

2021 -- H 5097

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO CRIMINAL PROCEDURE -- VACCINATION JUMPING

Introduced By: Representatives C Lima, Casimiro, Potter, and Alzate

Date Introduced: January 22, 2021

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 11 of the General Laws entitled "CRIMINAL OFFENSES" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 70

4 VACCINATION JUMPING

5 **11-70-1. Short title.**

6 This act shall be known and may be cited as the "Prohibition on Vaccination Jumping
7 Act".

8 **11-70-2. Findings.**

9 (a) The general assembly hereby finds and declares that:

10 (1) On January 30, 2020, the World Health Organization designated the novel coronavirus,
11 COVID-19, outbreak as a public health emergency of international concern.

12 (2) On January 31, 2020 the Rhode Island department of health (department) established
13 an incident command system response to COVID-19.

14 (3) On January 31, 2020, United States Health and Human Services Secretary Alex M.
15 Azar II declared a public health emergency for the United States.

16 (4) On March 9, 2020, the governor of the state of Rhode Island issued a declaration of
17 emergency and over the course of several months issued numerous continuations of that declaration
18 of emergency.

19 (5) The declaration of emergency ordered the closure of businesses, parks, limitations of

1 social gatherings, to name just a few temporary and sometimes permanent effects of the scourge of
2 COVID-19.

3 (6) Through scientific research of unprecedented magnitude, the United States government
4 finally approved vaccines in late 2020.

5 (7) The state of Rhode Island instituted a vaccine schedule and is currently in its first phase
6 of distributing vaccines to those most susceptible and/or at risk of exposure to COVID-19.

7 (8) The distribution began on December 14, 2020 and those eligible for the first vaccines
8 included hospital staff, EMS personnel, home health and hospice workers at licensed nursing homes
9 and residents thereof.

10 (9) The general assembly further finds that institutions such as Lifespan and Care New
11 England have provided and are providing vaccinations to individuals that are not eligible under
12 phase one of the state's plan. This improper distribution results in the distributors jumping over
13 eligible recipients to those who are ineligible.

14 (10) The distribution of vaccinations to those not eligible is a blatant attempt to circumvent
15 phase one of the state's vaccination schedule and must be stopped.

16 **11-70-3. Vaccination jumping prohibited.**

17 (a) It shall be unlawful for any person, firm, corporation department of the state or any
18 other entity having authority to distribute COVID-19 vaccinations, to divert the vaccinations or
19 distribute them in violation of the state's vaccination schedule.

20 (b) Any person or employee who violates this section shall, upon conviction, be imprisoned
21 for up to three (3) years.

22 (c) Any hospital, health care facility or business entity in possession of vaccinations and
23 with the authority to distribute those vaccinations and who distributes the vaccinations in violation
24 of the state's vaccination schedule shall be punished by a fine of up to five hundred thousand dollars
25 (\$500,000) for each offense and shall have their license to operate suspended for up to one year.

26 (d) Any person who allows themselves to be vaccinated with knowledge that they are
27 ineligible to receive it in accordance with the state's vaccination schedule upon conviction shall be
28 guilty of a misdemeanor and shall be imprisoned up to six (6) months or fined up to one thousand
29 dollars (\$1,000), or both.

30 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO CRIMINAL PROCEDURE -- VACCINATION JUMPING

1 This act would make it unlawful for health care facilities or their workers to circumvent
2 the state's COVID-19 vaccination schedule.

3 This act would take effect upon passage.

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