

ENGROSSED SENATE
BILL NO. 734

BY: CAIN, HORNER and
MILES-LaGRANGE of the
SENATE

and

ROSS of the HOUSE

[CHILDHOOD VACCINES - CHILDHOOD VACCINE ACT -
CODIFICATION -

EFFECTIVE DATE]

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 420 of Title 10, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Childhood Vaccine Act."

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 421 of Title 10, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Department" means the State Department of Health;
2. "Covered vaccine" means such vaccines as are recommended by guidelines of the Centers for Disease Control or the American Academy of Pediatrics to be administered to a child. Such term shall also include, without limitation, the following specific vaccines:

- a. diphtheria-tetanus-pertussis (DTP),

- b. oral polio vaccine (OPV) or intramuscular polio vaccine (IPV),
- c. measles-mumps-rubella (MMR),
- d. Haemophilus influenzae type b conjugate vaccines (Hib), and
- e. pneumococcal vaccine, when medically indicated;

3. "Practitioner" means a doctor of medicine, doctor of osteopathy or other person who is permitted and otherwise qualified to administer vaccines under the laws of this state; and

4. "Vaccine administrator" means any licensed health care professional, organization or institution, whether public or private, including federal, state and local departments, agencies, and instrumentalities, who administers a covered vaccine or under whose authority a covered vaccine is administered.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 422 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. The State Board of Health shall promulgate rules establishing procedures and guidelines necessary to achieve the purposes of this act.

B. The State Department of Health shall:

1. Bulk-purchase covered vaccines in sufficient quantity to achieve the purposes of this act;

2. Secure and maintain such facilities as may be necessary for the safe and adequate preservation and storage of such vaccines;

3. Distribute, at cost, such vaccines to practitioners who qualify under Section 4 of this act.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 423 of Title 10, unless there is created a duplication in numbering, reads as follows:

A. In order to receive covered vaccines for administration to children pursuant to this act, a practitioner shall agree:

1. To impose on the child recipient, the parents of the child, a third-party payor, or any other person, only such actual costs charged to the practitioner by the State Department of Health for such vaccine; and

2. To provide documentation to the State Department of Health detailing the vaccines administered, the dates of administration and the names and dates of birth of the children to whom administered.

B. Nothing in this section shall be construed to prohibit a practitioner from charging a reasonable administration fee in connection with administration of a covered vaccine.

C. Implementation of the provisions of this act shall be contingent upon the availability of funding.

SECTION 5. This act shall become effective September 1, 1992.

Passed the Senate the 26th day of February, 1992.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1992.

Speaker of the House of Representatives