

By: Representative Moody

To: Public Health and Welfare

HOUSE BILL NO. 1087
(As Sent to Governor)

1 AN ACT TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH TO PROVIDE
2 A VACCINATION PROGRAM FOR FIRST RESPONDERS WHO MAY BE EXPOSED TO
3 INFECTIOUS DISEASES WHEN SENT TO BIOTERRORISM OR DISASTER
4 LOCATIONS; TO PROVIDE THAT THIS PROGRAM IS SUBJECT TO THE RECEIPT
5 OF FEDERAL FUNDS; TO DIRECT THE STATE DEPARTMENT OF HEALTH TO
6 PROVIDE EDUCATIONAL MATERIAL ON THE AVAILABILITY OF VACCINES FOR
7 MENINGITIS AND HEPATITIS A AND B TO PUBLIC UNIVERSITIES AND
8 COLLEGES FOR DISTRIBUTION TO STUDENTS; AND FOR RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 **SECTION 1.** (1) As used in this section:

11 (a) "Department" means the Mississippi State Department
12 of Health, Bioterrorism Division;

13 (b) "Director" means the Executive Director of the
14 State Board of Health;

15 (c) "Bioterrorism" means the intentional use of any
16 microorganism, virus, infectious substance or biological product
17 that may be engineered as a result of biotechnology or any
18 naturally occurring or bioengineered component of any
19 microorganism, virus, infectious substance or biological product,
20 to cause or attempt to cause death, disease or other biological
21 malfunction in any living organism;

22 (d) "Disaster locations" means any geographical
23 location where a bioterrorism attack, terrorist attack,
24 catastrophic or natural disaster or emergency occurs;

25 (e) "First responders" means state and local law
26 enforcement personnel, fire department personnel, emergency
27 medical personnel, emergency management personnel and public works
28 personnel who may be deployed to bioterrorism attacks, terrorist
29 attacks, catastrophic or natural disasters and emergencies.



30 (2) The department shall offer a vaccination program for
31 first responders who may be exposed to infectious diseases when
32 deployed to disaster locations. The vaccinations shall include,
33 but are not limited to, hepatitis A vaccination, hepatitis B
34 vaccination, diphtheria-tetanus vaccination, influenza
35 vaccination, pneumococcal vaccination and other vaccinations when
36 recommended by the United States Public Health Service and in
37 accordance with Federal Emergency Management Directors Policy.
38 Immune globulin will be made available when necessary.

39 (3) Participation in the vaccination program shall be
40 voluntary by the first responders, except for first responders who
41 are classified as having "occupational exposure" to blood borne
42 pathogens as defined by the Occupational Safety and Health
43 Administration Standard contained at 29 CFR 1910.10300 who shall
44 be required to take the designated vaccinations or otherwise
45 required by law.

46 (4) A first responder shall be exempt from vaccinations when
47 a written statement from a licensed physician is presented
48 indicating that a vaccine is medically contraindicated for that
49 person or the first responder signs a written statement that the
50 administration of a vaccination conflicts with their religious
51 tenets.

52 (5) If there is a vaccine shortage, the director, in
53 consultation with the Governor and the Centers for Disease Control
54 and Prevention, shall give priority for vaccination to first
55 responders.

56 (6) The department shall notify first responders to the
57 availability of the vaccination program and shall provide
58 educational materials on ways to prevent exposure to infectious
59 diseases.

60 (7) The department may contract with county and local health
61 departments, not-for-profit home health care agencies, hospitals



62 and physicians to administer a vaccination program for first
63 responders.

64 (8) This section shall be effective upon receipt of federal
65 funding and/or federal grants for administering a first responders
66 vaccination program. Upon receipt of that funding, the department
67 shall make available the vaccines to first responders as provided
68 in this section.

69 **SECTION 2.** The State Department of Health shall prepare
70 written educational information on the risks associated with
71 meningitis and hepatitis A and B and the availability and
72 effectiveness of available vaccines for these diseases. The
73 department shall provide this written educational information to
74 the Board of Trustees of State Institutions of Higher Learning and
75 the State Board for Community and Junior Colleges to be used to
76 inform students about meningitis and hepatitis A and B. This
77 information shall be sent to students with their letters of
78 acceptance for admission or included in the students' admission
79 packets.

80 **SECTION 3.** This act shall take effect and be in force from
81 and after July 1, 2003.

