
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2685 Session of
2004

INTRODUCED BY KENNEY, OLIVER, CAPPELLI, CRAHALLA, FREEMAN,
HERSHEY, JAMES, LaGROTTA, LEACH, LEDERER, LEWIS, LYNCH,
RAYMOND, E. Z. TAYLOR AND PAYNE, JUNE 7, 2004

REFERRED TO COMMITTEE ON HEALTH AND HUMAN SERVICES, JUNE 7, 2004

AN ACT

1 Providing for immunization against the influenza virus.

2 The General Assembly of the Commonwealth of Pennsylvania
3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the Influenza
6 Immunization Act.

7 Section 2. Definitions.

8 The following words and phrases when used in this act shall
9 have the meanings given to them in this section unless the
10 context clearly indicates otherwise:

11 "Department." The Department of Health of the Commonwealth.

12 "Eligible person." A person recommended to receive
13 immunizations in accordance with the recommendations of the
14 Centers for Disease Control and Prevention.

15 "Facilities providing ongoing medical care." Physicians'
16 offices, public health clinics, hemodialysis centers, hospital

1 specialty-care clinics and outpatient rehabilitation programs.

2 "Hospital." An institution licensed as a hospital by the
3 Department of Health pursuant to Chapter 8 of the act of July
4 19, 1979 (P.L.130, No.48), known as the Health Care Facilities
5 Act.

6 Section 3. Vaccination offered to eligible persons.

7 (a) General rule.--When an eligible person is admitted to a
8 hospital for a period of more than 24 hours for a condition
9 unrelated to the influenza virus, he or she shall be informed
10 that a vaccination for the influenza virus is available and
11 provided the opportunity to receive vaccination against the
12 influenza virus prior to discharge from the hospital.

13 Immunization shall be conducted in accordance with the
14 recommendations of the Advisory Committee on Immunization
15 Practices of the Centers for Disease Control and Prevention.

16 (b) Other facilities to offer vaccination.--Vaccination for
17 the influenza virus shall also be offered to an eligible person
18 at facilities providing ongoing medical care to the extent
19 possible as determined by the facility. If the facility
20 determines it is not possible to provide the vaccine,
21 information shall be provided to the patient on other options
22 for obtaining the vaccine.

23 (c) Time frame for availability of influenza vaccine.--The
24 influenza vaccine shall be made available for eligible persons
25 during the months of October and November. Vaccination efforts
26 may continue into December and later based on availability of
27 the vaccine.

28 (d) Protocols.--Vaccines may be administered under
29 institution-approved or physician-approved protocols after an
30 assessment has been made for contraindications.

1 (e) Responsibility of person administering vaccine.--It
2 shall be the responsibility of the person administering the
3 vaccine to inquire as to whether the eligible person has already
4 received a vaccination against the influenza virus.

5 (f) Documentation of vaccine.--Receipt of the vaccination
6 shall be documented on the patient's chart and made a part of
7 the patient's permanent record at the hospital or other
8 facility.

9 Section 4. Responsibilities of department.

10 (a) Promulgation of regulations.--The department may
11 promulgate regulations relating to this act, taking into
12 consideration the recommendations of the Advisory Committee on
13 Immunization Practices of the Centers for Disease Control and
14 Prevention.

15 (b) Educational materials.--The department shall make
16 available educational and informational materials to all
17 hospitals and other facilities providing ongoing medical care
18 concerning vaccination against the influenza virus.

19 Section 5. Effective date.

20 This act shall take effect in 90 days.