SLS 26RS-1256 **ORIGINAL**

2026 Regular Session

SENATE CONCURRENT RESOLUTION NO. 37

BY SENATOR FESI

HEALTH CARE. Requests the surgeon general to develop a plan relative to informed consent for vaccinations.

A CONCURRENT RESOLUTION

To request the surgeon general to review Louisiana's informed consent laws and submit a report to the legislature on whether any gaps exist in current laws relative to vaccinations.

WHEREAS, according to the Centers for Disease Control and Prevention, while there is a requirement for certain vaccine information to be given to a patient prior to an immunization, there is no federal requirement for informed consent relating to immunizations; and

WHEREAS, the National Childhood Vaccine Injury Act of 1986, as amended, created the National Vaccine Injury Compensation Program, in response to lawsuits against vaccine manufacturers and healthcare providers that threatened to cause vaccine shortages and reduce vaccination rates; and

WHEREAS, one component of the program is a requirement for a healthcare provider to provide a copy of the current Vaccine Information Statement (VIS) to the legal representative of any child or to any other individual receiving certain vaccines; and

WHEREAS, while a VIS provides information, informed consent is an ethical and legal process involving a discussion and explicit, voluntary patient permission to proceed with any medical or surgical procedure, which may be required by state law; and

WHEREAS, Louisiana has uniform consent laws and medical consent laws as provided for in R.S. 40:1157.1, et seq., that provide for the means for obtaining patient consent and the persons eligible to give consent for a patient to receive surgical or medical treatment; and

WHEREAS, the Louisiana Medical Disclosure Panel is established in R.S. 40:1157.2 to determine which risks and hazards related to medical care and surgical procedures must be disclosed by a physician or other healthcare provider to a patient or person authorized to consent for a patient and to establish the general form and substance of such disclosure; and

WHEREAS, the panel is required to prepare separate lists of those medical treatments and surgical procedures that do and do not require disclosure and, for those treatments and procedures that do require disclosure, establish the degree of disclosure required and the form in which the disclosure will be made; and

WHEREAS, the list of medical and surgical procedures requiring disclosures are provided for in the Louisiana Administrative Code at LAC 48:I.2301 through 2463; and

WHEREAS, vaccinations are not included in the list.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby request the surgeon general to review Louisiana's informed consent laws and submit a report to the legislature on whether any gaps exist in current law or if there is a need for a specific law relative to vaccinations.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the surgeon general.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

DIGEST

SCR 37 Original 2026 Regular Session Fesi

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