
**Health Care & Wellness
Committee**

HB 1098

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

Sponsors: Representatives Cody, Hinkle, Schual-Berke, Campbell, Morrell, Green, Darneille, Ormsby, B. Sullivan, Dickerson, Kenney, Moeller and Wallace.

Brief Summary of Bill

- Authorizes the Secretary of the Department of Health to suspend the prohibition against using certain mercury-containing vaccines during the duration of a declared outbreak of vaccine-preventable disease (instead of during a declared public health emergency).

Hearing Date: 1/18/07

Staff: Chris Cordes (786-7103).

Background:

A 2006 law prohibits, beginning July 1, 2007, 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, or 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.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

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 of Bill:

The Secretary of the Department of Health'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.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.