

STATEMENT OF BASIS AND PURPOSE AND SPECIFIC STATUTORY AUTHORITY
for Amendments to
6 CCR 1009-2 The Infant Immunization Program and Immunization of Students Attending
School
Adopted by the Board of Health on December 15, 2021

Basis and Purpose.

Colorado requires all students to be immunized per the vaccine schedule established by 6 CCR 1009-2 upon school entry unless an exemption is filed. The purpose of the immunization requirements for school entry is to protect students, staff, and the visiting public against vaccine-preventable diseases within schools and broader communities.

The proposed changes to this rule were brought about by a review of this rule by the Office of Legislative Legal Services (OLLS), as mandated by statute at Section 24-4-103(8), C.R.S., following the Board's adoption of revisions in November 2020. OLLS identified one section of the rule as needing revision to ensure these regulations are consistent with current state law.

To this end, the Department proposes amendments and additions to Section III. Proposed rule changes in this Section align with Section 25-4-902 (1.5)(a), C.R.S. Pursuant to the proposed language, school superintendents have the authority to request immunization records in certain circumstances as outlined in Sections 25-33-104.5 (3)(g), C.R.S. and 25-4-902 (6), C.R.S.

Specific Statutory Authority.

Statutes that require or authorize rulemaking:
§ 25-4-903, C.R.S. and § 25-4-904, C.R.S.

Is this rulemaking due to a change in state statute?

_____ Yes, the bill number is _____. Rules are ___ authorized ___ required.

No

Does this rulemaking include proposed rule language that incorporate materials by reference?

_____ Yes _____ URL

No

Does this rulemaking include proposed rule language to create or modify fines or fees?

_____ Yes

No

Does the proposed rule language create (or increase) a state mandate on local government?

No.

- The proposed rule does not require a local government to perform or increase a specific activity for which the local government will not be reimbursed;

- The proposed rule requires a local government to perform or increase a specific activity because the local government has opted to perform an activity, or;
- The proposed rule reduces or eliminates a state mandate on local government.

___ Yes.

This rule includes a new state mandate or increases the level of service required to comply with an existing state mandate, and local government will not be reimbursed for the costs associated with the new mandate or increase in service. The state mandate is categorized as:

___ Necessitated by federal law, state law, or a court order

___ Caused by the State's participation in an optional federal program

___ Imposed by the sole discretion of a Department

___ Other: _____

(i.e. requested by local governments and consensus was achieved)

Has an elected official or other representatives of local governments disagreed with this categorization of the mandate? ___Yes ___No. If "yes," please explain why there is disagreement in the categorization.

Please elaborate as to why a rule that contains a state mandate on local government is necessary.