

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

SENATE BILL 696

By: Wilkerson

AS INTRODUCED

An Act relating to public health and safety; defining terms; directing the State Department of Health to offer certain vaccinations to certain law enforcement and emergency personnel; requiring certain personnel to be vaccinated; providing exemption; stating priority; directing notification; providing for certain contract; making implementation contingent on receipt of certain federal funds; providing for codification; and declaring an emergency.

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 1-560 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Department" means the State Department of Health;

2. "Commissioner" means the Commissioner of the State Department of Health;

3. "Bioterrorism" means the intentional use of any microorganism, virus, infectious substance or biological product that may be engineered as a result of biotechnology or any naturally occurring or bioengineered component of any microorganism, virus, infectious substance or biological product, to cause or attempt to cause death, disease or other biological malfunction in any living organism;

4. "Disaster locations" means any geographical location where a bioterrorism attack, terrorist attack, catastrophic or natural disaster or emergency occurs; and

5. "First responders" means state and local law enforcement personnel, fire department personnel, and emergency medical personnel who will be deployed to bioterrorism attacks, terrorist attacks, catastrophic or natural disasters and emergencies.

B. The Department shall offer a vaccination program for first responders who may be exposed to infectious diseases when deployed to disaster locations. The vaccinations will include, but are not limited to, Hepatitis A Vaccination, Hepatitis B Vaccination, Diphtheria-Tetanus Vaccination, Influenza Vaccination, Pneumococcal Vaccination and other vaccinations when recommended by the U. S. Public Health Service and in accordance with Federal Emergency Management Directors Policy. Immune globulin will be made available when necessary.

C. Participation in the vaccination program will be voluntary by the first responders, except for first responders who are classified as having "occupational exposure" to bloodborne pathogens as defined by the Occupational Safety and Health Administration Standard contained at 29 CFR 1910.1030 who shall be required to take the designated vaccinations or who are otherwise required by law to be vaccinated.

D. A first responder shall be exempt from vaccinations when a written statement from a licensed physician is presented indicating that a vaccine is medically contraindicated for that person or the first responder signs a written statement that the administration of a vaccination conflicts with the first responder's religious tenets.

E. In the event of a vaccine shortage, the Commissioner, in consultation with the Governor and the Centers for Disease Control and Prevention, shall give priority for vaccination to first responders.

F. The Department shall notify first responders of the availability of the vaccination program and shall provide

educational materials on ways to prevent exposure to infectious diseases.

G. The Department may contract with county and local health departments, not-for-profit home health care agencies, hospitals and physicians to administer a vaccination program for first responders.

H. The provisions of this section shall not be implemented until receipt by the state of Oklahoma of federal funding or federal grants for administering a first responders vaccination program. Upon receipt of the funding, the Department shall make available the vaccines to first responders as provided herein.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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