

By: Representative Moody

To: Public Health and Welfare

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1087

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 CONDITIONAL UPON THE
5 RECEIPT OF FEDERAL FUNDS; TO REQUIRE STUDENTS WHO RESIDE IN
6 UNIVERSITY ON-CAMPUS HOUSING TO BE VACCINATED AGAINST MENINGITIS;
7 TO REQUIRE STUDENTS WHO ENROLL IN PUBLIC OR PRIVATE TWO-YEAR OR
8 FOUR-YEAR COLLEGES OR UNIVERSITIES TO BE VACCINATED AGAINST
9 HEPATITIS A AND B; AND FOR RELATED PURPOSES.

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

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

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

14 (b) "Director" means the Executive Director of the
15 State Department of Health;

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

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

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



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

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

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 of 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) The provisions of this section shall be effective only
65 upon receipt of federal funding and/or federal grants for
66 administering a first responder's vaccination program.

67 **SECTION 2.** (1) Beginning with the 2003-2004 school year, an
68 individual enrolled in an institution of higher learning who
69 resides in on-campus student housing shall be vaccinated against
70 meningitis. An individual is exempt from vaccination if, after
71 receiving detailed information from the institution of higher
72 learning on the risks associated with meningitis and the
73 availability and effectiveness of available vaccine, the
74 individual or, if the individual is a minor, the individual's
75 parent or guardian signs a written waiver stating that he or she
76 has received and reviewed the information and has chosen not to be
77 vaccinated.

78 (2) Nothing in this section shall be construed to require
79 any institution of higher learning to provide or pay for
80 vaccinations against meningitis.

81 **SECTION 3.** (1) A person enrolling as a full-time or
82 part-time student at a public or private two-year or four-year
83 college or university in this state shall present evidence of
84 vaccinations against the infectious diseases of hepatitis A and
85 hepatitis B or shall complete vaccinations within nine (9) months
86 of attendance as a condition of continued attendance at that
87 college or university, except as provided in subsection (3) of
88 this section.

89 (2) The college or university shall provide enrolling
90 persons with educational information of hepatitis A and B. The
91 college or university is not required to provide or pay for
92 vaccinations against hepatitis A and B.

93 (3) A student is exempt from vaccination if, after receiving
94 detailed information from the college or university on the risk
95 associated with hepatitis A and B and the availability and
96 effectiveness of available vaccine, the student or, if the student



97 is a minor, the student's parent or guardian signs a written
98 waiver stating that he or she has received and reviewed the
99 information and has chosen not to be vaccinated.

100 **SECTION 4.** This act shall take effect and be in force from
101 and after July 1, 2003.

