

2019 Regular Session

HOUSE BILL NO. 207

BY REPRESENTATIVE AMEDEE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

HEALTH SERVICES: Requires the provision of certain information to patients or parents of patients prior to administration of an immunization or a vaccine

1 AN ACT

2 To amend and reenact R.S. 37:1218.1(A) and to enact R.S. 37:936, 980, 1218(6), 1274.2,
3 and 1360.31.1 and Part XIII-A of Chapter 11 of Title 40 of the Louisiana Revised
4 Statutes of 1950, to be comprised of R.S. 40:2199.11, relative to the administration
5 of immunizations and vaccines; to require that certain healthcare providers and
6 facilities furnish information to patients or parents of patients prior to the
7 administration of an immunization or vaccine; to provide specifications for such
8 information to be furnished to patients or parents of patients; and to provide for
9 related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 37:1218.1(A) is hereby amended and reenacted and R.S. 37:936, 980,
12 1218(6), 1274.2, and 1360.31.1 are hereby enacted to read as follows:

13 §936. Administration of immunizations and vaccines; requirements

14 Prior to administering an immunization or a vaccine to a patient, a registered
15 nurse shall provide to the patient, or, if the patient is a minor, the parent or guardian
16 of the patient, thorough written information concerning the immunization or vaccine
17 that addresses, at minimum, all of the following:

18 (1) The diseases or conditions that the immunization or vaccine is intended
19 to prevent or treat.

20 (2) The effectiveness of the immunization or vaccine.

1 (3) Any contraindications associated with the immunization or vaccine.

2 (4) The possible side effects of the immunization or vaccine.

3 (5) The ingredients of the immunization or vaccine.

4 (6) Instructions for submitting a report to the Vaccine Adverse Events
5 Reporting System, the cooperative program of the United States Centers for Disease
6 Control and Prevention and the United States Food and Drug Administration for
7 vaccine safety, or its successor program.

8 * * *

9 §980. Administration of immunizations and vaccines; requirements

10 Prior to administering an immunization or a vaccine to a patient, a practical
11 nurse shall provide to the patient, or, if the patient is a minor, the parent or guardian
12 of the patient, thorough written information concerning the immunization or vaccine
13 that addresses, at minimum, all of the following:

14 (1) The diseases or conditions that the immunization or vaccine is intended
15 to prevent or treat.

16 (2) The effectiveness of the immunization or vaccine.

17 (3) Any contraindications associated with the immunization or vaccine.

18 (4) The possible side effects of the immunization or vaccine.

19 (5) The ingredients of the immunization or vaccine.

20 (6) Instructions for submitting a report to the Vaccine Adverse Events
21 Reporting System, the cooperative program of the United States Centers for Disease
22 Control and Prevention and the United States Food and Drug Administration for
23 vaccine safety, or its successor program.

24 * * *

25 §1218. Administration of influenza immunization

26 A pharmacist may administer an influenza immunization to any person seven
27 years of age or older without a prescription or medical order contingent upon all of
28 the following provisions:

29 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 (6) Prior to administering an influenza immunization to a patient, the
2 pharmacist shall provide to the patient, or, if the patient is a minor, the parent or
3 guardian of the patient, thorough written information concerning the immunization
4 that addresses, at minimum, all of the following:

5 (a) The effectiveness of the immunization.

6 (b) Any contraindications associated with the immunization.

7 (c) The possible side effects of the immunization.

8 (d) The ingredients of the immunization.

9 (e) Instructions for submitting a report to the Vaccine Adverse Events
10 Reporting System described in Paragraph (3) of this Section.

11 §1218.1. Administration of immunizations and vaccines other than influenza
12 immunizations

13 A. A pharmacist may administer to an individual age seventeen or older an
14 immunization or a vaccine without a patient-specific prescription or medical order
15 if the immunization or the vaccine is administered in conformance with the most
16 current immunization administration protocol as set forth by the United States
17 Centers for Disease Control and Prevention Advisory Committee on Immunization
18 Practice. At the time that a pharmacist administers an immunization or vaccine under
19 the provisions of this Section, the pharmacist shall also inform the individual that the
20 administration of an immunization or vaccine under this Section is not to be
21 construed as being in lieu of an annual checkup with the individual's primary care
22 or family physician. Additionally, in connection with the administration of
23 immunizations and vaccines, the pharmacist shall comply with all of the following
24 requirements:

25 (1) The pharmacist shall report each immunization to the Louisiana
26 Department of Health, office of public health's Louisiana Immunization Network for
27 Kids Statewide at the time of the immunization or as soon as reasonably practicable
28 thereafter, as this is the official state vaccination record.

1 Control and Prevention and the United States Food and Drug Administration for
2 vaccine safety, or its successor program.

3 Section 2. Part XIII-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes
4 of 1950, comprised of R.S. 40:2199.11, is hereby enacted to read as follows:

5 PART XIII-A. IMMUNIZATIONS AND VACCINES ADMINISTERED

6 AT LICENSED HEALTHCARE FACILITIES

7 §2199.11. Immunizations and vaccines administered at licensed healthcare
8 facilities; requirements

9 A. Each healthcare facility licensed by the Louisiana Department of Health
10 in accordance with the provisions of this Chapter at which immunizations or
11 vaccines are administered shall ensure that prior to the administration of an
12 immunization or a vaccine to a patient, the patient, or, if the patient is a minor, the
13 parent or guardian of the patient, is provided thorough written information
14 concerning the immunization or vaccine that addresses, at minimum, all of the
15 following:

16 (1) The diseases or conditions that the immunization or vaccine is intended
17 to prevent or treat.

18 (2) The effectiveness of the immunization or vaccine.

19 (3) Any contraindications associated with the immunization or vaccine.

20 (4) The possible side effects of the immunization or vaccine.

21 (5) The ingredients of the immunization or vaccine.

22 (6) Instructions for submitting a report to the Vaccine Adverse Events
23 Reporting System, the cooperative program of the United States Centers for Disease
24 Control and Prevention and the United States Food and Drug Administration for
25 vaccine safety, or its successor program.

26 B. The Louisiana Department of Health shall promulgate all such rules in
27 accordance with the Administrative Procedure Act as are necessary to implement the
28 provisions of this Part.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HB 207 Original

2019 Regular Session

Amedee

Abstract: Requires the provision of information to patients, or parents of patients who are minors, prior to administration of an immunization or a vaccine and provides specifications for such information.

Proposed law requires that prior to administering an immunization or a vaccine to a patient, the physician, physician assistant, registered nurse, practical nurse, or pharmacist administering the immunization or vaccine shall provide to the patient, or, if the patient is a minor, the parent or guardian of the patient, thorough written information that addresses, at minimum, all of the following:

- (1) The diseases or conditions that the immunization or vaccine is intended to prevent or treat.
- (2) The effectiveness of the immunization or vaccine.
- (3) Any contraindications associated with the immunization or vaccine.
- (4) The possible side effects of the immunization or vaccine.
- (5) The ingredients of the immunization or vaccine.
- (6) Instructions for submitting a report to the federally managed Vaccine Adverse Events Reporting System.

Proposed law requires all healthcare facilities licensed by the La. Department of Health at which immunizations or vaccines are administered to ensure that prior to the administration of an immunization or a vaccine to a patient, the patient, or, if the patient is a minor, the parent or guardian of the patient, is provided thorough written information concerning the immunization or vaccine that addresses, at minimum, all of the factors enumerated above.

(Amends R.S. 37:1218.1(A); Adds R.S. 37:936, 980, 1218(6), 1274.2, and 1360.31.1 and R.S. 40:2199.11)