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By: Senators Conway and Hollinger

Introduced and read first time: February 8, 2002

Assigned to: Rules

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 19, 2002

CHAPTER

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
- 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
- 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 <u>eircumstances</u>; <u>determining where certain vaccine shortages exist and which</u>
- 22 <u>vaccines are in short supply; developing a certain plan for the equitable</u>
- 23 distribution of vaccines; studying certain other related issues; requiring the
- 24 Commission to submit eertain reports a certain report; altering the process to be
- 25 used for adopting certain regulations relating to immunizations and certain
- 26 blood tests of children; and generally relating to the Statewide Advisory
- 27 Commission on Immunizations.

- 2 **SENATE BILL 788** 1 BY adding to Article - Health - General 2 3 Section 18-214 Annotated Code of Maryland 4 5 (2000 Replacement Volume and 2001 Supplement) 6 BY repealing and reenacting, with amendments, Article - Education 7 8 Section 7-403(a)(1) Annotated Code of Maryland 9 (2001 Replacement Volume) 10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 11 12 MARYLAND, That the Laws of Maryland read as follows: 13 **Article - Health - General** 14 18-214. 15 (A) THERE IS A STATEWIDE ADVISORY COMMISSION ON IMMUNIZATIONS. (B) THE COMMISSION CONSISTS OF AT LEAST THE FOLLOWING MEMBERS: 16 17 ONE PHYSICIAN MEMBER OF THE MEDICAL AND CHIRURGICAL (1) 18 FACULTY PUBLIC HEALTH COUNCIL; 19 ONE PHYSICIAN MEMBER OF THE MARYLAND CHAPTER OF THE 20 AMERICAN ACADEMY OF PEDIATRICS WHO SPECIALIZES IN INFECTIOUS DISEASES 21 THE CHAIRPERSON OF THE MARYLAND AND CHILDHOOD IMMUNIZATION 22 PARTNERSHIP; 23 ONE PHYSICIAN MEMBER OF THE MARYLAND CHAPTER OF THE (3) 24 AMERICAN ACADEMY OF PEDIATRICS WITH EXPERIENCE IN PRIVATE PRACTICE; ONE PHYSICIAN MEMBER OF THE MARYLAND ACADEMY OF FAMILY 25 26 PHYSICIANS; ONE PHYSICIAN MEMBER OF THE AMERICAN COLLEGE OF 28 PHYSICIANS - INTERNAL MEDICINE SOCIETY OF MARYLAND;
- 29 FOUR PHYSICIANS WHO ADMINISTER VACCINES THE EXECUTIVE (6)30 DIRECTOR OF THE MARYLAND PARTNERSHIP FOR PREVENTION;
- ONE LOCAL HEALTH OFFICER; 31 (7)
- 32 ONE REPRESENTATIVE FROM THE DEPARTMENT'S CENTER FOR (8)33 IMMUNIZATIONS;

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1 (9)ONE REPRESENTATIVE FROM THE DEPARTMENT'S VACCINES FOR 2 CHILDREN PROGRAM; AND (10)ONE REPRESENTATIVE OF THE MARYLAND SCHOOL SYSTEM, 4 NOMINATED BY THE STATE SUPERINTENDENT OF SCHOOLS THE MARYLAND STATE 5 EPIDEMIOLOGIST; THE MARYLAND STATE PUBLIC HEALTH VETERINARIAN; 6 (11)ONE REPRESENTATIVE FROM THE VACCINE PRODUCTION AND (12)8 MANUFACTURING INDUSTRY; (13)ONE REPRESENTATIVE FROM A PUBLIC HEALTH CONSUMER 10 ADVOCACY GROUP; AND 11 (14)ONE NURSE PRACTITIONER. 12 THE SECRETARY OF THE DEPARTMENT OF HEALTH AND MENTAL 13 HYGIENE SHALL APPOINT THE MEMBERSHIP OF THE COMMISSION, BASED ON THE 14 RECOMMENDATION OF THE APPROPRIATE MEDICAL SOCIETY OR AGENCY; THE PHYSICIAN MEMBER OF THE MEDICAL AND CHIRURGICAL FACULTY 15 16 PUBLIC HEALTH COUNCIL SHALL: 17 (1) CHAIR THE COMMISSION: 18 (2) ESTABLISH SUBCOMMITTEES TO FACILITATE THE WORK OF THE 19 COMMISSION: AND 20 (3) APPOINT SUBCOMMITTEE CHAIRS FROM AMONG THE COMMISSION 21 MEMBERS. 22 (E) THE TERM OF A MEMBER IS 4 YEARS. (1)23 $\frac{(2)}{(2)}$ A MEMBER MAY NOT SERVE MORE THAN TWO CONSECUTIVE TERMS. 24 (F) A MEMBER OF THE COMMISSION MAY NOT RECEIVE COMPENSATION (E) 25 BUT IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD 26 STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET. THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE SHALL 27 (G) (F) 28 PROVIDE THE STAFFING FOR THE COMMISSION. 29 (H)(G) THE COMMISSION SHALL: 30 STUDY AND RECOMMEND ON OR BEFORE DECEMBER 15, 2003

31 WHETHER THE STATE SHOULD ADOPT A PROGRAM TO PURCHASE VACCINES FOR ALL 32 CHILDREN, KNOWN AS UNIVERSAL PURCHASE THROUGH POOLED FUNDING FROM 33 THE FEDERAL VACCINES FOR CHILDREN PROGRAM, INSURERS, AND OTHER

34 CURRENT FUNDERS OF VACCINE:

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1	STATE INCLUDING	CONTINUOUSLY MONITOR THE INVENTORY OF VACCINES IN THE
3 4	EXIST AND WHICH	(I) DETERMINING WHERE COMMUNITY VACCINE SHORTAGES I VACCINES ARE IN SHORT SUPPLY;
5 6	EQUITABLE DISTI	(II) DEVELOPING A RECOMMENDATION ON A PLAN FOR THE LIBUTION OF VACCINES; AND
7 8	MANNER;	(III) REPORTING ANY FINDINGS TO THE DEPARTMENT IN A TIMELY
		DEVELOP AND PUBLISH UNIFORM AND CONSISTENT STATE OMMENDATIONS FOR SKIPPED OR POSTPONED DOSAGES OF EVELOP A FORM THAT SHALL BE USED BY SCHOOLS IN THE STATE;
	` '	DEVELOP AND IMPLEMENT A UNIFORM PROCESS FOR SUSPENDING VACCINATION REQUIREMENTS WHEN VACCINE SHORTAGES DELAY OF CHILDREN;
15 16	` '	DEVELOP A COMMUNICATIONS CAMPAIGN TO INFORM THE IN THE EVENT OF A VACCINE SHORTAGE; AND
17 18	(-)	CREATE A PLAN FOR AN INFRASTRUCTURE THAT CAN EQUITABLY CINATIONS IN THE EVENT OF A BIOTERRORISM EMERGENCY.
19 20		DETERMINE WHERE COMMUNITY VACCINE SHORTAGES EXIST AND ARE IN SHORT SUPPLY;
21 22	(2) EQUITABLE DIST	DEVELOP A RECOMMENDATION FOR A PLAN TO EFFECTUATE THE RIBUTION OF VACCINES; AND
23 24		STUDY AND MAKE RECOMMENDATIONS ABOUT OTHER RELATED MINED BY THE COMMISSION.
26 27 28 29	SUBMIT A REPOR RATES IN THE ST AND, IN ACCORD SENATE EDUCAT	BEFORE DECEMBER 15 OF EACH YEAR, THE COMMISSION SHALL IT ON THE STATUS OF VACCINE SHORTAGES AND IMMUNIZATION ATE, ITS FINDINGS AND RECOMMENDATIONS TO THE GOVERNOR ANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, TO THE GON, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE AND THE LAMATTERS COMMITTEE.
31		Article - Education
32	7-403.	
	Chirurgical Faculty	In cooperation with the State Board and the [Medical and of Maryland] STATEWIDE ADVISORY COMMISSION ON the Department of Health and Mental Hygiene shall adopt rules

- 1 and regulations regarding the immunizations and blood tests for lead poisoning
- 2 required of children entering schools.
- 3 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December
- 4 15, 2003, the Commission shall report on the Commission's recommendations
- 5 regarding the universal purchase of vaccine described in § 18 214(h)(1) of the Health
- 6 -General Article, as enacted by Section 1 of this Act, to the Governor and, in
- 7 accordance with § 2 1246 of the State Government Article, to the Senate Education,
- 8 Health, and Environmental Affairs Committee and the Environmental Matters
- 9 Committee.
- 10 SECTION 3. 2. AND BE IT FURTHER ENACTED, That this Act shall take
- 11 effect October 1, 2002.