

HOUSE BILL NO. 310

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SEVENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES HERRON, Peggy Wilson, Costello, Gruenberg, Edgmon, Holmes

Introduced: 2/1/12

Referred: Health and Social Services, Finance

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 recommended immunizations. The purpose of this Act
13 is to ensure that select recommended vaccines are made available to underinsured children
14 and uninsured and underinsured 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 recommended vaccines for the person's age group as provided in (f) of this section if the
2 person is a resident of the state and is uninsured or underinsured for vaccinations.

3 (f) The recommended vaccines included in the program

4 (1) for a child under 19 years of age are all vaccines approved by the
5 commissioner, except that the commissioner may not approve meningococcal and human
6 papillomavirus vaccines; when approving vaccines under this paragraph, the commissioner
7 shall consider the recommendations of the federal advisory committee on immunization
8 practices;

9 (2) for an adult 19 years of age or older are influenza, pneumococcal, and
10 Tdap.

11 (g) In addition to the vaccines listed in (f) of this section, the commissioner may add
12 or subtract vaccines for inclusion in the program based on nationally recognized public health
13 standards and the availability of funding.

14 (h) In this section,

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

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

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

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

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

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

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

30 * **Sec. 4.** This Act is repealed June 30, 2015.

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