

CERTIFICATION OF ENROLLMENT

SECOND ENGROSSED SUBSTITUTE SENATE BILL 5291

Chapter 256, Laws of 2002

57th Legislature
2002 Regular Session

LONG-TERM CARE RESIDENT IMMUNIZATION

EFFECTIVE DATE: 6/13/02

Passed by the Senate March 11, 2002
YEAS 43 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 7, 2002
YEAS 91 NAYS 2

FRANK CHOPP

**Speaker of the
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SECOND ENGROSSED SUBSTITUTE SENATE BILL 5291** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK

Secretary

Approved March 29, 2002

FILED

March 29, 2002 - 3:51 p.m.

GARY LOCKE

Governor of the State of Washington

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5291

AS AMENDED BY THE HOUSE

Passed Legislature - 2002 Regular Session

State of Washington 57th Legislature 2001 Regular Session

By Senate Committee on Health & Long-Term Care (originally sponsored by
Senators Costa, Winsley, Franklin and Fraser)

READ FIRST TIME 02/16/01.

1 AN ACT Relating to immunizations at long-term care facilities;
2 adding a new section to chapter 74.42 RCW; and creating new sections.

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 immunization act is intended to:

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

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

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

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

16 (2) The legislature finds that:

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

1 (b) The centers for disease control and prevention recommend
2 individuals living in long-term care facilities and those over age
3 sixty-five receive immunizations against the influenza virus and
4 pneumococcal disease;

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

8 (d) Immunizations licensed by the food and drug administration are
9 readily available and effective in reducing and preventing the severity
10 of the influenza virus and pneumococcal disease.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.42 RCW
12 to read as follows:

13 (1) Long-term care facilities shall:

14 (a) Provide access on-site or make available elsewhere for all
15 residents to obtain the influenza virus immunization on an annual
16 basis;

17 (b) Require that each resident, or the resident's legal
18 representative, upon admission to the facility, be informed verbally
19 and in writing of the benefits of receiving the influenza virus
20 immunization and, if not previously immunized against pneumococcal
21 disease, the benefits of the pneumococcal immunization.

22 (2) As used in this section, "long-term care facility" is limited
23 to nursing homes licensed under chapter 18.51 RCW.

24 (3) The department of social and health services shall adopt rules
25 to implement this section.

26 (4) This section and rules adopted under this section shall not
27 apply to nursing homes conducted for those who rely exclusively upon
28 treatment by nonmedical religious healing methods, including prayer.

29 NEW SECTION. **Sec. 3.** This act may be known and cited as the long-
30 term care resident immunization act of 2002.

Passed the Senate March 11, 2002.

Passed the House March 7, 2002.

Approved by the Governor March 29, 2002.

Filed in Office of Secretary of State March 29, 2002.