

SENATE BILL 788

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2002 Regular Session
2lr2555
CF 2lr2030

By: **Senators Conway and Hollinger**

Introduced and read first time: February 8, 2002

Assigned to: Rules

A BILL ENTITLED

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
18 school requirements under certain circumstances; requiring the Commission to
19 develop a certain communications campaign; requiring the Commission to
20 create a plan for a certain infrastructure to be used under certain
21 circumstances; requiring the Commission to submit certain reports; altering the
22 process to be used for adopting certain regulations relating to immunizations
23 and certain blood tests of children; and generally relating to the Statewide
24 Advisory Commission on Immunizations.

25 BY adding to

26 Article - Health - General

27 Section 18-214

28 Annotated Code of Maryland

29 (2000 Replacement Volume and 2001 Supplement)

30 BY repealing and reenacting, with amendments,

31 Article - Education

32 Section 7-403(a)(1)

1 Annotated Code of Maryland
2 (2001 Replacement Volume)

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

5 **Article - Health - General**

6 18-214.

7 (A) THERE IS A STATEWIDE ADVISORY COMMISSION ON IMMUNIZATIONS.

8 (B) THE COMMISSION CONSISTS OF AT LEAST THE FOLLOWING MEMBERS:

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

11 (2) ONE PHYSICIAN MEMBER OF THE MARYLAND CHAPTER OF THE
12 AMERICAN ACADEMY OF PEDIATRICS WHO SPECIALIZES IN INFECTIOUS DISEASES;

13 (3) ONE PHYSICIAN MEMBER OF THE MARYLAND CHAPTER OF THE
14 AMERICAN ACADEMY OF PEDIATRICS WITH EXPERIENCE IN PRIVATE PRACTICE;

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

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

19 (6) FOUR PHYSICIANS WHO ADMINISTER VACCINES;

20 (7) ONE LOCAL HEALTH OFFICER;

21 (8) ONE REPRESENTATIVE FROM THE DEPARTMENT'S CENTER FOR
22 IMMUNIZATIONS;

23 (9) ONE REPRESENTATIVE FROM THE DEPARTMENT'S VACCINES FOR
24 CHILDREN PROGRAM; AND

25 (10) ONE REPRESENTATIVE OF THE MARYLAND SCHOOL SYSTEM,
26 NOMINATED BY THE STATE SUPERINTENDENT OF SCHOOLS.

27 (C) 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) THE PHYSICIAN MEMBER OF THE MEDICAL AND CHIRURGICAL FACULTY
31 PUBLIC HEALTH COUNCIL SHALL:

32 (1) CHAIR THE COMMISSION;

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

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

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

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

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

10 (G) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL PROVIDE
11 THE STAFFING FOR THE COMMISSION.

12 (H) THE COMMISSION SHALL:

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

18 (2) CONTINUOUSLY MONITOR THE INVENTORY OF VACCINES IN THE
19 STATE INCLUDING:

20 (I) DETERMINING WHERE COMMUNITY VACCINE SHORTAGES
21 EXIST AND WHICH VACCINES ARE IN SHORT SUPPLY;

22 (II) DEVELOPING A RECOMMENDATION ON A PLAN FOR THE
23 EQUITABLE DISTRIBUTION OF VACCINES; AND

24 (III) REPORTING ANY FINDINGS TO THE DEPARTMENT IN A TIMELY
25 MANNER;

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

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

32 (5) DEVELOP A COMMUNICATIONS CAMPAIGN TO INFORM THE
33 GENERAL PUBLIC IN THE EVENT OF A VACCINE SHORTAGE; AND

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

1 (I) ON OR BEFORE DECEMBER 15 OF EACH YEAR, THE COMMISSION SHALL
2 SUBMIT A REPORT ON THE STATUS OF VACCINE SHORTAGES AND IMMUNIZATION
3 RATES IN THE STATE, TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF
4 THE STATE GOVERNMENT ARTICLE, TO THE SENATE EDUCATION, HEALTH, AND
5 ENVIRONMENTAL AFFAIRS COMMITTEE AND THE ENVIRONMENTAL MATTERS
6 COMMITTEE.

7

Article - Education

8 7-403.

9 (a) (1) In cooperation with the State Board and the [Medical and
10 Chirurgical Faculty of Maryland] STATEWIDE ADVISORY COMMISSION ON
11 IMMUNIZATIONS, the Department of Health and Mental Hygiene shall adopt rules
12 and regulations regarding the immunizations and blood tests for lead poisoning
13 required of children entering schools.

14 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December
15 15, 2003, the Commission shall report on the Commission's recommendations
16 regarding the universal purchase of vaccine described in § 18-214(h)(1) of the Health
17 - General Article, as enacted by Section 1 of this Act, to the Governor and, in
18 accordance with § 2-1246 of the State Government Article, to the Senate Education,
19 Health, and Environmental Affairs Committee and the Environmental Matters
20 Committee.

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