

# HOUSE BILL 140

J1

(71r0159)

## ENROLLED BILL

— *Health and Government Operations / Education, Health, and Environmental Affairs* —

Introduced by **The Speaker (By Request – Administration) and Delegates Barnes, Busch, Haynes, and Morhaim**

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.

\_\_\_\_\_  
Speaker.

CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Statewide Advisory Commission on ~~Immunization~~ *Immunizations* –**  
3 **~~Universal Vaccine Purchasing System~~ *Duties and Sunset Extension***

4 FOR the purpose of expanding certain duties of the Statewide Advisory Commission  
5 on Immunizations; including a representative from a health insurance carrier  
6 on the Commission; extending the termination date of the Commission;  
7 requiring the Commission to make certain recommendations in a certain annual  
8 report by a certain date; providing for the termination of a certain provision of  
9 this Act; and generally relating to the Statewide Advisory Commission on  
10 Immunizations.

---

### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber / conference committee amendments.*



1 BY repealing and reenacting, with amendments,  
2 Article – Health – General  
3 Section 18–214  
4 Annotated Code of Maryland  
5 (2005 Replacement Volume and 2006 Supplement)

6 BY repealing and reenacting, with amendments,  
7 Chapter 337 of the Acts of the General Assembly of 2002, as amended by  
8 Chapter 200 of the Acts of the General Assembly of 2005  
9 Section 2

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

12 **Article – Health – General**

13 18–214.

14 (a) In this section, “vaccine” means a product intended to elicit, in humans,  
15 active or passive immunity against an infectious agent or product of an infectious  
16 agent.

17 (b) There is a Statewide Advisory Commission on Immunizations.

18 (c) The Commission consists of at least the following members:

19 (1) One physician member of the Medical and Chirurgical Faculty  
20 Public Health Council;

21 (2) The chairperson of the Maryland Childhood Immunization  
22 Partnership;

23 (3) Two physician members of the Maryland Chapter of the American  
24 Academy of Pediatrics with experience in private practice and infectious diseases;

25 (4) One physician member of the Maryland Academy of Family  
26 Physicians;

27 (5) One physician member of the American College of Physicians –  
28 Internal Medicine Society of Maryland;

29 (6) The executive director of the Maryland Partnership for Prevention;

- 1                   (7)    One local health officer;
- 2                   (8)    One representative from the Department’s Vaccines for Children
- 3 Program;
- 4                   (9)    One representative of the Maryland school system with knowledge
- 5 of the immunizations required of children entering schools;
- 6                   (10)   The Maryland State Epidemiologist;
- 7                   (11)   One representative from a public health consumer advocacy group;
- 8 ~~and~~
- 9                   (12)   One nurse practitioner; AND
- 10                  **(13) ONE REPRESENTATIVE FROM A HEALTH INSURANCE**
- 11 **CARRIER.**

12           (d)    The Secretary of the Department of Health and Mental Hygiene shall

13 appoint the membership of the Commission, based on the recommendation of the

14 appropriate medical society or agency.

15           (e)    The physician member of the Medical and Chirurgical Faculty Public

16 Health Council shall:

- 17                   (1)    Chair the Commission;
- 18                   (2)    Establish subcommittees to facilitate the work of the Commission;
- 19 and
- 20                   (3)    Appoint subcommittee chairs from among the Commission
- 21 members.

22           (f)    A member of the Commission may not receive compensation but is

23 entitled to reimbursement for expenses under the Standard State Travel Regulations,

24 as provided in the State budget.

25           (g)    The Department of Health and Mental Hygiene shall provide the staffing

26 for the Commission.

27           (h)    The Commission shall:

1 (1) Determine where community vaccine shortages exist and which  
2 vaccines are in short supply;

3 (2) Develop a recommendation for a plan to effectuate the equitable  
4 distribution of vaccines; and

5 (3) Study and make recommendations about other related issues as  
6 determined by the Commission, including but not limited to:

7 (i) Immunizations required of children entering schools in  
8 times of vaccine shortage;

9 (ii) All available options for the purchasing of vaccines,  
10 **INCLUDING THE DEVELOPMENT OF A UNIVERSAL VACCINE PURCHASING**  
11 **SYSTEM, OR A SIMILAR PROGRAM TO INCREASE ACCESS TO NECESSARY**  
12 **VACCINES, FOR THE STATE;**

13 **(III) AN UPDATE ON THE STATUS OF THE USE OF**  
14 **THIMEROSAL IN VACCINES, INCLUDING THE AVAILABILITY AND AFFORDABILITY**  
15 **OF THIMEROSAL-FREE VACCINES, AND ANY OTHER ISSUE RELATED TO THE USE**  
16 **OF THIMEROSAL IN VACCINES THAT IS IDENTIFIED BY THE COMMISSION;**

17 ~~(iii)~~ **(IV)** Elimination of any vaccine distribution disparities;

18 ~~(iv)~~ **(V)** A public education campaign in the event of a vaccine  
19 shortage;

20 ~~(v)~~ **(VI)** The availability and affordability of adult and  
21 childhood vaccines; and

22 ~~(vi)~~ **(VII)** Strategies to increase immunizations among those  
23 adults and children recommended to receive immunizations, including catch-up  
24 immunizations.

25 (i) On or before December 15 of each year, the Commission shall submit a  
26 report on its findings and recommendations to the Governor and, in accordance with §  
27 2-1246 of the State Government Article, to the Senate Education, Health, and  
28 Environmental Affairs Committee and the House Health and Government Operations  
29 Committee.



1 months and, at the end of December 31, 2008, with no further action required by the  
2 General Assembly, Section 2 of this Act shall be abrogated and of no further force and  
3 effect.

Approved:

---

Governor.

---

Speaker of the House of Delegates.

---

President of the Senate.