

By: Senator(s) Huggins

To: Public Health and  
Welfare; Appropriations

SENATE BILL NO. 2753  
(As Passed the Senate)

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; TO CODIFY SECTIONS 41-2-1  
9 AND 41-2-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY ADULT OR  
10 EMANCIPATED MINOR MAY PARTICIPATE IN PUBLIC HEALTH RESEARCH IN  
11 ACCORDANCE WITH FEDERAL LAW; AND FOR RELATED PURPOSES.

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

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

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

16 (b) "Director" means the Executive Director of the  
17 State Board of Health.

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

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

28 (e) "First responders" means state and local law  
29 enforcement personnel, fire department personnel and emergency  
30 medical personnel who may be deployed to bioterrorism attacks,



31 terrorist attacks, catastrophic or natural disasters and  
32 emergencies.

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

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

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

55 (5) In the event of a vaccine shortage the director, in  
56 consultation with the Governor and the Centers for Disease Control  
57 and Prevention, shall give priority for vaccination to first  
58 responders.

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



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

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

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

81 **SECTION 3.** The following provision shall be codified as  
82 Section 41-2-1, Mississippi Code of 1972:

83 41-2-1. Any adult, as defined in Section 41-41-203(a), or  
84 emancipated minor, as defined in Section 41-41-203(e), may consent  
85 to participate as a subject in research if that research is  
86 conducted in accordance with federal law (Title 45 CFR Part 46:  
87 Protection of Human Subjects).

88 **SECTION 4.** The following provision shall be codified as  
89 Section 41-2-2, Mississippi Code of 1972:

90 41-2-2. Unemancipated minors may participate as subjects in  
91 research, if that research is conducted in accordance with federal  
92 law, with the consent of a parent or a guardian, as defined in  
93 Section 41-41-203(f).

94 **SECTION 5.** This act shall take effect and be in force from  
95 and after July 1, 2003.

