

2018 -- H 7704

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO HEALTH AND SAFETY - DEPARTMENT OF HEALTH

Introduced By: Representatives Price, O`Grady, McKiernan, Filippi, and Roberts

Date Introduced: February 28, 2018

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-1-44 of the General Laws in Chapter 23-1 entitled "Department
2 of Health" is hereby amended to read as follows:

3 **23-1-44. Routine childhood and adult immunization vaccines.**

4 (a) The department of health shall include in the department's immunization program
5 those vaccines for routine childhood immunization as recommended by the Advisory Committee
6 for Immunization Practices (ACIP) and the Academy of Pediatrics (AAP), and for adult influenza
7 immunization as recommended by the ACIP, to the extent permitted by available funds. The
8 childhood immunization program includes administrative and quality assurance services and
9 KIDSNET, a confidential, computerized child health information system that is used to manage
10 statewide immunizations, as well as other public health preventive services, for all children in
11 Rhode Island from birth through age 18.

12 (b) The director of the department of health shall appoint an advisory committee that will
13 be convened after the ACIP makes a recommendation regarding adult immunization. The
14 committee will review the ACIP recommendations for the state, assess the vaccine cost and
15 feasibility, and advise the director of health and the office of the health insurance commissioner
16 regarding insurers and providers acting on the ACIP adult immunization recommendation. All
17 recommendations will be posted on the department of health website. The advisory committee
18 membership shall include, but not be limited to, a primary care provider, pharmacist,
19 representatives of the nursing home industry, the home health care industry and major insurers.

1 (c) Vaccine providers shall obtain written consent from the vaccine recipient in the form
2 of a signature to be kept on file with the recipient and vaccine provider. The informed consent
3 form shall include language that the vaccine provider has given the recipient a copy of the
4 vaccine manufacturer's package insert listing the vaccines' ingredients, contraindications and
5 potential adverse reactions, including death. The form shall also state that the vaccine recipient
6 shall have the lawful right to decline the vaccine by signing a vaccine exemption form approved
7 by the department of health.

8 SECTION 2. Section 16-38-2 of the General Laws in Chapter 16-38 entitled "Offenses
9 Pertaining to Schools [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is
10 hereby amended to read as follows:

11 **16-38-2. Immunization.**

12 (a) Every person upon entering any public or private school including any college or
13 university in this state as a pupil shall furnish to the administrative head of the school evidence
14 that the person has been immunized against any diseases that may from time to time be prescribed
15 by regulation of the director of health and tested for tuberculosis, or a certificate from a licensed
16 physician stating that the person is not a fit subject for immunization for medical reasons, or a
17 certificate signed by the pupil, if over eighteen (18) years of age, or by the parent or guardian
18 stating that immunization and/or testing for communicable diseases is contrary to that person's
19 religious beliefs. It shall be the responsibility of the administrative head of the school to secure
20 compliance with these regulations.

21 (b) Vaccine providers shall obtain written consent from the vaccine recipient in the form
22 of a signature to be kept on file with the recipient and vaccine provider. The informed consent
23 form shall include language that the vaccine provider has given the recipient a copy of the
24 vaccine manufacturer's package insert listing the vaccines' ingredients, contraindications and
25 potential adverse reactions, including death. The form shall also state that the vaccine recipient
26 shall have the lawful right to decline the vaccine by signing a vaccine exemption form approved
27 by the department of health.

28 ~~(b)~~(c) Every child more than twenty-four (24) months of age, resident in the state of
29 Rhode Island, shall be eligible to receive the immunization against meningococcal disease. The
30 Department of Health shall include meningococcal vaccine in the department's immunization
31 program, established by § 23-1-44.

32 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO HEALTH AND SAFETY - DEPARTMENT OF HEALTH

- 1 This act would require informed consent for mandatory vaccines.
- 2 This act would take effect upon passage.

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