

# HOUSE BILL REPORT

## SB 5982

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**As Passed House:**  
February 22, 2024

**Title:** An act relating to updating the definition of "vaccine" in RCW 70.290.010 to include all federal food and drug administration-approved immunizations recommended by the centers for disease control and prevention.

**Brief Description:** Updating the definition of "vaccine" in RCW 70.290.010 to include all federal food and drug administration-approved immunizations recommended by the centers for disease control and prevention.

**Sponsors:** Senators Cleveland, Robinson, Keiser, Dhingra, Van De Wege, Conway, Frame, Kuderer, Lias, Mullet, Nobles, Salomon, Trudeau, Valdez and Wellman; by request of Department of Health.

**Brief History:**

**Committee Activity:**

Health Care & Wellness: 2/14/24, 2/16/24 [DP].

**Floor Activity:**

Passed House: 2/22/24, 61-32.

**Brief Summary of Bill**

- Changes the definition of "vaccine" for purposes of the Washington Vaccine Association.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** Do pass. Signed by 11 members: Representatives Riccelli, Chair; Bateman, Vice Chair; Bronoske, Davis, Harris, Macri, Orwall, Simmons, Stonier, Thai and Tharinger.

**Minority Report:** Do not pass. Signed by 4 members: Representatives Schmick, Ranking

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Minority Member; Hutchins, Assistant Ranking Minority Member; Caldier and Mosbrucker.

**Staff:** Jim Morishima (786-7191).

**Background:**

The Washington Childhood Vaccine Program (WCVP) supplies, at no cost, vaccines to participating health care providers for administration to persons under the age of 19. The program includes all vaccines recommended by the United States Centers for Disease Control and Prevention's Advisory Committee on Immunization Practices (ACIP), including vaccines for influenza, hepatitis A and B, human papillomavirus, measles, mumps, rubella, COVID-19, and respiratory syncytial virus (RSV).

The WCVP is funded by a combination of federal funds, state funds, and assessments on health carriers and third-party administrators. The assessments on health carriers and third-party administrators are collected and remitted to the Department of Health by the Washington Vaccine Association (WVA), which is a public-private nonprofit corporation. The definition of "vaccine" for purposes of the WVA is a preparation of killed or attenuated living microorganisms, or fraction thereof, that stimulates immunity that protects against disease and is approved by the United States Food and Drug Administration as safe and effective and recommended by the ACIP for administration to children under the age of 19.

**Summary of Bill:**

The definition of vaccine for purposes of the WVA is broadened to include any immunization approved by the United States Food and Drug Administration as safe and effective and recommended by the Advisory Committee on Immunization Practices for administration to children under the age of 19. In other words, the requirement that the vaccines be a preparation of killed or attenuated virus that stimulates immunity that protects against disease is removed.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Staff Summary of Public Testimony:**

(In support) This bill is a technical fix to ensure that all childhood vaccines are covered by the Washington Childhood Vaccine Program (WCVP). The WCVP supports providers and provides vaccines at no cost to patients. This bill does not impact vaccination requirements. It only aligns the definition of vaccine for the Washington Vaccine

Association (WVA), which was originally written in 2009. This definition is outdated and does not cover the respiratory syncytial virus (RSV) vaccine. Expanding access to this vaccine will lead to reduced hospitalizations and deaths. Administering the RSV vaccine is part of standard medical practice.

(Opposed) This bill is a terrible idea and will lead to the purchase of vaccines that are not safe for kids. It is not a technical fix. The Centers for Disease Control and Prevention (CDC) and the Food and Drug Administration (FDA) originally said the COVID-19 vaccine was safe, but it caused cardiac and fertility problems. The agencies ignored the science on masks. This experience shows how little the CDC and the FDA can be trusted. Why use the same untrustworthy resources?

Immunizations based on monoclonal antibodies, like the RSV vaccine, may have unintended consequences and are not as safe as regular vaccines. Adding these immunizations to the definition may compromise current immunization efforts, which raises concerns. Modifications to the definition should be approached cautiously. Plus, it is unclear how needed the RSV vaccine is. Issues caused by RSV are rare. The WVA is currently purchasing this vaccine illegally through backdoor funding. This bill is a cover-up for the current illegal purchase of these vaccines by the WVA.

**Persons Testifying:** (In support) Lacy Fehrenbach, Washington State Department of Health; and Beth Harvey, Washington Vaccine Association and Washington Chapter of the American Academy of Pediatrics.

(Opposed) Laurie Layne; Mary Long, Conservative Ladies of Washington; Bob Runnells, Informed Choice Washington; Natalie Chavez; and Sharon Damoff.

**Persons Signed In To Testify But Not Testifying:** None.