

By: Senator(s) Blackwell

To: Public Health and Welfare

SENATE BILL NO. 2170

1 AN ACT TO AMEND SECTION 41-9-39, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE EACH HOSPITAL TO OFFER IMMUNIZATIONS AGAINST THE INFLUENZA
3 VIRUS TO ALL INPATIENTS 50 YEARS OF AGE OR OLDER PRIOR TO THEIR
4 DISCHARGE; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 41-9-39, Mississippi Code of 1972, is
7 amended as follows:

8 41-9-39. (1) Each year from October 1 through March 1 and
9 in accordance with the latest recommendations of the Advisory
10 Committee on Immunization Practices of the Centers for Disease
11 Control and Prevention, each hospital shall offer, prior to
12 discharge, immunizations against influenza virus to all
13 inpatients * * * fifty (50) years of age and older unless
14 contraindicated and contingent upon the availability of the
15 vaccine.

16 (2) Any hospital, or employee thereof, shall be immune from
17 civil liability for any personal injury as a result of complying
18 or not complying with the requirements of subsection (1) if the



19 hospital or employee's action or failure to act do not amount to
20 willful or wanton misconduct or gross negligence.

21 **SECTION 2.** This act shall take effect and be in force from
22 and after July 1, 2022.

