

CHAPTER 24

HEALTH AND ENVIRONMENT

SENATE BILL 26-032

BY SENATOR(S) Daugherty and Mullica, Amabile, Ball, Cutter, Exum, Gonzales J., Jodeh, Kipp, Kolker, Lindstedt, Marchman, Michaelson Jenet, Snyder, Sullivan, Wallace, Weissman, Coleman;
also REPRESENTATIVE(S) Feret and Brown, Boesenecker, Camacho, Carter, Clifford, Duran, Froelich, Garcia, Gilchrist, Goldstein, Hamrick, Lieder, Lindsay, Lukens, Mabrey, McCormick, Nguyen, Paschal, Phillips, Ricks, Rutinel, Rydin, Sirota, Smith, Stewart K., Stewart R., Story, Valdez, Woodrow, Zokaie, McCluskie.

AN ACT**CONCERNING THE PROMOTION OF IMMUNIZATION ACCESS.**

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

SECTION 1. Short title. The short title of this act is the "Ensuring Immunization Access for Coloradans Act".

SECTION 2. Legislative declaration. (1) The general assembly finds and determines that:

(a) Freedom from debilitating and life-threatening illness is necessary to maintain Colorado's economy and prosperity;

(b) Access to life-saving vaccines and other immunizing agents is critical to the health of all individuals living in the state;

(c) Coloradans, including health-care providers, teachers, police and other public safety professionals, food industry professionals, grocery and retail workers, children in day care settings, and students from kindergarten to college seniors, among others, should feel safe working, learning, and participating in society; and

(d) Individuals who want to be vaccinated against disease should have access to safe and effective vaccines that are administered by trusted health-care professionals, with no cost sharing.

(2) Therefore, the general assembly declares that the purpose of this act is to:

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(a) Ensure consistent and equitable access to vaccines and other immunizing agents for all Coloradans;

(b) Ensure continued alignment of the administration of vaccines and other immunizing agents across care settings with evidence-based science and medical standards of care, while maintaining protections for health-care providers; and

(c) Support the health-care workforce, including physicians, physician assistants, nurse practitioners, pharmacists, and other professionals who are qualified to administer vaccines and immunizing agents, in delivering safe and necessary immunization services.

SECTION 3. In Colorado Revised Statutes, 10-16-104, **amend** (17)(a); and **add** (17)(e) as follows:

10-16-104. Mandatory coverage provisions - applicability - rules - definitions.

(17) **Human papillomavirus vaccines - rules.**

(a) All individual and all group sickness and accident insurance policies, except supplemental policies covering a specified disease or other limited benefit, that are delivered or issued for delivery within the state by an entity subject to ~~the provisions of part 2 of this article~~ ARTICLE 16 and all individual and group health-care service or indemnity contracts issued by an entity subject to ~~the provisions of part 3 or 4 of this article~~ ARTICLE 16, as well as any other group health-care coverage offered to residents of this state, shall provide coverage for the full cost of ~~cervical cancer~~ HUMAN PAPILOMAVIRUS vaccination for all ~~females~~ INDIVIDUALS for whom a vaccination is recommended by the ~~advisory committee on immunization practices of the United States department of health and human services~~ ACIP. IF THE ACIP NO LONGER RECOMMENDS HUMAN PAPILOMAVIRUS VACCINATIONS, THE COMMISSIONER MAY ADOPT RULES TO REQUIRE COVERAGE IN ACCORDANCE WITH SUBSECTION (18) OF THIS SECTION.

(e) AS USED IN THIS SUBSECTION (17), "ACIP" HAS THE MEANING SET FORTH IN SUBSECTION (18)(c)(I) OF THIS SECTION.

SECTION 4. In Colorado Revised Statutes, 12-250-103, **repeal** (1); and **add** (5.5) as follows:

12-250-103. Definitions.

As used in this article 250, unless the context otherwise requires:

(1) ~~"ACIP" means the advisory committee on immunization practices to the centers for disease control and prevention in the United States department of health and human services or its successor entity.~~

(5.5) "BOARD OF HEALTH" MEANS THE STATE BOARD OF HEALTH CREATED IN SECTION 25-1-103 (1)(a).

SECTION 5. In Colorado Revised Statutes, 12-250-106, **amend** (1)(c)(I)(F), (2)(e) introductory portion, (2)(e)(I), (2)(f) introductory portion, and (2)(f)(I) as follows:

12-250-106. Practice of naturopathic medicine by naturopathic doctors - exclusions - protected activities - definition - rules.

(1) The practice of naturopathic medicine by a naturopathic doctor includes the following:

(c)(I) Obtaining, dispensing, administering, ordering, or prescribing, as specified, medicines listed in the naturopathic formulary, which include:

(F) Vaccines, in accordance with the ~~ACIP guidelines~~ SCHEDULE OF IMMUNIZATIONS ESTABLISHED BY THE BOARD OF HEALTH BY RULE, for patients who are at least eighteen years ~~of age~~ OLD; and

(2) A naturopathic doctor shall not:

(e) Treat a child who is less than two years ~~of age~~ OLD, unless the naturopathic doctor:

(I) Provides to the parent or legal guardian of the child a copy of the most recent ~~immunizations schedule recommended by the ACIP~~ SCHEDULE OF IMMUNIZATIONS ESTABLISHED BY THE BOARD OF HEALTH BY RULE and recommends that the parent or legal guardian follow the ~~immunizations~~ IMMUNIZATION schedule;

(f) Treat a child who is two years ~~of age~~ OLD or older but less than eight years ~~of age~~ OLD, unless the naturopathic doctor:

(I) Provides to the parent or legal guardian of the child a copy of the most recent ~~immunizations schedule recommended by the ACIP~~ SCHEDULE OF IMMUNIZATIONS ESTABLISHED BY THE BOARD OF HEALTH BY RULE and recommends that the parent or legal guardian follow the ~~immunizations~~ IMMUNIZATION schedule;

SECTION 6. In Colorado Revised Statutes, 12-280-103, **amend** (39)(g)(IV) introductory portion, (39)(g)(IV)(C), and (39)(g)(V); and **add** (39)(g)(VI) as follows:

12-280-103. Definitions - rules.

As used in this article 280, unless the context otherwise requires or the term is otherwise defined in another part of this article 280:

(39) "Practice of pharmacy" means:

(g) Exercising independent prescriptive authority:

(IV) For drugs that are not controlled substances, drug categories, or devices that are prescribed in accordance with the product's FDA-approved labeling and to

patients who are at least twelve years of age OLD and that are limited to conditions that:

(C) Have a test that is used to guide diagnosis or clinical decision-making and is waived under the federal "Clinical Laboratory Improvement Amendments of 1988", Pub.L. 100-578, as amended; or

(V) For any FDA-approved product indicated for opioid use disorder in accordance with federal law and regulations, including medications for opioid use disorder, if authorized pursuant to part 6 of this article 280; OR

(VI) FOR VACCINES;

SECTION 7. In Colorado Revised Statutes, 12-280-107, **add** (4) as follows:

12-280-107. Rules.

(4) NOT LATER THAN OCTOBER 1, 2026, THE BOARD SHALL REVIEW EXISTING RECORD-KEEPING RULES TO ENSURE THAT DUPLICATE, INCONSISTENT, OR OUTDATED RULES RELATING TO VACCINES ARE REPEALED OR AMENDED. THE BOARD MAY CONFER WITH THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT AND OTHER APPLICABLE STATE AGENCIES TO FACILITATE A CONSISTENT REGULATORY FRAMEWORK RELATING TO VACCINES.

SECTION 8. In Colorado Revised Statutes, 25-4-909, **amend** (2) introductory portion and (2)(b) as follows:

25-4-909. Vaccine-related injury or death - limitations on liability - legislative declaration.

(2) ~~No person~~ AN INDIVIDUAL who administers a vaccine ~~which~~ THAT IS required under the provisions of this part 9 to an infant or child ~~whose age is greater than twenty days~~ shall NOT be held liable for injuries sustained pursuant to ~~such~~ THE vaccine if:

(b) The vaccine was administered according to the schedule of immunization as published by the ~~communicable disease control administration of the federal government~~ CENTERS FOR DISEASE CONTROL AND PREVENTION IN THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES OR THE SCHEDULE OF IMMUNIZATIONS ESTABLISHED BY RULE OF THE STATE BOARD OF HEALTH; and

SECTION 9. In Colorado Revised Statutes, 25-4-1705, **amend** (5) introductory portion and (5)(c) as follows:

25-4-1705. Department of public health and environment - powers and duties - rules.

(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

AND adopt and promulgate rules governing the implementation and operation of the infant immunization program. ~~Such~~ THE rules ~~shall~~ MUST address the following:

(c) Which vaccines shall be required to be administered, AFTER TAKING INTO CONSIDERATION THE RECOMMENDATIONS OF THE ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION IN THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, THE AMERICAN ACADEMY OF PEDIATRICS, THE AMERICAN ACADEMY OF FAMILY PHYSICIANS, THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS, OR THE AMERICAN COLLEGE OF PHYSICIANS;

SECTION 10. In Colorado Revised Statutes, 25-4-1708, **amend** (2) as follows:

25-4-1708. Immunization fund - created - transfer - repeal.

(2) If federal funds are not received to implement and operate the immunization programs created in this part 17 and part 24 of this ~~article~~ ARTICLE 4, ~~no~~ ANY additional general fund ~~moneys~~ MONEY NEEDED shall be ~~appropriated for such purposes~~ ADDRESSED THROUGH THE ANNUAL BUDGET PROCESS OR EMERGENCY SUPPLEMENTAL PROCESS.

SECTION 11. In Colorado Revised Statutes, 25-4-1709, **amend** (4); and **add** (4.5) as follows:

25-4-1709. Limitations on liability - repeal.

(4) (a) Where a claim BROUGHT ON OR BEFORE JANUARY 30, 2029, against a hospital, clinic, PHARMACY, WHOLESALER, or provider arises from injuries resulting from the handling, storage, or distribution of vaccines required by this part 17, ~~such~~ THE hospital, clinic, PHARMACY, WHOLESALER, or provider ~~shall not be~~ IS NOT liable unless ~~such~~ THE injuries are the result of the negligent failure of an employee of ~~such~~ THE hospital, clinic, PHARMACY, WHOLESALER, or provider to conform to recognized standards of practice ~~which~~ THAT are necessary for the protection of public health.

(b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2031.

(4.5) WHERE A CLAIM BROUGHT ON OR AFTER JANUARY 31, 2029, AGAINST A HOSPITAL, CLINIC, PHARMACY, OR PROVIDER ARISES FROM INJURIES RESULTING FROM THE HANDLING, STORAGE, OR DISTRIBUTION OF VACCINES REQUIRED BY THIS PART 17, THE HOSPITAL, CLINIC, PHARMACY, OR PROVIDER IS NOT LIABLE UNLESS THE INJURIES ARE THE RESULT OF THE NEGLIGENT FAILURE OF AN EMPLOYEE OF THE HOSPITAL, CLINIC, PHARMACY, OR PROVIDER TO CONFORM TO RECOGNIZED STANDARDS OF PRACTICE THAT ARE NECESSARY FOR THE PROTECTION OF PUBLIC HEALTH.

SECTION 12. In Colorado Revised Statutes, 25-4-2403, **amend** (1)(f), (6)(a), and (13)(d)(III); and **add** (9.5) as follows:

25-4-2403. Department of public health and environment - powers and duties - immunization tracking system - rules - definitions.

(1) In order to expand the immunization registry and increase access to immunizations, the department may address:

(f) The ability of the department of health care policy and financing to purchase vaccines recommended by ACIP, THE AMERICAN ACADEMY OF PEDIATRICS, THE AMERICAN ACADEMY OF FAMILY PHYSICIANS, THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS, OR THE AMERICAN COLLEGE OF PHYSICIANS through a purchasing system, if developed pursuant to this subsection (1) and subsection (1.3) of this section, for children who are enrolled in the children's basic health plan created in article 8 of title 25.5. ~~C.R.S.~~

(6) (a) ~~The department of public health and environment~~ or the department's contractor may directly contact the individual who is the subject of immunization records or the individual's parent or legal guardian for the purpose of notifying the individual, parent, or legal guardian if immunizations are due or overdue as indicated by ~~the advisory committee on immunization practices of the United States department of health and human services or~~ ACIP, the American Academy of Pediatrics, THE AMERICAN ACADEMY OF FAMILY PHYSICIANS, THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS, OR THE AMERICAN COLLEGE OF PHYSICIANS. The department or the department's contractor shall contact the individual, parent, or legal guardian if it is necessary to control an outbreak of or prevent the spread of a vaccine-preventable disease pursuant to section 25-1.5-102 (1)(a) or 25-4-908.

(9.5) THE DEPARTMENT MAY NEGOTIATE FOR AND PURCHASE VACCINES ADOPTED BY THE BOARD BY RULE OR RECOMMENDED BY ACIP, THE AMERICAN ACADEMY OF PEDIATRICS, THE AMERICAN ACADEMY OF FAMILY PHYSICIANS, THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS, OR THE AMERICAN COLLEGE OF PHYSICIANS.

(13) As used in this section:

(d) "Equivalent vaccines" means two or more vaccines that:

(III) Are recommended for comparable populations by the ~~federal centers for disease control and prevention~~ ACIP, THE AMERICAN ACADEMY OF PEDIATRICS, THE AMERICAN ACADEMY OF FAMILY PHYSICIANS, THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS, OR THE AMERICAN COLLEGE OF PHYSICIANS.

SECTION 13. In Colorado Revised Statutes, 25-4-2502, **amend** (2) as follows:

25-4-2502. Definitions.

As used in this part 25, unless the context otherwise requires:

(2) "Cervical cancer vaccine" or "cervical cancer immunization" means the series of HUMAN PAPILLOMAVIRUS vaccines to prevent cervical ~~cancer~~ AND OTHER CANCERS as determined by the board of health to be necessary to conform to recognized standard medical practices.

SECTION 14. In Colorado Revised Statutes, **amend** 25-4-2503 as follows:

25-4-2503. Cervical cancer immunization program - rules.

(1) There is hereby created in the department the cervical cancer immunization program. The department is directed to investigate manners in which the cervical cancer vaccine may be administered in an economical fashion. The state board OF HEALTH is authorized to promulgate ADOPT rules to assist the department in making the vaccine available.

(2) FQHCs are encouraged to enter into agreements with local public health agencies to administer vaccinations to underinsured female minors through a federally recognized vaccination program for children. If a local public health agency enters into an agreement WITH AN FQHC, the agency shall administer vaccinations, including but not limited to cervical cancer vaccinations, pursuant to the agreement with the FQHC. The department shall pay to a local public health agency the agency's administrative cost for administering a cervical cancer vaccination to an underinsured female MINOR entering the sixth grade.

SECTION 15. In Colorado Revised Statutes, add part 26 to article 4 of title 25 as follows:

PART 26
ADULT IMMUNIZATION ACT

25-4-2601. Short title.

THE SHORT TITLE OF THIS PART 26 IS THE "ADULT IMMUNIZATION ACT".

25-4-2602. Legislative declaration.

(1) THE GENERAL ASSEMBLY FINDS AND DETERMINES THAT:

(a) VACCINE-PREVENTABLE DISEASES REPRESENT A SERIOUS PUBLIC HEALTH THREAT TO PEOPLE IN THE STATE;

(b) IT HAS BEEN WELL DOCUMENTED THAT VACCINES AND OTHER IMMUNIZING AGENTS ARE AN EFFECTIVE WAY TO PREVENT SICKNESS AND DEBILITATING DISEASE;

(c)(I) THE VACCINE MANUFACTURING SECTOR IS FOUNDATIONAL TO COLORADO'S PUBLIC HEALTH SECURITY AND ECONOMIC STRENGTH, SUPPORTING HIGH-SKILLED JOBS, HEALTH-CARE INFRASTRUCTURE, AND THE CONTINUITY OF ESSENTIAL PUBLIC SERVICES;

(II) A SMALL NUMBER OF HIGHLY SPECIALIZED MANUFACTURERS PRODUCE MOST OF THE WORLD'S VACCINES IN A COMPLEX AND CAPITAL-INTENSIVE ENVIRONMENT, ADVANCING INFECTIOUS DISEASE PREVENTION AND EMERGING THERAPIES, INCLUDING MRNA-BASED CANCER TREATMENTS; AND

(III) MAINTAINING A STABLE, SCIENCE-BASED REGULATORY FRAMEWORK IS CRITICAL TO PRESERVING MANUFACTURING CAPACITY, SUPPORTING ONGOING INNOVATION, AND ENSURING THE ONGOING AVAILABILITY OF SAFE AND EFFECTIVE VACCINES FOR COLORADANS; AND

(d) INDIVIDUALS WHO WANT TO BE VACCINATED AGAINST DISEASE SHOULD HAVE ACCESS TO SAFE AND EFFECTIVE VACCINES THAT ARE ADMINISTERED BY TRUSTED HEALTH-CARE PROFESSIONALS WITH NO COST SHARING.

(2) THEREFORE, THE GENERAL ASSEMBLY DECLARES THAT PROMOTING EVIDENCE-BASED ADMINISTRATION OF VACCINES AND OTHER IMMUNIZING AGENTS TO ADULTS IS CRITICAL TO PRESERVING THE HEALTH OF ALL PEOPLE IN THE STATE.

25-4-2603. Definitions.

AS USED IN THIS PART 26, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ACIP" MEANS THE ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES TO THE CENTERS FOR DISEASE CONTROL AND PREVENTION IN THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, OR ITS SUCCESSOR ENTITY.

(2) "ADULT" MEANS AN INDIVIDUAL WHO IS EIGHTEEN YEARS OLD OR OLDER.

(3) "BOARD OF HEALTH" MEANS THE STATE BOARD OF HEALTH CREATED IN SECTION 25-1-103 (1)(a).

(4) "IMMUNIZING AGENT" MEANS ANY BIOLOGICAL SUBSTANCE, INCLUDING VACCINES, TOXOIDS, OR OTHER ANTIGENIC COMPONENTS, THAT IS ADMINISTERED TO AN INDIVIDUAL FOR THE PURPOSE OF PRODUCING ACTIVE OR PASSIVE IMMUNITY AGAINST A SPECIFIC DISEASE.

(5) "VACCINE" MEANS A BIOLOGICAL PREPARATION THAT CONTAINS ANTIGENIC MATERIAL DESIGNED TO STIMULATE AN INDIVIDUAL'S IMMUNE SYSTEM TO DEVELOP ACTIVE IMMUNITY AGAINST A SPECIFIC INFECTIOUS DISEASE TO PREVENT ILLNESS, TYPICALLY BY INTRODUCING A WEAKENED, INACTIVATED, OR PARTIAL FORM OF A PATHOGEN OR ITS COMPONENTS.

25-4-2604. Rules - adult immunization rules - rule-making authority of state board of health.

(1) THE BOARD OF HEALTH SHALL ADOPT RULES ESTABLISHING A SCHEDULE OF RECOMMENDED ADULT IMMUNIZATIONS, INCLUDING:

(a) THE VACCINES OR OTHER IMMUNIZING AGENTS RECOMMENDED FOR ADULTS, AFTER TAKING INTO CONSIDERATION THE RECOMMENDATIONS OF THE ACIP, THE AMERICAN ACADEMY OF PEDIATRICS, THE AMERICAN ACADEMY OF FAMILY PHYSICIANS, THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS, OR THE AMERICAN COLLEGE OF PHYSICIANS; AND

(b) THE MANNER AND FREQUENCY OF ADMINISTRATION.

25-4-2605. Limitations on liability - repeal.

(1) A PERSON THAT ADMINISTERS A VACCINE OR OTHER IMMUNIZING AGENT TO AN ADULT IS NOT LIABLE FOR INJURIES SUSTAINED PURSUANT TO THE VACCINE OR OTHER IMMUNIZING AGENT IF:

(a) THE VACCINE OR OTHER IMMUNIZING AGENT WAS ADMINISTERED IN ACCORDANCE WITH THE SCHEDULE OF RECOMMENDED ADULT IMMUNIZATIONS ESTABLISHED BY THE STATE BOARD OF HEALTH PURSUANT TO SECTION 25-4-2604;

(b) THERE WERE NO MEDICAL CONTRAINDICATIONS FOR ADMINISTERING THE VACCINE OR OTHER IMMUNIZING AGENT; AND

(c) THE VACCINE OR OTHER IMMUNIZING AGENT WAS ADMINISTERED USING GENERALLY ACCEPTED CLINICAL METHODS.

(2) AN ACTION SHALL NOT BE MAINTAINED FOR A VACCINE-RELATED OR IMMUNIZING-AGENT-RELATED INJURY OR DEATH UNTIL ACTION FOR COMPENSATION FOR THE ALLEGED INJURY IS EXHAUSTED UNDER THE TERMS OF THE FEDERAL "NATIONAL CHILDHOOD VACCINE INJURY ACT OF 1986", 42 U.S.C. SECS. 300aa-10 TO 300aa-33, AS SUCH LAW IS FROM TIME TO TIME AMENDED, SO LONG AS THE FEDERAL "NATIONAL CHILDHOOD VACCINE INJURY ACT OF 1986" APPLIES TO THE PARTICULAR VACCINE OR IMMUNIZING AGENT ADMINISTERED.

(3) IF THE INJURY THAT IS SUSTAINED OR THE DEATH DOES NOT FALL WITHIN THE PARAMETERS OF THE VACCINE OR IMMUNIZING AGENT INJURY TABLE AS DEFINED IN 42 U.S.C. SEC. 300aa-14, AS ENACTED ON NOVEMBER 14, 1986, A REBUTTABLE PRESUMPTION IS ESTABLISHED THAT THE INJURY SUSTAINED OR THE DEATH WAS NOT DUE TO THE ADMINISTRATION OF THE VACCINE OR IMMUNIZING AGENT. THE PRESUMPTION IS OVERCOME BY A PREPONDERANCE OF THE EVIDENCE.

(4) (a) WHERE A CLAIM BROUGHT ON OR BEFORE JANUARY 30, 2029, AGAINST A HOSPITAL, CLINIC, PHARMACY, WHOLESALER, OR PROVIDER ARISES FROM INJURIES RESULTING FROM THE HANDLING, STORAGE, OR DISTRIBUTION OF VACCINES OR IMMUNIZING AGENTS PURSUANT TO THIS PART 26, THE HOSPITAL, CLINIC, PHARMACY, WHOLESALER, OR PROVIDER IS NOT LIABLE UNLESS THE INJURIES ARE THE RESULT OF THE NEGLIGENT FAILURE OF AN EMPLOYEE OF THE HOSPITAL, CLINIC, PHARMACY, WHOLESALER, OR PROVIDER TO CONFORM TO RECOGNIZED STANDARDS OF PRACTICE THAT ARE NECESSARY FOR THE PROTECTION OF PUBLIC HEALTH.

(b) THIS SUBSECTION (4) IS REPEALED, EFFECTIVE JULY 1, 2031.

(5) WHERE A CLAIM BROUGHT ON OR AFTER JANUARY 31, 2029, AGAINST A HOSPITAL, CLINIC, PHARMACY, OR PROVIDER ARISES FROM INJURIES RESULTING FROM THE HANDLING, STORAGE, OR DISTRIBUTION OF VACCINES OR IMMUNIZING AGENTS PURSUANT TO THIS PART 26, THE HOSPITAL, CLINIC, PHARMACY, OR PROVIDER IS NOT LIABLE UNLESS THE INJURIES ARE THE RESULT OF THE NEGLIGENT FAILURE OF AN EMPLOYEE OF THE HOSPITAL, CLINIC, PHARMACY, OR PROVIDER TO CONFORM TO RECOGNIZED STANDARDS OF PRACTICE THAT ARE NECESSARY FOR THE PROTECTION OF PUBLIC HEALTH.

SECTION 16. In Colorado Revised Statutes, 25.5-8-107, **amend** (5) as follows:

25.5-8-107. Duties of the department - schedule of services - premiums - copayments - subsidies - purchase of childhood immunizations.

(5) The department may purchase vaccines recommended by the advisory

committee on immunization practices to the centers for disease control and prevention in the federal department of health and human services, or its successor entity, THE AMERICAN ACADEMY OF PEDIATRICS, THE AMERICAN ACADEMY OF FAMILY PHYSICIANS, THE AMERICAN COLLEGE OF OBSTETRICIANS AND GYNECOLOGISTS, OR THE AMERICAN COLLEGE OF PHYSICIANS through a vaccine purchasing system, if such a system is developed pursuant to section 25-4-2403 (1), ~~C.R.S.~~, for children enrolled in the children's basic health plan.

SECTION 17. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: March 27, 2026