HOUSE BILL NO. 1087
(As Sent to Governor)

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

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

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

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

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

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

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

(e) "First responders" means state and local law
enforcement personnel, fire department personnel, emergency
medical personnel, emergency management personnel and public works
personnel who may be deployed to bioterrorism attacks, terrorist
attacks, catastrophic or natural disasters and emergencies.
(2) The department shall offer a vaccination program for first responders who may be exposed to infectious diseases when deployed to disaster locations. The vaccinations shall include, but are not limited to, hepatitis A vaccination, hepatitis B vaccination, diphtheria-tetanus vaccination, influenza vaccination, pneumococcal vaccination and other vaccinations when recommended by the United States Public Health Service and in accordance with Federal Emergency Management Directors Policy. Immune globulin will be made available when necessary.

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

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

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

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

(7) The department may contract with county and local health departments, not-for-profit home health care agencies, hospitals.
and physicians to administer a vaccination program for first responders.

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

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

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