
SENATE BILL 6418

State of Washington 53rd Legislature 1994 Regular Session

By Senators West, Talmadge, Moyer, Erwin, Deccio, Winsley and Nelson

Read first time 01/21/94. Referred to Committee on Health & Human Services.

1 AN ACT Relating to immunizations; adding new sections to chapter
2 43.70 RCW; adding a new section to chapter 43.20A RCW; adding a new
3 section to chapter 70.47 RCW; and adding a new section to chapter 41.05
4 RCW.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.70 RCW
7 to read as follows:

8 INTENT--DECLARATION. The legislature finds that:

9 (1) There has been an increase in the number of children
10 contracting vaccine preventable infectious diseases;

11 (2) This trend has occurred despite the availability of safe and
12 effective immunizations which can prevent these disabling and life-
13 threatening diseases;

14 (3) Parents and guardians of children are often unaware of the need
15 for immunizations, the appropriate age to receive such immunizations,
16 and the public health risks of the failure to be properly immunized;

17 (4) Adults may not be aware of their risk of contracting vaccine
18 preventable infectious diseases and the availability of effective
19 immunizations.

1 The legislature declares that it is in the public health interest
2 of the people of the state of Washington that all adults and children
3 should be appropriately immunized.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.20A RCW
5 to read as follows:

6 STATE SERVICE RECIPIENTS--DEPARTMENT OF SOCIAL AND HEALTH SERVICES.

7 (1) Upon federal approval of necessary waivers to implement sections 1
8 through 7 of this act, the parent or legal guardian of a child up to
9 five years of age who is eligible to receive services from, through, or
10 purchased by the department is responsible for providing to the
11 department within ninety days of receiving such services:

12 (a) A certificate showing that the child has completed the state
13 board of health recommended infectious disease immunization schedule or
14 is making satisfactory progress in complying with the schedule;

15 (b) A waiver signed by a physician licensed under chapter 18.71 or
16 18.57 RCW stating that a particular vaccine is not medically advisable
17 for the child. If it is determined by the physician that a particular
18 vaccine is not contraindicated, the child will be required to receive
19 the immunization;

20 (c) A written certification signed by a parent or legal guardian of
21 the child stating that the signer has objections to the required
22 immunizations based upon religious beliefs; or

23 (d) A written certification signed by a parent or legal guardian of
24 the child stating that the signer has either a philosophical or
25 personal objection to immunizing the child.

26 (2) The secretary shall grant to parents or guardians of children
27 who are receiving department services on or before the effective date
28 of this section, ninety days to comply with the requirements of this
29 section.

30 (3) The secretary shall decide the manner in which certificates and
31 waivers required by this section shall be prepared and made available.

32 (4) The secretary may establish by rule a procedure to periodically
33 check whether children are making satisfactory progress in complying
34 with the appropriate immunization schedules. The monitoring shall, to
35 the extent possible, be conducted during the course of routine contact
36 with the parent or guardian of the child.

37 (5) The secretary shall coordinate with the secretary of health, in
38 the preparation of certificates and waivers and required for the

1 administration of this section to assure minimum paperwork and prevent
2 duplicative compliance requirements for children receiving state
3 services or benefits from more than one state agency.

4 (6) The secretary shall seek whatever federal waivers are necessary
5 to implement the provisions of this section.

6 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.70 RCW
7 to read as follows:

8 STATE SERVICE RECIPIENTS--DEPARTMENT OF HEALTH. (1) Upon federal
9 approval of necessary waivers to implement sections 1 through 7 of this
10 act, the parent or guardian of a child under age five who is eligible
11 to receive services from, through, or purchased by the department is
12 responsible for providing to the department within ninety days of
13 receiving such services:

14 (a) A certificate showing that the child has completed the state
15 board of health recommended infectious disease immunization schedule or
16 is making satisfactory progress in complying with the schedule;

17 (b) A waiver signed by a physician licensed under chapter 18.71 or
18 18.57 RCW stating that a particular vaccine is not medically advisable
19 for the child. If it is determined by the physician that a particular
20 vaccine is not contraindicated, the child will be required to receive
21 the immunization;

22 (c) A written certification signed by a parent or legal guardian of
23 the child stating that the signer has objections to the required
24 immunizations based upon religious beliefs; or

25 (d) A written certification signed by a parent or legal guardian of
26 the child stating that the signer has either a philosophical or
27 personal objection to immunizing the child.

28 (2) The secretary shall grant to parents or guardians of children
29 who are receiving department services on or before the effective date
30 of this section, ninety days to comply with the requirements of this
31 section.

32 (3) The secretary shall decide the manner in which certificates and
33 waivers required by this section may be prepared and made available.

34 (4) The secretary may establish by rule a procedure to periodically
35 check whether children are making satisfactory progress in complying
36 with the appropriate immunization schedules. The monitoring shall, to
37 the extent possible, be conducted during the course of routine contact
38 with the parent or guardian of the child.

1 (5) The secretary shall coordinate with the secretary of social and
2 health services in the preparation of certificates and waivers and
3 required for the administration of this section to assure minimum
4 paperwork and duplicative compliance requirements for children
5 receiving state services or benefits from more than one state agency.

6 (6) The secretary shall seek whatever federal waivers are necessary
7 to implement the provisions this section.

8 NEW SECTION. **Sec. 4.** A new section is added to chapter 70.47 RCW
9 to read as follows:

10 STATE-SUBSIDIZED HEALTH CARE INSURANCE RECIPIENTS--BASIC HEALTH
11 PLAN. (1) Upon federal approval of necessary waivers to implement
12 sections 1 through 7 of this act, the parent or guardian of a child
13 under age five who is enrolled in the plan is responsible for providing
14 to the plan administrator within ninety days of enrollment:

15 (a) A certificate showing that the child has completed the state
16 board of health recommended infectious disease immunization schedule or
17 is making satisfactory progress in complying with the schedule;

18 (b) A waiver signed by a physician licensed under chapter 18.71 or
19 18.57 RCW stating that a particular vaccine is not medically advisable
20 for the child. If it is determined by the physician that a particular
21 vaccine is not contraindicated, the child will be required to receive
22 the immunization;

23 (c) A written certification signed by a parent or legal guardian of
24 the child stating that the signer has objections to the required
25 immunizations based upon religious beliefs; or

26 (d) A written certification signed by a parent or legal guardian of
27 the child stating that the signer has either a philosophical or
28 personal objection to immunizing the child.

29 (2) The administrator shall grant to parents and guardians of
30 children enrolled in the plan on or before the effective date of this
31 section, ninety days to comply with the requirements of this section.

32 (3) The administrator shall decide the manner in which certificates
33 and waivers required by this section shall be prepared and made
34 available.

35 (4) The administrator may establish by rule a procedure to
36 periodically check whether children are making satisfactory progress in
37 complying with the appropriate immunization schedules. The monitoring
38 shall, to the extent possible, be conducted when the parent or guardian

1 of the child has routine contact with the plan or health care
2 contractors authorized to provide services under the plan.

3 NEW SECTION. **Sec. 5.** A new section is added to chapter 41.05 RCW
4 to read as follows:

5 STATE EMPLOYEE BENEFIT RECIPIENTS--STATE HEALTH CARE AUTHORITY.

6 (1) Upon federal approval of necessary waivers to implement sections 1
7 through 7 of this act, the parent or guardian of a child under age five
8 who is enrolled as a dependent in the plan is responsible for providing
9 to the administrator within ninety days of enrollment:

10 (a) A certificate showing that the child has completed the state
11 board of health recommended infectious disease immunization schedule or
12 is making satisfactory progress in complying with the schedule;

13 (b) A waiver signed by a physician licensed under chapter 18.71 or
14 18.57 RCW stating that a particular vaccine is not medically advisable
15 for the child. If it is determined by the physician that a particular
16 vaccine is not contraindicated, the child will be required to receive
17 the immunization;

18 (c) A written certification signed by a parent or legal guardian of
19 the child stating that the signer has objections to the required
20 immunizations based upon religious beliefs; or

21 (d) A written certification signed by a parent or legal guardian of
22 the child stating that the signer has either a philosophical or
23 personal objection to immunizing the child.

24 (2) The administrator shall grant to parents and guardians of
25 children enrolled in the plan on or before the effective date of this
26 section, ninety days to comply with the requirements of this section.

27 (3) The administrator shall decide the manner in which certificates
28 and waivers required by this section shall be prepared and made
29 available.

30 (4) The administrator may establish by rule a procedure to
31 periodically check whether children are making satisfactory progress in
32 complying with the appropriate immunization schedules. The monitoring
33 shall, to the extent possible, be conducted when the parent or guardian
34 of the child has any routine contact with the plan or health care
35 contractors authorized to provide services under the plan.

36 NEW SECTION. **Sec. 6.** A new section is added to chapter 43.70 RCW
37 to read as follows:

1 IMMUNIZATION ASSESSMENT AND ENHANCEMENT PROPOSALS. (1) The
2 department shall require that each local health jurisdiction submit an
3 immunization assessment and enhancement proposal to assist public
4 agencies to obtain compliance with the terms of sections 1 through 5 of
5 this act. The proposal shall meet the requirements of this section.
6 It shall include a description of how the local health jurisdictions
7 will consult and involve existing health care providers that have
8 previously been involved in the administration of state-supplied
9 immunizations or have shown an interest to become involved.

10 (2) A local health jurisdiction must include at least the following
11 in the proposal:

12 (a) A description of the population groups in the jurisdiction that
13 are in greatest need for immunizations;

14 (b) A description of providers in the jurisdiction that are capable
15 and willing to administer immunizations and how the providers will be
16 utilized in enhancing immunization compliance with established target
17 rates;

18 (c) A description of current fees charged to patients used to
19 support local immunization efforts;

20 (d) An analysis of financial and nonfinancial barriers that are
21 preventing children from receiving immunizations and a description of
22 how the jurisdiction will remove such barriers; and

23 (e) A description of strategies to use outreach, volunteer, and
24 other local educational resources to enhance immunization rates.

25 (3) The secretary shall approve the immunization assessment and
26 enhancement proposal if he or she finds it offers maximum feasible
27 likelihood of providing ready access to affordable immunization for all
28 state residents including recipients of publicly funded services.

29 (4) This section shall be implemented consistent with available
30 funding.

31 (5) The funding authorized under this act shall be used to
32 supplement but not replace current fees used to support local
33 immunization efforts that are charged to patients.

34 (6) The secretary shall report biennially to the health care and
35 fiscal committees of the house of representatives and senate on the
36 status of the program and progress made toward target immunization
37 rates, which he or she may establish in rule.

1 NEW SECTION. **Sec. 7.** A new section is added to chapter 43.70 RCW
2 to read as follows:

3 COMPLIANCE. If the recipient of a service provided by the
4 department of social and health services or the department of health
5 fails to comply with the provisions of sections 1 through 6 of this
6 act, the secretaries of health or social and health services shall
7 withhold twenty-five dollars of the benefits the recipients may be
8 receiving for each month until compliance is documented according to
9 the terms of sections 1 through 6 of this act.

10 NEW SECTION. **Sec. 8.** Captions used in this act do not constitute
11 any part of the law.

--- END ---