

SENATE BILL 788

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2002 Regular Session
(2r2555)

ENROLLED BILL

-- Education, Health, and Environmental Affairs/Environmental Matters --

Introduced by **Senators Conway and Hollinger**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER 337

1 AN ACT concerning

2 **Statewide Advisory Commission on Immunizations**

3 FOR the purpose of establishing the Statewide Advisory Commission on
4 Immunizations; providing for the composition of the Commission; requiring the
5 Secretary of the Department of Health and Mental Hygiene to appoint the
6 members of the Commission; requiring a certain member to chair the
7 Commission, establish certain subcommittees, and appoint certain
8 subcommittee chairs; ~~providing for the terms of the members~~; prohibiting a
9 member from receiving compensation but allowing members to be reimbursed
10 for expenses; requiring the Department to provide staffing for the Commission;
11 ~~requiring the Commission to study and recommend whether the State should~~
12 ~~adopt a certain vaccine program by a certain date; requiring the Commission to~~
13 ~~continuously monitor the status of certain vaccines and develop a~~
14 ~~recommendation on a certain plan; requiring the Commission to develop and~~
15 ~~publish certain recommendations regarding skipped or postponed dosages of~~
16 ~~vaccines and to develop a certain form to be used by certain schools; requiring~~
17 ~~the Commission to develop and implement a certain process to delay certain~~

1 ~~school requirements under certain circumstances; requiring the Commission to~~
 2 ~~develop a certain communications campaign; requiring the Commission to~~
 3 ~~create a plan for a certain infrastructure to be used under certain~~
 4 ~~circumstances; determining where certain vaccine shortages exist and which~~
 5 ~~vaccines are in short supply; developing a certain plan for the equitable~~
 6 ~~distribution of vaccines; studying certain other related issues; requiring the~~
 7 ~~Commission to submit certain reports a certain report; altering the process to be~~
 8 ~~used for adopting certain regulations relating to immunizations and certain~~
 9 ~~blood tests of children; *providing for the termination of this Act*; and generally~~
 10 ~~relating to the Statewide Advisory Commission on Immunizations.~~

11 BY adding to

12 Article - Health - General
 13 Section 18-214
 14 Annotated Code of Maryland
 15 (2000 Replacement Volume and 2001 Supplement)

16 BY repealing and reenacting, with amendments,

17 Article - Education
 18 Section 7-403(a)(1)
 19 Annotated Code of Maryland
 20 (2001 Replacement Volume)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article - Health - General**

24 18-214.

25 (A) IN THIS SECTION, "VACCINE" MEANS A PRODUCT INTENDED TO ELICIT, IN
 26 HUMANS, ACTIVE OR PASSIVE IMMUNITY AGAINST AN INFECTIOUS AGENT OR
 27 PRODUCT OF AN INFECTIOUS AGENT.

28 ~~(A)~~ (B) THERE IS A STATEWIDE ADVISORY COMMISSION ON
 29 IMMUNIZATIONS.

30 ~~(B)~~ (C) THE COMMISSION CONSISTS OF AT LEAST THE FOLLOWING
 31 MEMBERS:

32 (1) ONE PHYSICIAN MEMBER OF THE MEDICAL AND CHIRURGICAL
 33 FACULTY PUBLIC HEALTH COUNCIL;

34 ~~(2) ONE PHYSICIAN MEMBER OF THE MARYLAND CHAPTER OF THE~~
 35 ~~AMERICAN ACADEMY OF PEDIATRICS WHO SPECIALIZES IN INFECTIOUS DISEASES~~
 36 THE CHAIRPERSON OF THE MARYLAND AND CHILDHOOD IMMUNIZATION
 37 PARTNERSHIP;

1 (3) ~~ONE TWO~~ PHYSICIAN MEMBER ~~MEMBER~~ MEMBERS OF THE MARYLAND
2 CHAPTER OF THE AMERICAN ACADEMY OF PEDIATRICS WITH EXPERIENCE IN
3 PRIVATE ~~PRACTICE~~; PRACTICE AND INFECTIOUS DISEASES;

4 (4) ONE PHYSICIAN MEMBER OF THE MARYLAND ACADEMY OF FAMILY
5 PHYSICIANS;

6 (5) ONE PHYSICIAN MEMBER OF THE AMERICAN COLLEGE OF
7 PHYSICIANS - INTERNAL MEDICINE SOCIETY OF MARYLAND;

8 (6) ~~FOUR PHYSICIANS WHO ADMINISTER VACCINES~~ THE EXECUTIVE
9 DIRECTOR OF THE MARYLAND PARTNERSHIP FOR PREVENTION;

10 (7) ONE LOCAL HEALTH OFFICER;

11 (8) ~~ONE REPRESENTATIVE FROM THE DEPARTMENT'S CENTER FOR~~
12 ~~IMMUNIZATIONS~~;

13 ~~(9)~~ (8) ONE REPRESENTATIVE FROM THE DEPARTMENT'S VACCINES
14 FOR CHILDREN PROGRAM; ~~AND~~

15 ~~(10)~~ (9) ~~ONE REPRESENTATIVE OF THE MARYLAND SCHOOL SYSTEM,~~
16 ~~NOMINATED BY THE STATE SUPERINTENDENT OF SCHOOLS~~ THE MARYLAND STATE
17 EPIDEMIOLOGIST; ONE REPRESENTATIVE OF THE MARYLAND SCHOOL SYSTEM WITH
18 KNOWLEDGE OF THE IMMUNIZATIONS REQUIRED OF CHILDREN ENTERING
19 SCHOOLS;

20 ~~(11)~~ (10) THE MARYLAND STATE PUBLIC HEALTH VETERINARIAN
21 EPIDEMIOLOGIST;

22 ~~(12)~~ ~~ONE REPRESENTATIVE FROM THE VACCINE PRODUCTION AND~~
23 ~~MANUFACTURING INDUSTRY~~;

24 ~~(13)~~ (11) ONE REPRESENTATIVE FROM A PUBLIC HEALTH CONSUMER
25 ADVOCACY GROUP; AND

26 ~~(14)~~ (12) ONE NURSE PRACTITIONER.

27 ~~(C)~~ (D) THE SECRETARY OF THE DEPARTMENT OF HEALTH AND MENTAL
28 HYGIENE SHALL APPOINT THE MEMBERSHIP OF THE COMMISSION, BASED ON THE
29 RECOMMENDATION OF THE APPROPRIATE MEDICAL SOCIETY OR AGENCY;

30 ~~(D)~~ (E) THE PHYSICIAN MEMBER OF THE MEDICAL AND CHIRURGICAL
31 FACULTY PUBLIC HEALTH COUNCIL SHALL:

32 (1) CHAIR THE COMMISSION;

33 (2) ESTABLISH SUBCOMMITTEES TO FACILITATE THE WORK OF THE
34 COMMISSION; AND

1 (3) APPOINT SUBCOMMITTEE CHAIRS FROM AMONG THE COMMISSION
2 MEMBERS.

3 ~~(E)~~ (1) ~~THE TERM OF A MEMBER IS 4 YEARS.~~

4 (2) ~~A MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE TERMS.~~

5 ~~(F)~~ ~~(E)~~ (F) A MEMBER OF THE COMMISSION MAY NOT RECEIVE
6 COMPENSATION BUT IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE
7 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

8 ~~(G)~~ ~~(F)~~ (G) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL
9 PROVIDE THE STAFFING FOR THE COMMISSION.

10 ~~(H)~~ ~~(G)~~ (H) THE COMMISSION SHALL:

11 (1) ~~STUDY AND RECOMMEND ON OR BEFORE DECEMBER 15, 2003~~
12 ~~WHETHER THE STATE SHOULD ADOPT A PROGRAM TO PURCHASE VACCINES FOR ALL~~
13 ~~CHILDREN, KNOWN AS UNIVERSAL PURCHASE THROUGH POOLED FUNDING FROM~~
14 ~~THE FEDERAL VACCINES FOR CHILDREN PROGRAM, INSURERS, AND OTHER~~
15 ~~CURRENT FUNDERS OF VACCINE;~~

16 (2) ~~CONTINUOUSLY MONITOR THE INVENTORY OF VACCINES IN THE~~
17 ~~STATE INCLUDING:~~

18 (I) ~~DETERMINING WHERE COMMUNITY VACCINE SHORTAGES~~
19 ~~EXIST AND WHICH VACCINES ARE IN SHORT SUPPLY;~~

20 (II) ~~DEVELOPING A RECOMMENDATION ON A PLAN FOR THE~~
21 ~~EQUITABLE DISTRIBUTION OF VACCINES; AND~~

22 (III) ~~REPORTING ANY FINDINGS TO THE DEPARTMENT IN A TIMELY~~
23 ~~MANNER;~~

24 (3) ~~DEVELOP AND PUBLISH UNIFORM AND CONSISTENT STATE~~
25 ~~SPONSORED RECOMMENDATIONS FOR SKIPPED OR POSTPONED DOSAGES OF~~
26 ~~VACCINES AND DEVELOP A FORM THAT SHALL BE USED BY SCHOOLS IN THE STATE;~~

27 (4) ~~DEVELOP AND IMPLEMENT A UNIFORM PROCESS FOR SUSPENDING~~
28 ~~SCHOOL ENTRY VACCINATION REQUIREMENTS WHEN VACCINE SHORTAGES DELAY~~
29 ~~IMMUNIZATION OF CHILDREN;~~

30 (5) ~~DEVELOP A COMMUNICATIONS CAMPAIGN TO INFORM THE~~
31 ~~GENERAL PUBLIC IN THE EVENT OF A VACCINE SHORTAGE; AND~~

32 (6) ~~CREATE A PLAN FOR AN INFRASTRUCTURE THAT CAN EQUITABLY~~
33 ~~DISTRIBUTE VACCINATIONS IN THE EVENT OF A BIOTERRORISM EMERGENCY.~~

34 (1) DETERMINE WHERE COMMUNITY VACCINE SHORTAGES EXIST AND
35 WHICH VACCINES ARE IN SHORT SUPPLY;

1 ~~September 30~~ May 31, 2005, with no further action required by the General Assembly,
2 this Act shall be abrogated and of no further force and effect.

3 SECTION 3. 2. AND BE IT FURTHER ENACTED, That this Act shall take
4 effect October 1, 2002.