

1                   **DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

2                   **Disease Control and Environmental Epidemiology Division**

3                   **6 CCR 1009-2**

4                   **STATE BOARD OF HEALTH RULES PERTAINING TO THE INFANT**  
5                   **IMMUNIZATION PROGRAM, THE VACCINES FOR CHILDREN PROGRAM, AND**  
6                   **THE IMMUNIZATION OF STUDENTS ATTENDING SCHOOL**

I. 7           **Definitions**

- 8           A.       Emancipated student - Any student who has reached age 18; a lawfully married child of  
9                   any age; a child 15 years of age or older who is managing his/her own financial affairs and  
10                  who is living separate and apart from his/her parent.
- 11          B.       Indigent child - Any child whose parent cannot afford to have the child immunized or if  
12                  emancipated, who cannot himself/herself afford immunization and who has not been  
13                  exempted.
- 14          C.       College student - Any student who is enrolled for one or more classes at a college or  
15                  university and who is physically present at the institution. This includes students who are  
16                  auditing classes but does not include persons taking classes by correspondence only.
- 17          D.       Child - Any student less than 18 years of age.
- 18          E.       Parent - The person or persons with parental or decision-making responsibilities for a child.
- 19          F.       School official - The school's chief executive officer or any person designated by him/her  
20                  as his/her representative.
- 21          G.       School health authority – an individual working for or on behalf of the child care facility or  
22                  school who is knowledgeable about childcare/school immunizations.
- 23          H.       Student – Any person enrolled in a Colorado school as defined in I (I)
- 24          I.       School - A public, private, or parochial nursery school, day care center, child care facility,  
25                  family child care home, foster care home, Head Start program, kindergarten, or elementary  
26                  or secondary school through grade twelve, or a college or university. "School" does not  
27                  include a public services short-term child care facility as defined in section 26-6-102 (6.7),  
28                  C.R.S., a guest child care facility as defined in section 26-6-102 (5), C.R.S., a ski school as  
29                  defined in section 26-6-103.5 (6), C.R.S., or college or university courses which are offered  
30                  off-campus; or are offered to nontraditional adult students, as defined by the governing  
31                  board of the institution; or are offered at colleges or universities which do not have  
32                  residence hall facilities.
- 33          J.       In-process student - A student may be considered in-process if:
- 34                  1.       Within fourteen days after receiving direct personal notification that the certificate  
35                          is not up-to-date according to the requirements of the state board of health, the  
36                          parent or emancipated student submits documentation that the next required  
37                          immunization has been given and a signed written plan for obtaining the remaining  
38                          required immunizations. The scheduling of immunizations in the written plan shall

39 follow medically recommended minimum intervals consistent with the U.S. Public  
40 Health Service Advisory Committee on Immunization Practices, American  
41 Academy of Pediatrics, or the vaccine manufacturer's package insert statement. If  
42 the student does not fulfill the plan, the student shall be suspended or expelled  
43 from school for non-compliance as noted in Section 25-4-907, C.R.S. If the next  
44 dose is not medically indicated within fourteen days, then the medically approved  
45 minimum intervals would apply.

46 2. With regards to college or university students as defined in I(C) and I(H), the  
47 student must present to the appropriate official of the school either (i) a signed  
48 written authorization requesting local health officials to administer required  
49 immunizations or (ii) a plan for receipt of the required immunization or the next  
50 required immunization in a series within either 30 days or the medically approved  
51 minimum interval. If this does not occur, the college or university student will not be  
52 allowed to register for the current term or session. Such written authorizations and  
53 plans must be signed by one parent or guardian or the emancipated student or the  
54 student eighteen years of age or older.

55 K. Dose – A measured quantity of an immunizing agent; quantity and frequency of  
56 administration determined by recognized health authorities and the manufacturer of each  
57 agent. (Partial, "split," half or fractionated "doses" are not acceptable for certification.)

58 L. Practitioner – A duly licensed physician, **ADVANCED PRACTICE NURSE**, or other person  
59 who is permitted and otherwise qualified to administer vaccines under the laws of this  
60 state.

61 M. Infant – Any child up to twenty-four months of age or any child eligible for vaccination and  
62 enrolled under the Colorado Medical Assistance Act, article 4 of title 26, C.R.S.

63 N. Immunization Tracking System – A comprehensive immunization tracking system  
64 established by the Department of Public Health and Environment pursuant to Section 25-4-  
65 1705(E), C.R.S.

66 O. Vaccines for Children (VFC) Program – A federally funded program for the purchase and  
67 distribution of pediatric vaccines to program-registered providers for the immunization of  
68 vaccine-eligible children.

69 P. VFC-Eligible Children – Federally purchased vaccines under the VFC Program will be  
70 made available to children who are 18 years of age or younger and who are eligible for  
71 Medicaid or who are not insured under any form of health insurance or who are not insured  
72 with respect to the vaccine and who are administered pediatric vaccines by a Federally  
73 Qualified Health Center (FQHC) or in a rural health clinic or who are American  
74 Indians/Alaskan Natives, as defined in section 4 of the Indian Health Care Improvement  
75 Act.

## II.76 Exemptions From Immunization

77 It is the responsibility of the parent(s) to have his or her child immunized unless the child is  
78 exempted. A student may be exempted from receiving the required immunizations in the following  
79 manner:

80 A. Medical exemption - By submitting to the student's school a Certificate of Immunization  
81 with the statement of medical exemption signed by an **ADVANCED PRACTICE NURSE**  
82 **OR** physician licensed to practice medicine or osteopathic medicine in any state or territory  
83 of the United States indicating that the physical condition of the student is such that

immunizations would endanger his/her life or health or is medically contraindicated due to other medical conditions.

B. Religious exemption - By submitting to the student's school a Certificate of Immunization with the statement of religious exemption signed by the parent(s) or the emancipated student indicating that the parent(s) or emancipated student is an adherent to a religious belief whose teachings are opposed to immunizations.

C. Personal belief exemption - By submitting to the student's school a Certificate of Immunization with the statement of personal exemption signed by the parent(s) or the emancipated student indicating that the parent(s) or emancipated student has a personal belief that is opposed to immunizations.

D. In the event of an outbreak of disease against which immunization is required, no exemption or exception from immunization shall be recognized and exempted persons may be subject to exclusion from school and quarantine.

E. All information distributed to the parent(s) by school districts regarding immunization shall inform them of their rights under II(A-C).

F. If the school chooses to use the immunization tracking system to monitor compliance with the school law, and the parent(s) or student submits an exemption, the school must submit the exemption information to the immunization tracking system.

G. A student who is 11 years of age or greater may be exempt from the three-dose requirement for hepatitis b vaccination if the student provides written documentation from a licensed physician that the student, when aged 11 to 15 years, has received two doses of Recombivax HB using the adult dose (1.0 ml containing 10 µg of hepatitis b surface antigen), with the second dose given 4 to 6 months after the first dose. The specific name of the vaccine, the exact dose of antigen per injection, and the dates of administration must be included as part of the documentation.

## **Minimum Immunization Requirements**

The immunizations required for compliance with the school entry immunization law are outlined in Tables 1 and 2. To attend school, a student must have an age- or grade-appropriate Certificate of Immunization. Initial certification does not exempt a student from meeting subsequent age or grade requirements. The minimum number of doses required by level of school/age of student are listed in Table 1. The timetable for implementation of requirements by specific grade and school year for varicella vaccine and tetanus, diphtheria, and pertussis vaccine are listed in Table 2. Grades K to 5 and Grades 6 to 12 are grouped in Table 1, but a student in a particular grade within these groups is not required to have the minimum number of doses of varicella vaccine and tetanus, diphtheria, and pertussis vaccine prior to the school year listed in Table 2.

## **Examination and Audit of School Immunization Records**

The Department of Public Health and Environment's representative shall have the right to audit and verify records to determine compliance with the law. Discrepancies found through audits shall be corrected by school officials, and any student not in full compliance shall be suspended or expelled from school according to the following rules:

A. If the parent(s) or emancipated student was informed of the deficiencies in the student's Certificate of Immunization pursuant to paragraph I(I)(1) of the rules, the student shall be suspended or expelled pursuant to Section 25-4-907, C.R.S.

- 127 B. If the parent(s) or emancipated student was not informed by a direct personal notification of  
128 the immunizations required and alternatives for compliance with the law, the school shall  
129 notify the parent(s) or emancipated student within 7 calendar days of the finding and the  
130 student shall: a) provide proof of immunization within fourteen days, b) continue as an in-  
131 process student, c) verify that the student is exempt, or d) the student shall be suspended  
132 or expelled pursuant to Section 25-4-907, C.R.S.

### **V33 Denial of Attendance**

- 134 A. A student who is: not certified, not in-process, not appropriately vaccinated for his/her age,  
135 or not exempt shall be denied attendance in accordance with the law.
- 136 B. If the student or child is attending a school which is not subject to the School Attendance  
137 Law, Section 22-33-101 et seq., C.R.S., the school officials shall take appropriate action to  
138 deny attendance to the student or child in accordance with that school's procedures or  
139 contract with the student; the college student will not be allowed to register for the current  
140 term or session. No indigent child shall be excluded, suspended, or expelled from school  
141 unless the immunizations have been available and readily accessible to the child at public  
142 expense.

### **14A. Certification of Immunization**

- 144 A. An official Certificate of Immunization or an Alternate Certificate of Immunization that has  
145 been approved by the Department of Public Health and Environment shall include one of  
146 the following forms of documentation that include the dates and types of immunizations  
147 administered to a student or the dates and types of exemption taken:
- 148 1. A paper document that includes information transferred from the records of a  
149 licensed physician, registered nurse, or public health official; or
- 150 2. An electronic file or hard copy of an electronic file provided to the school directly  
151 from the immunization tracking system established pursuant to Section 25-4-  
152 1705(5)(e), C.R.S. or from a software program approved by the Department of  
153 Public Health and Environment.
- 154 B. Any immunization record (original or copy) provided by a physician licensed to practice  
155 medicine or osteopathic medicine in any state or territory of the United States, registered  
156 nurse, or public health official may be accepted by the school official as proof of  
157 immunization. The information is to be verified by the school official and transferred to an  
158 official Colorado Certificate of Immunization. The Department of Public Health and  
159 Environment shall provide guidance to schools, licensed physicians, registered nurses, and  
160 local health agencies regarding the acceptability of vaccination received outside the United  
161 States.
- 162 C. A physician, nurse, or school health authority shall sign the appropriate section of the  
163 Certificate of Immunization when the child has met all immunization requirements.
- 164 D. Schools shall have on file an official Certificate of Immunization for every student enrolled.  
165 The Certificate of Immunization will be kept apart from other school records. When a  
166 student withdraws, transfers, or is promoted to a new school, the school official shall return  
167 the Certificate of Immunization to the parent(s) or emancipated student upon request or  
168 transfer it with the student's school records to the new school. Upon a college or university  
169 student's request, the Certificate of Immunization shall be forwarded as specified by the  
170 student.

## **~~1~~ VII. Reporting of Statistical Information**

172 School officials shall participate in annual school assessments completed on site by the  
173 Department of Public Health and Environment staff or designated local health agency  
174 representatives. On December 1 of each school year, college and university officials shall send an  
175 Immunization Summary Report to the Department of Public Health and Environment.

## **~~VII~~ VI. Notification of Public Health Department**

177 A. Section 25-4-907, C.R.S. requires that if a child is suspended or expelled from school for  
178 failure to comply with the immunization law, the school official shall notify the state or local  
179 department of health or public health nurse who shall then contact the parent(s) or  
180 emancipated student in an effort to secure compliance so that the child may be re-enrolled  
181 in school.

182 B. Upon receipt of an immunization referral from the school the public health department or  
183 public health nurse shall contact the parent(s) of the referred child or the emancipated  
184 student himself/herself to offer immunization and to secure compliance with the school  
185 immunization law in order that the child may provide a completed Certificate of  
186 Immunization to the school and in the case of an expelled or suspended child, be re-  
187 enrolled in school.

## **~~IX~~ VIII. Purchase, Storage, and Distribution of Vaccines**

189 As necessary to comply with Section 25-4-905, C.R.S., the Department of Public Health and  
190 Environment shall assure the purchase, storage, and distribution of the vaccines included in, but  
191 not limited to, Table 1 of these rules.

## **~~X~~ IX. Contract Requirements for Providers, Hospitals, and Health Care Clinics to be an Agent of the Department of Public Health and Environment for the Purposes of the Immunization Program**

195 A. To be an agent of the Department of Public Health and Environment for the purposes of  
196 administering immunizations to infants, children, and students, a provider, hospital, or  
197 health care clinic must agree to provide each patient receiving a vaccine, or the parent or  
198 legal guardian if such patient is an unemancipated minor, a copy of the currently approved  
199 vaccine information statement.

200 B. The Department of Public Health and Environment shall make such requirements as are  
201 necessary to assure the confidentiality and security of information in an immunization  
202 tracking system operated pursuant to Section 25-4-1705(5)(e)(I)(H), C.R.S and Section 25-  
203 4-1705(7), C.R.S.

## **~~XI~~ X. Fee for the Administration, Reporting, and Tracking of Vaccine**

205 This rule applies to immunizations that are listed in Table 1 and any other vaccine recommended  
206 by the Advisory Committee on Immunization Practices of the U.S. Department of Health and  
207 Human Services or the American Academy of Pediatrics. Such immunizations may be given either  
208 (i) by private practitioners enrolled in the VFC Program to VFC-eligible children or (ii) by public  
209 health agencies to any infant, child, or student or (iii) by a FQHC or rural health clinic to any infant,  
210 child, or student that is VFC-eligible or not insured with respect to vaccine.

211 A. Private practitioners: The fee that private practitioners may charge the Medicaid program  
212 for administering, reporting, and tracking an immunization provided to a Medicaid-enrolled  
213 infant, child, or student shall be a maximum of six dollars and fifty cents per vaccine.

- 214 B. Private practitioners: For vaccine administered to VFC-eligible but non-Medicaid-enrolled  
215 infants, children, or students, a private practitioner may charge the parent up to fourteen  
216 dollars and seventy-four cents per dose.
- 217 C. Public health agencies: For vaccine administered to Medicaid-enrolled infants, children, or  
218 students, a public health agency may charge the Medicaid program two dollars per vaccine  
219 administered for administering, reporting, and tracking the immunization.
- 220 D. Public health agencies: For vaccine administered to non-Medicaid enrolled infants,  
221 children, or students, a public health agency may charge the parent up to fourteen dollars  
222 and seventy-four cents per dose.
- 223 E. A vaccine recipient may not be denied vaccine provided by the Centers for Disease Control  
224 and Prevention federal grant or the VFC Program because of inability to pay the  
225 administrative fee  
226

**Table 1. MINIMUM NUMBER OF DOSES REQUIRED FOR CERTIFICATE OF IMMUNIZATION**

VACCINE <sup>a</sup>	Level of School/Age of Student											
	Child Care 2 – 3 mos	Child Care 4 – 5 mos	Child Care 6 – 7 mos	Child Care 8 – 11 mos	Child Care 12 – 14 mos	Child Care 15 – 18 mos	Child Care 19 – 23 mos	Pre school 2 – 4 yrs	K Entry 4 – 6 yrs	Grades K to 5 5 – 10 yrs	Grades 6 to 12 11 – 18+ yrs	College
Hepatitis B <sup>l</sup>	1	2	3						3	3	3	
Pertussis/ Tetanus/ Diphtheria	1	2	3		see foot- note b	4			5/4 <sup>b</sup>	5/4 <sup>b c</sup>	5/6 <sup>c d</sup>	
Haemophilus influenzae type b (Hib) <sup>j</sup>	1	2	2	3/2	3/2	3/2/1	3/2/1	3/2/1				
Pneumococcal Conjugate <sup>k</sup>	1	2	3/2		4/3/2 see footnote k							
Polio <sup>e</sup>	1	2	3						4/3 <sup>f</sup>	4/3 <sup>f</sup>	4/3 <sup>f</sup>	
Measles/ Mumps/ Rubella <sup>g</sup>					1	see footnote g			2 <sup>h</sup>	2 <sup>h</sup>	2 <sup>h</sup>	2 <sup>h i</sup>
Varicella <sup>m</sup>					1	see footnote n			2 <sup>n</sup>	2/1 <sup>n</sup>	2/1 <sup>n o</sup>	
Meningococcal												<sup>p</sup>

a Vaccine doses administered no more than 4 days before the minimum interval or age are to be counted as valid.

b Five doses of pertussis, tetanus, and diphtheria vaccines are required at school entry in Colorado unless the 4th dose was given at 48 months of age or older (i.e., on or after the 4th birthday) in which case only 4 doses are required. There must be at least 4 weeks between dose 1 and dose 2, at least 4 weeks between dose 2 and dose 3, at least 6 months between dose 3 and dose 4 and at least 6 months between dose 4 and dose 5. The final dose must be given no sooner than 4 years of age (dose 4 may be given at 12 months of age provided there is at least 6 months between dose 3 and dose 4). **IF A CHILD HAS RECEIVED 6 DOSES OF DTAP BEFORE THE AGE OF 4 YEARS, NO ADDITIONAL DOSES ARE REQUIRED**

c For students 7 years of age or older who have not had the required number of pertussis doses, no new or additional doses are required. Any student 7 years of age or older at school entry in Colorado who has not completed a primary series of 3 appropriately spaced doses of tetanus and diphtheria vaccine may be certified after the 3rd dose of tetanus and diphtheria vaccine (or tetanus, diphtheria, and pertussis vaccine if 10 or 11 years) if it is given 6 months or more after the 2nd dose.

d The student must meet the minimum prior requirement for the 4th or 5th doses of diphtheria, tetanus, and pertussis vaccine and have 1 tetanus, diphtheria, and pertussis vaccine dose.

e For polio, in lieu of immunization, written evidence of a laboratory test showing immunity is acceptable.

f Four doses of polio vaccine are required at school entry in Colorado unless the 3rd dose was given at 48 months of age or older (i.e., on or after the 4th birthday) in which case only 3 doses are required. There must be at least 4 weeks between dose 1 and dose 2, at least 4 weeks between dose 2 and dose 3 and at least 6 months between dose 3 and dose 4. The final dose must be given no sooner than 4 years of age. **MINIMUM AGE/INTERVAL DOES NOT APPLY IF 4<sup>TH</sup> DOSE OF POLIO (3<sup>RD</sup> DOSE IF GIVEN AFTER 4<sup>TH</sup> BIRTHDAY) WAS ADMINISTERED PRIOR TO JULY 1, 2009.**

g For measles, mumps, and rubella, in lieu of immunization, written evidence of a laboratory test showing immunity is acceptable for the specific disease tested. The 1st dose of measles, mumps, and rubella vaccine must have been administered at 12 months of age or older (i.e., on or after the 1st birthday) to be acceptable.

h The 2nd dose of measles vaccine or measles, mumps, and rubella vaccine must have been administered at least 28 calendar days after the 1st dose.

i Measles, mumps, and rubella vaccine is not required for college students born before January 1, 1957.

257	j	The number of Hib vaccine doses required depends on the student's current age and the age when the vaccine
258		was administered. If any dose was given at 15 months of age or older, the Hib vaccine requirement is met. For
259		students who began the series before 12 months of age, 3 doses are required of which at least 1 dose must have
260		been administered at 12 months of age or older (i.e., on or after the 1st birthday). If the 1st dose was given at 12
261		to 14 months of age, 2 doses are required. If the current age is 5 years of age or older, no new or additional
262		doses are required.
263	k	The number of pneumococcal conjugate vaccine (PCV) doses <b>REQUIRED</b> depends on the student's current age
264		and the age when the 1st dose was administered. If the 1 <sup>st</sup> dose was administered before 6 months of age, the
265		child is required to receive 3 doses 2 months apart and an additional dose between 12 — 15 months of age. If
266		started between 7 — 11 months of age, the child is required to receive 2 doses, two months apart and an
267		additional dose between 12 — 15 months of age. <del>If the series was started between 12 — 23 months of age, then</del>
268		<del>the child is required to receive 2 doses, two months apart. If the current age is 2 years of age or older, no new or</del>
269		<del>additional doses are required. FOR ANY STUDENT WHO RECEIVED THE 3<sup>RD</sup> DOSE ON OR AFTER THE</del>
270		<del>FIRST BIRTHDAY, A 4<sup>TH</sup> DOSE IS NOT REQUIRED. IF THE 1<sup>ST</sup> DOSE WAS GIVEN AT 12 TO 23 MONTHS OF</del>
271		<del>AGE, 2 DOSES ARE REQUIRED. IF ANY DOSE WAS GIVEN AT 24 MONTHS OF AGE THROUGH 4 YEARS</del>
272		<del>OF AGE, THE PCV VACCINE REQUIREMENT IS MET. IF THE CURRENT AGE IS 5 YEARS OR OLDER, NO</del>
273		<del>NEW OR ADDITIONAL DOSES ARE REQUIRED.</del>
274	l	For hepatitis B, in lieu of immunization, written evidence of a laboratory test showing immunity is acceptable. The
275		second dose is to be administered at least 4 weeks after the first dose, and the third dose is to be administered at
276		least 16 weeks after the first dose and at least 8 weeks after the second dose. The final dose is to be
277		administered at 24 weeks of age (6 months of age) or older and is not to be administered prior to 6 months of
278		age. <b>MINIMUM AGE/INTERVAL DOES NOT APPLY TO THOSE STUDENTS WHO HAD 3 DOSES OF THE</b>
279		<b>VACCINE ADMINISTERED PRIOR TO JULY 1, 2009.</b>
280	m	For varicella, written evidence of a laboratory test showing immunity or a documented disease history from a
281		health care provider is acceptable. The 1st dose of varicella vaccine must have been administered at 12 months
282		of age or older (i.e., on or after the 1st birthday) to be acceptable.
283	n	If the second dose of varicella vaccine was administered to a child before 13 years of age, the minimum interval
284		between dose 1 and dose 2 is three months, however, if the second dose is administered at least 28 days
285		following the first dose, the second dose does not need to be repeated. For a child who is 13 years of age or
286		older, the second dose of varicella vaccine must have been administered at least 28 calendar days after the 1 <sup>st</sup>
287		dose. See Table 2 for the school years/grade levels that the 1st and 2 <sup>nd</sup> doses of varicella will be required.
288	<del>o</del>	<del>If the 1<sup>st</sup> dose of varicella vaccine was administered at 13 years of age, 2 doses are required, separated by a</del>
289		<del>minimum of 4 weeks or 28 calendar days.</del>
290	p O	Information concerning meningococcal disease and the meningococcal vaccine shall be provided to each new
291		student or if the student is under 18 years, to the student's parent or guardian. If the student does not obtain a
292		vaccine, a signature must be obtained from the student or if the student is under 18 years, the student's parent or
293		guardian indicating that the information was reviewed.
294		
295	r	



**Table 2. TIMETABLE FOR IMPLEMENTATION OF REQUIREMENTS FOR  
SELECTED IMMUNIZATIONS FOR GRADES K TO 12**

Refer to Table 1 for the minimum number of doses required for a particular grade level. Table 2 shows the year of implementation for a requirement from Table 1 and is restricted to varicella vaccine dose 1 (Var1) and dose 2 (Var2) and tetanus, diphtheria, and pertussis vaccine (Tdap). Requirements and effective dates for other vaccines are listed in Table 1. In this table, after a vaccine is required for grades K to 12, it is no longer shown, but the requirements listed in Table 1 continue to apply.

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