
SENATE BILL 5982

State of Washington

68th Legislature

2024 Regular Session

By 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

Prefiled 01/04/24. Read first time 01/08/24. Referred to Committee on Health & Long Term Care.

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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