

HOUSE BILL 140

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71r0159

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

Introduced and read first time: January 24, 2007

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Statewide Advisory Commission on Immunization – Universal Vaccine**
3 **Purchasing System**

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

9 BY repealing and reenacting, with amendments,
10 Article – Health – General
11 Section 18–214
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2006 Supplement)

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

16 **Article – Health – General**

17 18–214.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (b) There is a Statewide Advisory Commission on Immunizations.
- 2 (c) The Commission consists of at least the following members:
- 3 (1) One physician member of the Medical and Chirurgical Faculty
4 Public Health Council;
- 5 (2) The chairperson of the Maryland Childhood Immunization
6 Partnership;
- 7 (3) Two physician members of the Maryland Chapter of the American
8 Academy of Pediatrics with experience in private practice and infectious diseases;
- 9 (4) One physician member of the Maryland Academy of Family
10 Physicians;
- 11 (5) One physician member of the American College of Physicians –
12 Internal Medicine Society of Maryland;
- 13 (6) The executive director of the Maryland Partnership for Prevention;
- 14 (7) One local health officer;
- 15 (8) One representative from the Department’s Vaccines for Children
16 Program;
- 17 (9) One representative of the Maryland school system with knowledge
18 of the immunizations required of children entering schools;
- 19 (10) The Maryland State Epidemiologist;
- 20 (11) One representative from a public health consumer advocacy group;
21 and
- 22 (12) One nurse practitioner.
- 23 (d) The Secretary of the Department of Health and Mental Hygiene shall
24 appoint the membership of the Commission, based on the recommendation of the
25 appropriate medical society or agency.
- 26 (e) The physician member of the Medical and Chirurgical Faculty Public
27 Health Council shall:

- 1 (1) Chair the Commission;
- 2 (2) Establish subcommittees to facilitate the work of the Commission;
- 3 and
- 4 (3) Appoint subcommittee chairs from among the Commission
- 5 members.

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

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

8 as provided in the State budget.

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

10 for the Commission.

11 (h) The Commission shall:

12 (1) Determine where community vaccine shortages exist and which

13 vaccines are in short supply;

14 (2) Develop a recommendation for a plan to effectuate the equitable

15 distribution of vaccines; and

16 (3) Study and make recommendations about other related issues as

17 determined by the Commission, including but not limited to:

18 (i) Immunizations required of children entering schools in

19 times of vaccine shortage;

20 (ii) All available options for the purchasing of vaccines,

21 **INCLUDING THE DEVELOPMENT OF A UNIVERSAL VACCINE PURCHASING**

22 **SYSTEM, OR A SIMILAR PROGRAM TO INCREASE ACCESS TO NECESSARY**

23 **VACCINES, FOR THE STATE;**

24 (iii) Elimination of any vaccine distribution disparities;

25 (iv) A public education campaign in the event of a vaccine

26 shortage;

27 (v) The availability and affordability of adult and childhood

28 vaccines; and

1 (vi) Strategies to increase immunizations among those adults
2 and children recommended to receive immunizations, including catch-up
3 immunizations.

4 (i) On or before December 15 of each year, the Commission shall submit a
5 report on its findings and recommendations to the Governor and, in accordance with §
6 2-1246 of the State Government Article, to the Senate Education, Health, and
7 Environmental Affairs Committee and the House Health and Government Operations
8 Committee.

9 SECTION 2. AND BE IT FURTHER ENACTED, That:

10 (a) The report of the Statewide Advisory Commission on Immunizations that
11 is due on December 15, 2007, shall contain recommendations on whether the State
12 should consider implementing a Universal Vaccine Purchasing System or take other
13 appropriate action to increase access to necessary vaccines.

14 (b) In developing its recommendations, the Commission shall:

15 (1) consult with all interested stakeholders;

16 (2) review the structure, cost, scope, success, and implementation
17 issues of similar programs in other states;

18 (3) consider any existing State or federal programs or funds, or any
19 other source of funds, that may be available to mitigate the cost and administrative
20 burden of any proposed new program; and

21 (4) provide a range of policy, structure, cost, and scope options to be
22 considered in any proposed new program.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 July 1, 2007. Section 2 of this Act shall remain effective for a period of 1 year and 6
25 months and, at the end of December 31, 2008, with no further action required by the
26 General Assembly, Section 2 of this Act shall be abrogated and of no further force and
27 effect.