

2021 -- H 6015

LC001376

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO HEALTH AND SAFETY -- DEPARTMENT OF HEALTH

Introduced By: Representatives Price, Nardone, and Quattrocchi

Date Introduced: February 26, 2021

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 23-1-44 of the General Laws in Chapter 23-1 entitled "Department
2 of Health" is hereby amended to read as follows:

3 **23-1-44. Routine childhood and adult immunization vaccines.**

4 (a) The department of health shall include in the department's immunization program those
5 vaccines for routine childhood immunization as recommended by the Advisory Committee for
6 Immunization Practices (ACIP) and the Academy of Pediatrics (AAP), and for routine adult
7 immunization as recommended by the ACIP, to the extent permitted by available funds. The
8 immunization program includes administrative and quality assurance services and the Rhode Island
9 Child and Adult Immunization Registry (RICAIR), a confidential, computerized information
10 system that is used to manage statewide immunizations, for all persons in Rhode Island.

11 (b) The director of the department of health shall appoint an advisory committee that will
12 be convened after the ACIP makes a recommendation regarding immunization. The committee will
13 review the ACIP recommendations for the state; assess the vaccine cost and feasibility; and advise
14 the director of health and the office of the health insurance commissioner regarding insurers and
15 providers acting on the ACIP immunization recommendation. All recommendations will be posted
16 on the department of health website. The advisory committee membership shall include, but not be
17 limited to, a primary care provider, pharmacist, representatives of the nursing home industry, the
18 home healthcare industry and major insurers.

19 (c) For the purpose of protecting patients' information, all personally-identifiable

1 information obtained pursuant to this section shall be subject to the privacy protections of chapter
2 37.3 of title 5 and the Health Insurance Portability and Accountability Act of 1996, Pub. L. No.
3 104-191 (HIPAA), as amended.

4 (d) The informed consent form shall include language that the vaccine provider has given
5 the recipient a copy of the vaccine manufacturer's package insert listing the vaccines' ingredients,
6 contraindications, potential adverse reactions, including death, as well as the vaccine maker and lot
7 number of the vial administered to the patient.

8 SECTION 2. Section 16-38-2 of the General Laws in Chapter 16-38 entitled "Offenses
9 Pertaining to Schools [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is
10 hereby amended to read as follows:

11 **16-38-2. Immunization.**

12 (a) Every person upon entering any public or private school including any college or
13 university in this state as a pupil shall furnish to the administrative head of the school evidence that
14 the person has been immunized against any diseases that may from time to time be prescribed by
15 regulation of the director of health and tested for tuberculosis, or a certificate from a licensed
16 physician stating that the person is not a fit subject for immunization for medical reasons, or a
17 certificate signed by the pupil, if over eighteen (18) years of age, or by the parent or guardian stating
18 that immunization and/or testing for communicable diseases is contrary to that person's religious
19 beliefs. It shall be the responsibility of the administrative head of the school to secure compliance
20 with these regulations.

21 (b) The informed consent form shall include language that the vaccine provider has given
22 the recipient a copy of the vaccine manufacturer's package insert listing the vaccines' ingredients,
23 contraindications, potential adverse reactions, including death, as well as the vaccine maker and lot
24 number of the vial administered to the patient.

25 ~~(b)~~(c) Every child more than twenty-four (24) months of age, resident in the state of Rhode
26 Island, shall be eligible to receive the immunization against meningococcal disease. The
27 Department of Health shall include meningococcal vaccine in the department's immunization
28 program, established by § 23-1-44.

29 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would require the immunization informed consent form to include language that
2 the vaccine provider has given the recipient a copy of the vaccine manufacturer's package insert
3 listing the vaccines' ingredients, contraindications, potential adverse reactions, including death, as
4 well as the vaccine maker and lot number.

5 This act would take effect upon passage.

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