
SENATE BILL 6746

State of Washington

56th Legislature

2000 Regular Session

By Senators Wojahn, Winsley, Thibaudeau, Deccio and Kohl-Welles

Read first time 01/26/2000. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to immunizations at long-term care facilities;
2 adding a new chapter to Title 70 RCW; and providing an effective date.

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

4 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
5 ensure that long-term care facilities are safe.

6 (1) The long-term care resident and employee immunization act is
7 intended to:

8 (a) Prevent and reduce the occurrence and severity of the influenza
9 virus and pneumococcal disease by increasing the use of immunizations
10 licensed by the food and drug administration;

11 (b) Avoid pain, suffering, and deaths that may result from the
12 influenza virus and pneumococcal disease;

13 (c) Improve the well-being and quality of life of residents and
14 employees of long-term care facilities; and

15 (d) Reduce avoidable costs associated with treating the influenza
16 virus and pneumococcal disease.

17 (2) The legislature finds that:

18 (a) Recent studies show that it is important to immunize older
19 citizens against the influenza virus and pneumococcal disease;

1 (b) The centers for disease control and prevention recommend
2 individuals over age sixty-five receive immunizations against the
3 influenza virus and pneumococcal disease;

4 (c) The influenza virus and pneumococcal disease have been
5 identified as leading causes of death for citizens over age sixty-five;

6 (d) Immunizations licensed by the food and drug administration are
7 readily available and effective in reducing and preventing the severity
8 of the influenza virus and pneumococcal disease in people over age
9 sixty-five;

10 (e) All types of long-term care facilities operating in the state
11 are appropriate locations to improve immunization rates among residents
12 over age sixty-five; and

13 (f) Employees of long-term care facilities should be immunized
14 against influenza and pneumococcal disease to prevent the spread of
15 these diseases to the frail and elderly residents of long-term care
16 facilities.

17 NEW SECTION. **Sec. 2.** The definitions in this section apply
18 throughout this chapter unless the context clearly requires otherwise.

19 (1) "Documentation" means evidence from a person's physician or
20 health care provider in written format indicating the date and place
21 when the individual received the influenza virus immunization and the
22 pneumococcal pneumonia immunization.

23 (2) "Long-term care facility" includes nursing homes licensed under
24 chapter 18.51 RCW, boarding homes license under chapter 18.20 RCW, and
25 adult family homes licensed under chapter 70.128 RCW.

26 (3) "Medically contraindicated" means either that the influenza or
27 pneumococcal immunizations should not be administered to an individual
28 because of a condition that individual has that will be detrimental to
29 the individual's health if the individual receives either of the
30 immunizations.

31 NEW SECTION. **Sec. 3.** Long-term care facilities shall:

32 (1) Require that all employees and residents, unless otherwise
33 exempted, have current documentation of influenza virus and
34 pneumococcal disease immunization. If an individual is unable to
35 provide current documentation of immunization, the long-term care
36 facility must provide access to the immunization within thirty days;

1 (2) Require that each resident, or the resident's legal guardian,
2 upon admission to a long-term care facility, provide informed consent
3 for annual influenza virus and pneumococcal disease immunization; and
4 (3) Require that all residents and employees of long-term care
5 facilities update their immunizations by November 30th of each year.

6 NEW SECTION. **Sec. 4.** All residents and employees of long-term
7 care facilities must be immunized as required by this chapter unless:

8 (1) The immunization is medically contraindicated, as described in
9 the product labeling approved by the food and drug administration; or

10 (2) Receiving an immunization is against the individual's religious
11 beliefs.

12 NEW SECTION. **Sec. 5.** Long-term care facilities that fail to
13 comply with the terms of this chapter are subject to the provisions of
14 RCW 18.20.060, 18.51.060, or 70.128.100.

15 NEW SECTION. **Sec. 6.** This act shall be known and may be cited as
16 the long-term care resident and employee immunization act of 2000.

17 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act constitute
18 a new chapter in Title 70 RCW.

19 NEW SECTION. **Sec. 8.** This act takes effect July 1, 2000.

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