

FINAL BILL REPORT

SHB 1098

C 268 L 07

Synopsis as Enacted

Brief Description: Authorizing suspension of restriction on the availability of vaccines during outbreaks.

Sponsors: By House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Hinkle, Schual-Berke, Campbell, Morrell, Green, Darneille, Ormsby, B. Sullivan, Dickerson, Kenney, Moeller and Wallace).

House Committee on Health Care & Wellness
Senate Committee on Health & Long-Term Care

Background:

Beginning July 1, 2007, 2006 law prohibits the vaccination of a person who is known to be pregnant or under three years of age with a vaccine or other product that contains more than a specified amount of mercury. The law excepts certain influenza vaccines and also authorizes the Secretary of the Department of Health (Secretary) to suspend the prohibition during the duration of a declared public health emergency.

Under the state's Emergency Management Act (Act), an "emergency" is an event that demands immediate action to preserve public health, protect life or public property, provide relief to stricken communities, or an event of such size or destruction that it warrants the governor's declaration of a state of emergency. The governor has general control and responsibility for carrying out the Act's purposes of providing for emergency management by the state and its political subdivisions and may assume direct operational control.

Among the Secretary's duties is the duty to investigate outbreaks and epidemics of disease that may occur and to advise local health officers about measures to be taken to prevent and control such outbreaks. The Department of Health defines "outbreak" as the occurrence of cases of a disease or condition in any area over a given period of time in excess of the expected number of cases. The Secretary's statutory authority to declare a public health emergency is explicit in specific circumstances, such as emergencies related to public water systems and water pollution. In these cases, a "public health emergency" is defined as a declaration by the Secretary or a local health officer of a situation in which either illness, or exposure known to cause illness, is occurring or is imminent.

Summary:

The Secretary's authority to suspend the prohibition against the use of certain mercury-containing vaccines and products is revised. Instead of the suspension applying during the duration of a declared public health emergency, the suspension applies during the duration of a declared outbreak of vaccine-preventable disease or during a shortage of vaccine that

complies with the statutory mercury requirements. The authority to declare the outbreak of vaccine-preventable disease or a vaccine shortage is expressly given to the Secretary and to local health officers.

A notice requirement is added to the Secretary's suspension authority. Under that provision, a person known to be pregnant or lactating and the parents of a child under age 18 must be informed if the person or child is to be vaccinated with a product containing more mercury than the limits established in state law.

Votes on Final Passage:

House	94	1	
Senate	49	0	(Senate amended)
House			(House refused to concur)
Senate	47	0	(Senate amended)
House	97	0	(House concurred)

Effective: July 22, 2007