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**HOUSE BILL 2157**

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**State of Washington**

**68th Legislature**

**2024 Regular Session**

**By** Representatives Harris, Stonier, Reed, Ormsby, Macri, Ortiz-Self, and Reeves; by request of Department of Health

Prefiled 01/05/24. Read first time 01/08/24. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to updating the definition of "vaccine" in RCW  
2 70.290.010 to include all federal food and drug administration-  
3 approved immunizations recommended by the centers for disease control  
4 and prevention; amending RCW 70.290.010; and declaring an emergency.

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

6 **Sec. 1.** RCW 70.290.010 and 2010 c 174 s 1 are each amended to  
7 read as follows:

8 The definitions in this section apply throughout this chapter  
9 unless the context clearly requires otherwise.

10 (1) "Association" means the Washington vaccine association.

11 (2) "Covered lives" means all persons under the age of nineteen  
12 in Washington state who are:

13 (a) Covered under an individual or group health benefit plan  
14 issued or delivered in Washington state or an individual or group  
15 health benefit plan that otherwise provides benefits to Washington  
16 residents; or

17 (b) Enrolled in a group health benefit plan administered by a  
18 third-party administrator. Persons under the age of nineteen for whom  
19 federal funding is used to purchase vaccines or who are enrolled in  
20 state purchased health care programs covering low-income children  
21 including, but not limited to, apple health for kids under RCW

1 74.09.470 and the basic health plan under chapter 70.47 RCW are not  
2 considered "covered lives" under this chapter.

3 (3) "Estimated vaccine cost" means the estimated cost to the  
4 state over the course of a state fiscal year for the purchase and  
5 distribution of vaccines purchased at the federal discount rate by  
6 the department of health.

7 (4) "Health benefit plan" has the same meaning as defined in RCW  
8 48.43.005 and also includes health benefit plans administered by a  
9 third-party administrator.

10 (5) "Health carrier" has the same meaning as defined in RCW  
11 48.43.005.

12 (6) "Secretary" means the secretary of the department of health.

13 (7) "State supplied vaccine" means vaccine purchased by the state  
14 department of health for covered lives for whom the state is  
15 purchasing vaccine using state funds raised via assessments on health  
16 carriers and third-party administrators as provided in this chapter.

17 (8) "Third-party administrator" means any person or entity who,  
18 on behalf of a health insurer or health care purchaser, receives or  
19 collects charges, contributions, or premiums for, or adjusts or  
20 settles claims on or for, residents of Washington state or Washington  
21 health care providers and facilities.

22 (9) "Total nonfederal program cost" means the estimated vaccine  
23 cost less the amount of federal revenue available to the state for  
24 the purchase and distribution of vaccines.

25 (10) "Vaccine" means (~~(a preparation of killed or attenuated~~  
26 ~~living microorganisms, or fraction thereof, that upon administration~~  
27 ~~stimulates immunity that protects against disease and is)) an  
28 immunization approved by the federal food and drug administration as  
29 safe and effective and recommended by the advisory committee on  
30 immunization practices of the centers for disease control and  
31 prevention for administration to children under the age of nineteen  
32 years.~~

33 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
34 preservation of the public peace, health, or safety, or support of  
35 the state government and its existing public institutions, and takes  
36 effect immediately.

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