

CS FOR HOUSE BILL NO. 310(FIN)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered: 4/4/12

Referred: Rules

Sponsor(s): REPRESENTATIVES HERRON, Peggy Wilson, Costello, Gruenberg, Edgmon, Holmes, Doogan, Gara, Gardner, Millett, Pruitt

A BILL

FOR AN ACT ENTITLED

1 **"An Act temporarily reinstating the child and adult immunization program in the**
2 **Department of Health and Social Services; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
5 to read:

6 CHILD AND ADULT IMMUNIZATION PROGRAM; LEGISLATIVE INTENT
7 AND PURPOSE. (a) The legislature intends, by establishing the child and adult immunization
8 program in sec. 2 of this Act, to reinstate the program as it existed in the state and as
9 administered by the Department of Health and Social Services in 2009 by providing
10 additional state funding and authorization to fill the gap left by a reduction in federal funding
11 since that time and that resulted in a "universal select" program that fails to provide children
12 and adults who reside in the state with immunizations. The purpose of this Act is to ensure
13 that vaccines are made available to underinsured children and uninsured and underinsured
14 adults by the state.

1 (b) The program established by this Act is made temporary only to better assess the
 2 need and costs to the state of extending the full reach of the former immunization program. A
 3 failure to extend the temporary reinstatement of the immunization program by future
 4 legislatures is not intended to implicitly deauthorize a state immunization program.

5 (c) The Department of Health and Social Services may reinstitute former
 6 immunization policies and procedures consistent with this Act.

7 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
 8 read:

9 CHILD AND ADULT IMMUNIZATION PROGRAM ESTABLISHED;
 10 CONDITIONS. (a) A child and adult immunization program is established in the Department
 11 of Health and Social Services to distribute recommended vaccines to eligible providers under
 12 the conditions established in this section.

13 (b) The department shall

- 14 (1) determine provider and recipient eligibility as provided under this section;
 15 (2) adopt regulations necessary to carry out the program;
 16 (3) apply for available federal, state, and private funding needed to support the
 17 program;
 18 (4) maintain an enrollment, renewal, and eligibility verification procedure
 19 consistent with federal and state law.

20 (c) A provider of vaccinations under the program shall

- 21 (1) be licensed or exempt from licensure in the state to prescribe and
 22 administer vaccines;
 23 (2) serve residents of the state;
 24 (3) maintain accurate records of
 25 (A) screening and eligibility of recipients;
 26 (B) storage and distribution of vaccines;
 27 (4) within 10 days, notify the department of a change in staffing, procedure, or
 28 location to maintain eligibility in the program.

29 (d) Notwithstanding (c) of this section, a provider of vaccinations under the program
 30 may be a federally designated rural health clinic.

31 (e) A person is eligible to receive from an eligible provider under the program all

1 vaccines for the person's age group as provided in (f) of this section if the person is a resident
2 of the state and is uninsured or underinsured for vaccinations.

3 (f) The vaccines included in the program

4 (1) for a child under 19 years of age are all vaccines required for school
5 attendance under AS 14.30.125 and meningococcal, rotavirus, influenza, and pneumococcal
6 vaccines;

7 (2) for an adult 19 years of age or older are influenza, pneumococcal, Tdap,
8 and zoster.

9 (g) In addition to the vaccines listed in (f) of this section, the commissioner may

10 (1) add vaccines for inclusion in the program based on recommendations by
11 the federal advisory committee on immunization practices and the availability of funding;

12 (2) subtract vaccines from inclusion in the program if

13 (A) the disease for which the vaccine is provided has been declared
14 eradicated in the United States by the Centers for Disease Control and Prevention,
15 United States Department of Health and Human Services; or

16 (B) the commissioner finds that available high-grade scientific
17 evidence indicates that subtracting the vaccine from inclusion in the program will
18 result in optimal efficacy and efficiency for the benefit of residents.

19 (h) The procurement of vaccines that are provided under the program is subject to the
20 availability of funding.

21 (i) In this section,

22 (1) "commissioner" means the commissioner of health and social services;

23 (2) "department" means the Department of Health and Social Services;

24 (3) "program" means the child and adult immunization program established
25 under (a) of this section;

26 (4) "underinsured" means a person who has health insurance, but the coverage
27 excludes all or select vaccines or that includes a limit on vaccinations;

28 (5) "uninsured" means a person who is not covered by a public or private
29 health insurance policy.

30 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
31 read:

1 CHILD AND ADULT IMMUNIZATION PROGRAM; TRANSITION:
2 REGULATIONS. The Department of Health and Social Services may adopt regulations
3 necessary to implement the changes made by this Act. The regulations take effect under
4 AS 44.62 (Administrative Procedure Act), but not before the effective date of the law
5 implemented by the regulations.

6 * **Sec. 4.** This Act is repealed June 30, 2015.

7 * **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).