BILL A

LLS NO. 00-0425.01 Julie Hoerner HOUSE BILL

BY REPRESENTATIVES Hagedorn and Tochtrop

A BILL FOR AN ACT

101 CONCERNING MEASURES TO IMPLEMENT A REGISTRY THAT TRACKS
102 IMMUNIZATION INFORMATION FOR CHILDREN IN COLORADO.

Bill Summary

"Increasing Immunization Rates"

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Health Care Task Force. Requires the department of public health and environment (the department) to review the administrative fee paid to public and private physicians for immunizations every 2 years and adjust them for inflation.

Requires the department to study the administrative cost for:

- Public and private physicians to administer immunizations to children; and
- Implementing and maintaining an electronic tracking system of children's immunization records by public and private physicians.

Requires the department to report back to the president of the senate, majority and minority leaders of the senate, speaker of the house of representatives, majority and minority leaders of the house of representatives, and chairs of the health, environment, welfare, and institutions committees of the senate and the house of representatives no later than March 15, 2001, regarding the administration study. Requires the report to include methods of incentives for public and private physicians to increase the proper immunization of children and maintain an electronic tracking system. Allows the department to provide greater incentives to practitioners who implement and maintain an electronic tracking system of immunization records. Allows the study to be funded

with private and public moneys.

Requires the department to study the implementation of a public and private cooperative arrangement for the purchase of vaccinations. Requires the department to evaluate the costs associated with the purchase and distribution of vaccines. Requires that participants of the vaccine cooperative implement and maintain an electronic tracking system of immunization records for children. Requires the department to report back to the president of the senate, majority and minority leaders of the senate, speaker of the house of representatives, majority and minority leaders of the house of representatives, and chairs of the health, environment, welfare, and institutions committees of the senate and the house of representatives no later than March 15, 2001, regarding the vaccine cooperative. Allows the study to be funded with private and public moneys.

Requires that the department implement an infant and child immunization tracking system by July 1, 2001.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 25-4-1705 (3), the introductory portion to 25-4-1705 (5) (e) (I), and 25-4-1705 (5) (e) (I) (D), (5) (e) (II) (C), (5) (e) (II) (D), and (5) (g), Colorado Revised Statutes, are amended, and the said 25-4-1705 (5) (e) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

25-4-1705. Department of public health and environment - powers and duties. (3) (a) The department shall distribute such vaccines, in accordance with rules promulgated by the board of health, without purchase, shipping, handling, or other charges to practitioners who agree not to impose a charge for such vaccine on the infant recipient, the child's parent or guardian, third-party payor, or any other person; except that a practitioner may charge a reasonable administrative fee in connection with the administration of a vaccine. The board of health shall determine the amount of such administrative fee that a PUBLIC OR PRIVATE

practitioner may charge, AND THE BOARD OF HEALTH SHALL REVIEW THE ADMINISTRATIVE FEE EVERY TWO YEARS BEGINNING JULY 1, 2000, AND ADJUST THE FEE FOR INFLATION AS NECESSARY.

(b) (I) THE DEPARTMENT SHALL CONDUCT A STUDY TO DETERMINE THE COST FOR PRIVATE AND PUBLIC PRACTITIONERS TO IMMUNIZE CHILDREN. SUCH STUDY SHALL INCLUDE, BUT NOT BE LIMITED TO, THE ADMINISTRATIVE COSTS FOR PURCHASING VACCINES FOR PRACTITIONERS AND FOR IMPLEMENTING AND MAINTAINING AN ELECTRONIC TRACKING SYSTEM OF CHILDREN'S IMMUNIZATION RECORDS BY PRACTITIONERS.

(II) THE DEPARTMENT SHALL SUBMIT A REPORT OF THE STUDY, BASED ON ACTUARIALLY SOUND METHODS, CONTAINING CONCLUSIONS AND ALL POSSIBLE MEASURES TO IMPROVE INCENTIVES TO PUBLIC AND PRIVATE PRACTITIONERS WHO IMPROVE THE NUMBER OF CHILDREN PROPERLY IMMUNIZED WITHIN THEIR PRACTICE AND WHO IMPLEMENT AND MAINTAIN AN ELECTRONIC TRACKING SYSTEM OF IMMUNIZATION RECORDS. THE DEPARTMENT MAY PROVIDE GREATER INCENTIVES FOR PRACTITIONERS WHO IMPLEMENT AND MAINTAIN AN ELECTRONIC TRACKING SYSTEM OF IMMUNIZATION RECORDS. THE REPORT SHALL BE SUBMITTED TO THE PRESIDENT OF THE SENATE, MAJORITY AND MINORITY LEADERS OF THE SENATE, SPEAKER OF THE HOUSE OF REPRESENTATIVES, MAJORITY AND MINORITY LEADERS OF THE HOUSE OF REPRESENTATIVES, AND CHAIRS OF THE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES NO LATER THAN MARCH 15, 2001.

(III) THE STUDY SHALL BE FUNDED THROUGH DONATIONS, GRANTS, AND GIFTS FROM PRIVATE SECTOR ORGANIZATIONS AND MONEYS

APPROPRIATED BY THE STATE. PRIVATE MONEYS MAY BE RECEIVED FOR PURPOSES OF THE STUDY CONDUCTED PURSUANT TO THIS SECTION. THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL HAVE THE POWER TO ACCEPT OR DISPOSE OF ANY GIFT, GRANT, OR DONATION RECEIVED FOR THIS STUDY.

(c) (I) THE DEPARTMENT SHALL STUDY THE IMPLEMENTATION OF A COOPERATIVE EFFORT BETWEEN THE PUBLIC AND PRIVATE SECTOR TO PURCHASE VACCINES FOR THE IMMUNIZATION OF CHILDREN. THE DEPARTMENT SHALL DETERMINE THE COSTS ASSOCIATED WITH CREATING A VACCINE COOPERATIVE AND HOW THE VACCINE COOPERATIVE SHOULD PURCHASE AND DISTRIBUTE VACCINES.

(II) THE DEPARTMENT SHALL SUBMIT A REPORT OF THE STUDY CONTAINING CONCLUSIONS AND ALL POSSIBLE MEASURES TO IMPLEMENT THE VACCINE COOPERATIVE. THE REPORT SHALL SPECIFY THAT PUBLIC SECTOR AND PRIVATE SECTOR PARTICIPANTS SHALL MAINTAIN AN ELECTRONIC TRACKING SYSTEM OF CHILDREN'S IMMUNIZATION RECORDS. THE REPORT SHALL BE SUBMITTED TO THE PRESIDENT OF THE SENATE, MAJORITY AND MINORITY LEADERS OF THE SENATE, SPEAKER OF THE HOUSE OF REPRESENTATIVES, MAJORITY AND MINORITY LEADERS OF THE HOUSE OF REPRESENTATIVES, AND CHAIRS OF THE HEALTH, ENVIRONMENT, WELFARE, AND INSTITUTIONS COMMITTEES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES NO LATER THAN MARCH 15, 2001.

(III) THE STUDY SHALL BE FUNDED THROUGH DONATIONS, GRANTS, AND GIFTS FROM PRIVATE SECTOR ORGANIZATIONS AND MONEYS APPROPRIATED BY THE STATE. PRIVATE MONEYS MAY BE RECEIVED FOR PURPOSES OF THE STUDY CONDUCTED PURSUANT TO THIS SECTION. THE

EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL HAVE THE POWER TO ACCEPT OR DISPOSE OF ANY GIFT, GRANT OR DONATION RECEIVED FOR THIS STUDY.

(5) The board of health, in consultation with the medical services board in the state department of health care policy and financing, and such other persons, agencies, or organizations that the board of health deems advisable, shall formulate, adopt, and promulgate rules and regulations governing the implementation and operation of the infant immunization program. Such rules shall address the following:

(e) (I) The gathering of epidemiological information, including the establishment of a comprehensive immunization tracking system. Infant AND CHILD immunization information may be gathered for such tracking system by state and local health departments from the following sources:

(D) A parent of the infant, as defined in section 25-4-1703 (3), OR CHILD, AS DEFINED IN SECTION 25-4-1703 (1.5);

(II) Records in the immunization tracking system established pursuant to subparagraph (I) of this paragraph (e) shall be strictly confidential and shall not be released, shared with any agency or institution, or made public, except under the following circumstances:

(C) Release may be made of immunization records and epidemiological information to the parent of the infant OR CHILD, the physician treating the person who is the subject of an immunization record, a school in which such person is enrolled, or any entity or person described in sub-subparagraph (E), (F), (G), or (H) of subparagraph (I) of this paragraph (e).

(D) No officer or employee or agent of the state department of

public health and environment or local department of health shall be examined in any judicial, executive, legislative, or other proceeding as to the existence or content of any infant's OR CHILD'S report obtained by such department without consent of the infant's OR CHILD'S parent. However, this provision shall not apply to infants OR CHILDREN who are under isolation, quarantine, or other restrictive action taken pursuant to section 25-1-107 (1) (b).

(III) THE DEPARTMENT SHALL IMPLEMENT THE COMPREHENSIVE IMMUNIZATION TRACKING SYSTEM NO LATER THAN JULY 1, 2001.

(g) The assessment of the vaccination status of infants AND CHILDREN;

SECTION 2. 25-4-1703, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

25-4-1703. Definitions. As used in this part 17, unless the context otherwise requires:

(1.5) "CHILD" MEANS ANY PERSON LESS THAN EIGHTEEN YEARS OF AGE.

SECTION 3. No appropriation. The general assembly has determined that this act can be implemented within existing appropriations, and therefore no separate appropriation of state moneys is necessary to carry out the purposes of this act.

SECTION 4. Effective date - applicability. This act shall take effect July 1, 2000, and shall apply to all records kept by private and public practitioners regarding immunization and all vaccines administered on or after said date.

SECTION 5. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.