CO LEGISLATIVE ALERT!

CO Health Dept. Trying to Circumvent Federal Law That Protects Student Privacy

Tuesday, February 23, 2016

Our thanks to the National Vaccine Information Center (NVIC) for alerting CCHF to pending CO legislation. The following is a CCHF-edited version of the alert they shared with us:

Dear Friends of Health Freedom,

A bill in Colorado poses a dangerous precedent. There is a public hearing THIS THURSDAY and NVIC is asking for your help to oppose it.

The Colorado Department of Public Health and Environment (CDPHE) is pushing a bill, HB 1164, which would allow it to directly gather data on families that delay or avoid vaccinations. Parents would be required to submit exemption claims directly to the government for state storage, analysis and use.

The first public hearing of the bill is scheduled for this Thursday, February 25, 2016. Current bill sponsors are Rep. Dan Pabon (D) and Senators Irene Aguilar (D) and Beth Martinez Humenik (R).

The bill is a stealth move on two levels. First, parents of minor students, and adult students over 18, currently submit the exemption directly to the school where its use and disclosure are protected by a federal law called FERPA (Family Educational Rights and Privacy Act), which
requires written consent before the data can be shared. If HB 1164 passes, parents and college students would be required to submit an exemption directly to the CDPHE, circumventing FERPA.

Second, Colorado has a state vaccination tracking system that's voluntary. If schools don't submit the exemption information (because parents refuse to consent to the data-sharing), the state doesn't know who is delaying or declining vaccines. This bill forces certain parents to disclose their child's vaccination status to state health officials.

“This is some of the most sensitive data that the government can collect,” says the bill's sponsor, Rep. Dan Pabon.

That is exactly why this private information should not be handed over to anyone outside of the school without parental consent.

FERPA provides true protections for sensitive data held by schools about private family decisions. HB 1164 proposes to circumvent those protections, setting a precedent that could lead to erosion of FERPA's protections of ALL OTHER data held by schools.

ACTION REQUESTED: Call and/or email the committee members listed below about HB 1164. Please cc/bcc CCHF in your email (info@cchfreedom.org) and send along any responses you receive from the committee members.

Thank you for supporting health freedom - and the privacy that is the foundation of that freedom!

In freedom,

Twila Brase, RN, PHN
President and Co-founder, CCHF

FMI on this issue: CCHF 50-State Surveillance Report
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