

# SENATE BILL REPORT

## SB 5982

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As Passed Senate, February 1, 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 & Long Term Care: 1/12/24, 1/16/24 [DP, DNP, w/oRec].

**Floor Activity:** Passed Senate: 2/1/24, 29-19.

**Brief Summary of Bill**

- Modifies the definition of vaccine used by the Washington Vaccine Association.

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### SENATE COMMITTEE ON HEALTH & LONG TERM CARE

**Majority Report:** Do pass.

Signed by Senators Cleveland, Chair; Robinson, Vice Chair; Conway, Dhingra, Randall and Van De Wege.

**Minority Report:** Do not pass.

Signed by Senators Holy and Padden.

**Minority Report:** That it be referred without recommendation.

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

Signed by Senators Rivers, Ranking Member; Muzzall, Assistant Ranking Member.

**Staff:** Greg Attanasio (786-7410)

**Background:** In 2010, the Legislature established the Washington Vaccine Association (Association) and required health carriers and third party administrators to pay an assessment to the Association to fund the state's purchase of vaccines for children. The Association collects funds from the carriers and third party administrators and remits the funds to the state. The state then purchases the vaccines in bulk and delivers them to providers at no cost.

For the purposes of this program, "vaccine" means a preparation of killed or attenuated living microorganisms, or fraction thereof, that upon administration stimulates immunity that protects against disease and is approved by the Federal Food and Drug Administration as safe and effective and recommended by the advisory committee on immunization practices of the Centers for Disease Control and Prevention for administration to children under the age of 19 years.

**Summary of Bill:** The definition of "vaccine" is changed to "an immunization approved by the Federal Food and Drug Administration as safe and effective and recommended by the advisory committee on immunization practices of the Centers for Disease Control and Prevention for administration to children under the age of 19 years."

**Appropriation:** None.

**Fiscal Note:** Requested on January 6, 2024.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony:** PRO: This is an important update to modernize the definition and allow access to all modern vaccines. WVA creates streamlined affordable access to vaccines, but the RSV vaccines does not fit into the current definition of vaccine for the WVA. It is important to protect children from RSV and not burden the health care system. RSV can lead to lifelong symptoms or death.

CON: This change could inadvertently lead to the purchase vaccines that are not safe. The CDC is a political agency that shows not regard for science and promotes unsafe vaccines. Public trust was lost during COVID. The term immunization is not defined and this change would allow the WVA to purchase RSV immunizations, which are not vaccines. Wide spread use of RSV vaccination is not necessary. All vaccines are not safe or in the best interest of children.

**Persons Testifying:** PRO: Senator Annette Cleveland, Prime Sponsor; Dr. Tao Kwan-Gett, Washington State Department of Health; Dr. Beth Harvey, Washington Chapter of the American Academy of Pediatrics & Washington Vaccine Association; Barbara Barrilleaux, Parent; Katie Kolan, Washington State Hospital Association; Carey Morris, Parent; Dr. Amy Harley, Whatcom County Community Services, WSALPHO; Amy Brackenbury, Washington State Public Health Association; Jennifer Ziegler, Association of Washington Healthcare Plans.

CON: Mary Long, Conservative Ladies of Washington; Kim Slinger; Laurie Layne; Natalie Chavez; Bob Runnells, Informed Choice Washington; HEIDI SCHOR.

**Persons Signed In To Testify But Not Testifying:** No one.