

By: Senator(s) Huggins

To: Public Health and
Welfare; AppropriationsCOMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2753

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 REQUIRE STUDENTS WHO RESIDE IN UNIVERSITY
6 ON-CAMPUS HOUSING TO BE VACCINATED AGAINST MENINGITIS; TO REQUIRE
7 STUDENTS WHO ENROLL IN PUBLIC OR PRIVATE TWO-YEAR OR FOUR-YEAR
8 COLLEGES OR UNIVERSITIES TO BE VACCINATED AGAINST HEPATITIS A AND
9 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 Mississippi State Department
13 of Health, Bioterrorism Division;

14 (b) "Director" means the Executive Director of the
15 State Board 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 locations" means any geographical
24 location where a bioterrorism attack, terrorist attack,
25 catastrophic or 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 by the first responders, except for first responders who
42 are classified as having "occupational exposure" to blood borne
43 pathogens as defined by the Occupational Safety and Health
44 Administration Standard contained at 29 CFR 1910.10300 who shall
45 be required to take the designated vaccinations or otherwise
46 required by law.

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

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

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

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



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

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

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

81 (2) Nothing in this act shall be construed to require any
82 institution of higher learning to provide or pay for vaccinations
83 against meningitis.

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

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



(3) A student shall not be required to receive a vaccination based upon one of the following:

(a) A written statement submitted to the college or university by a licensed physician indicating that the vaccine is medically contraindicated shall exempt a person from the vaccination; or

(b) A written statement submitted to the college or university by the student, or the student's parent or guardian if the student is a minor, explaining how the administration of the vaccine conflicts with the bona fide religious tenets or practices of the student, or the parent or guardian, as appropriate, except that a general philosophical or moral objection to the vaccination shall not be sufficient for an exemption on religious grounds.

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

