

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

Senate Bill 676 (Senator Klausmeier)
Education, Health, and Environmental Affairs

Family Law - Child Care - Influenza Immunization

This bill requires that by February 1 each year, a parent or guardian of a child in the care of a licensed child care center (including one in a State-occupied building) must provide the center evidence that the child has received an immunization against the influenza virus.

Fiscal Summary

State Effect: Potential increase in Department of Health and Mental Hygiene (DHMH) general fund expenditures beginning in FY 2008 depending on the number of children receiving the influenza immunization from local health departments. No effect on revenues.

Local Effect: Potential increase in local health department grants from DHMH beginning in FY 2008 to cover increased staffing costs and an increased number of vaccines provided at no cost.

Small Business Effect: None. Small business child care centers would be required to receive proof that children they are caring for received an influenza immunization along with the currently required age-appropriate immunizations.

Analysis

Bill Summary: If a child enters a center after December 1, but before the next April 1, the center must determine the child's immunization status and require the child to receive the immunization, if necessary.

The child's parent or guardian is not required to provide evidence of the specified immunization if the parent or guardian can provide evidence that • a licensed physician or local health officer has determined that the immunization is medically contraindicated; • receiving the immunization would create an undue financial burden; or • the parent or guardian objects to immunization because it conflicts with bona fide religious beliefs and practices.

Each center must provide to the Maryland State Department of Education (MSDE) documentation for each child in its care who has received an immunization or is exempt from the requirement. The State Superintendent of Schools, consulting with the Secretary of Health and Mental Hygiene, may waive the immunization requirement if not enough of the specified vaccine is available.

Current Law: MSDE licenses and inspects child care centers in Maryland. MSDE may establish child care centers for the children of State employees in State-occupied buildings, which are also subject to inspection. The State Superintendent of Schools has adopted rules and regulations for licensing and operating child care centers, to which must include ensuring the health of children in child care centers by monitoring health practices to help prevent the spread of disease.

DHMH regulations require children to receive the age-appropriate immunizations before entering a preschool program or school, with specified exemptions including bona fide religious beliefs and practices. The influenza immunization currently is not on the list of required immunizations.

Background: MSDE child care licensing specialists currently review a child care center's records during an inspection, including whether children in a center's care are up-to-date with the required immunizations.

State Fiscal Effect: Existing MSDE child care licensing specialists who currently verify that children in a child care center's care are up-to-date with the required immunizations could verify that the children also received the influenza immunization.

DHMH general fund expenditures could increase beginning in fiscal 2008 depending on the number of additional children going to local health departments for the influenza vaccination and the number of children whose parents would pay for the vaccination. Any increase in expenditures would result from increased local health department grants for the local health departments' additional staffing costs to administer the vaccination and the cost of the vaccines administered. The extent of such an increase cannot be reliably estimated at this time.

Of the approximately 149,000 children receiving care from child care centers, 50,660 children (34%) currently are eligible for free vaccinations under the Vaccines for Children Program. Of the remaining 98,340 children, DHMH's Community Health Administration (CHA) estimates that only 24,585 children (25%) are currently receiving influenza immunizations. It cannot be reliably estimated at this time where the remaining 73,755 children (75%) would receive their influenza immunizations, whether from a child's health care provider or a local health department. CHA advises that an influenza immunization costs \$15 per shot.

If taken to a local health department, the children's parents would be asked to pay the \$15 per dose cost. CHA advises that some individuals tell local health department staff that they either cannot afford to pay for the immunization or that they do not have the money with them. Local health departments may bill an individual's health insurance provider to pay for the immunization. It cannot be reliably estimated at this time the number of parents who would not pay for their children's immunizations and who would not have health insurance that could be billed for the cost.

Additional Information

Prior Introductions: A similar bill, SB 1012 of 2006, had a hearing in the Senate Education, Health, and Environmental Affairs Committee but no further action was taken.

Cross File: None.

Information Source(s): Maryland State Department of Education, Department of Health and Mental Hygiene, Department of Legislative Services

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