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**SENATE BILL 6300**

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**State of Washington                      60th Legislature                      2008 Regular Session**

**By** Senators Oemig, Rasmussen, Fairley, Regala, and Roach

Read first time 01/14/08. Referred to Committee on Health & Long-Term Care.

1            AN ACT Relating to vaccines; amending RCW 70.95M.115; creating a  
2 new section; and providing an effective date.

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

4            NEW SECTION.    **Sec. 1.** (1) The legislature recognizes public  
5 concern about thimerosal and mercury content in vaccines. Mercury  
6 exposure during pregnancy can risk harm to the fetus. It is  
7 particularly urgent that women of child-bearing age be informed of this  
8 risk, both before and during pregnancy, so they may take proper  
9 precautions to protect their own health and that of their future  
10 children. The legislature recognizes that health care providers bear  
11 the burden and potential liability of complying with the law and  
12 preventing pregnant women from mercury vaccine exposure.

13            (2) The legislature intends to honor and support every patient's  
14 right to know what products and substances they are being exposed to.  
15 Patients may be misled by popular misconceptions that all vaccines are  
16 mercury free. It is imperative that patients be provided with accurate  
17 information about the contents of all vaccines they are offered, so  
18 they may be effective advocates for their own health care.

1       **Sec. 2.** RCW 70.95M.115 and 2007 c 268 s 1 are each amended to read  
2 as follows:

3       (1) Beginning July 1, 2007, a person who is known to be pregnant or  
4 who is under three years of age shall not be vaccinated with a  
5 mercury-containing vaccine or injected with a mercury-containing  
6 product that contains more than 0.5 micrograms of mercury per 0.5  
7 milliliter dose.

8       (2) (~~Notwithstanding~~) No person, including those listed in  
9 subsection (1) of this section, may be vaccinated with an influenza  
10 vaccine (~~may contain up to 1.0 micrograms~~) that contains more than .1  
11 microgram of mercury (~~per 0.5 milliliter dose~~).

12       (3) The secretary of the department of health may, upon the  
13 secretary's or local public health officer's declaration of an outbreak  
14 of vaccine-preventable disease or of a shortage of vaccine that  
15 complies with subsection (1) or (2) of this section, suspend the  
16 requirements of subsections (1) and (2) of this section for the  
17 duration of the outbreak or shortage.

18       (4) A person (~~who is known to be pregnant or lactating~~) or a  
19 parent or legal guardian of a child under eighteen years of age shall  
20 be informed if the person or child is to be vaccinated or injected with  
21 any (~~mercury-containing~~) product with added mercury or that contains  
22 more than (~~the~~) .1 microgram of mercury (~~limits per dose in~~  
23 subsections (1) and (2)). This includes those circumstances described  
24 under subsection (3) of this section.

25       (a) The disclosure must indicate how much total mercury will be  
26 injected from all vaccines administered during the health care visit  
27 and include a statement of the risks associated with mercury exposure  
28 that is in excess of the environmental protection agency listed mercury  
29 per body kilogram.

30       (b) The disclosure must also include a statement of the risks of  
31 exposure during pregnancy and inform the patient to notify the health  
32 care provider immediately if she suspects she is pregnant.

33       (~~(4)~~) (5) Health care providers administering vaccines must  
34 provide a vaccine adverse event reporting system report form to every  
35 person or parent or legal guardian of a child under eighteen years of  
36 age vaccinated, for the purpose of reporting any clinically significant  
37 adverse event.

1        (6) All vaccines and products referenced under this section must  
2 meet food and drug administration licensing requirements.

3        NEW SECTION.    **Sec. 3.** This act takes effect July 1, 2008.

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