7h of the general statutes, (2) evaluate the  
657 process used by the department in collecting data concerning  
658 exemptions resulting from a vaccination being medically  
659 contraindicated and whether the department should have any oversight  
660 over such exemptions, (3) examine whether enrollment of an  
661 unvaccinated child into a program operated by a public or nonpublic  
662 school, institution of higher education, child care center or group child  
663 care home should be conditioned upon the child meeting certain  
664 criteria, (4) calculate the ratio of school nurses to students in each public  
665 and nonpublic school in the state and the funding issues surrounding  
666 such ratio, (5) assess whether immunizations should be required more  
667 frequently than prior to enrollment into a program operated by a public  
668 or nonpublic school and prior to entering seventh grade, and (6)  
669 determine whether (A) there are any discrepancies in the issuance of  
670 certificates stating that a vaccine is medically contraindicated, and (B) to  
671 recommend continuing education of physicians, physician assistants or  
672 advanced practice registered nurses in vaccine contraindications and  
673 precautions. All information obtained by the advisory committee from  
674 such registry shall be confidential pursuant to section 19a-25 of the  
675 general statutes, as amended by this act.

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

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

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

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

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

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

694 (6) One appointed by the minority leader of the Senate, who shall be  
695 a representative of the Connecticut Chapter of the American Academy  
696 of Pediatrics;

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

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

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

703 (c) The members of the advisory committee shall elect a chairperson  
704 of the advisory committee from among its members. Such chairperson

705 shall schedule the first meeting of the advisory committee, which shall  
706 be held not later than October 1, 2021. The advisory committee shall  
707 meet not less than biannually. On or before January 1, 2022, and  
708 annually thereafter, the committee shall report, in accordance with the  
709 provisions of section 11-4a of the general statutes, on its activities and  
710 findings to the joint standing committee of the General Assembly  
711 having cognizance of matters relating to public health.

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

722 Sec. 10. Subsection (a) of section 38a-492r of the general statutes is  
723 repealed and the following is substituted in lieu thereof (*Effective January*  
724 *1, 2022*):

725 (a) Each individual health insurance policy providing coverage of the  
726 type specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469  
727 delivered, issued for delivery, renewed, amended or continued in this  
728 state that provides coverage for prescription drugs shall provide  
729 [coverage for] (1) coverage for immunizations recommended by the  
730 American Academy of Pediatrics, American Academy of Family  
731 Physicians and the American College of Obstetricians and  
732 Gynecologists, and (2) with respect to immunizations that have in effect  
733 a recommendation from the Advisory Committee on Immunization  
734 Practices of the Centers for Disease Control and Prevention with respect  
735 to the individual involved, coverage for such immunizations and at least  
736 a twenty-minute consultation between such individual and a health care

737 provider authorized to prescribe such immunizations to such  
 738 individual.

739 Sec. 11. Subsection (a) of section 38a-518r of the general statutes is  
 740 repealed and the following is substituted in lieu thereof (*Effective January*  
 741 *1, 2022*):

742 (a) Each group health insurance policy providing coverage of the type  
 743 specified in subdivisions (1), (2), (4), (11) and (12) of section 38a-469  
 744 delivered, issued for delivery, renewed, amended or continued in this  
 745 state that provides coverage for prescription drugs shall provide  
 746 [coverage for] (1) coverage for immunizations recommended by the  
 747 American Academy of Pediatrics, American Academy of Family  
 748 Physicians and the American College of Obstetricians and  
 749 Gynecologists, and (2) with respect to immunizations that have in effect  
 750 a recommendation from the Advisory Committee on Immunization  
 751 Practices of the Centers for Disease Control and Prevention with respect  
 752 to the individual involved, coverage for such immunizations and at least  
 753 a twenty-minute consultation between such individual and a health care  
 754 provider authorized to prescribe such immunizations to such  
 755 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)



**Statement of Purpose:**

To eliminate the nonmedical exemption to the immunization requirement for individuals attending public or private school from prekindergarten through grade twelve, individuals in higher education and children in day care settings.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: SEN. DAUGHERTY ABRAMS, 13th Dist.; SEN. DUFF, 25th Dist.  
REP. ELLIOTT, 88th Dist.; REP. PALM, 36th Dist.

S.B. 568