

SECOND REGULAR SESSION

HOUSE BILL NO. 2104

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BERKOWITZ, BARRY, HILGEMANN, COPENHAVER,
WILSON (42), RICHARDSON AND LUETKEMEYER (Co-sponsors).

Read 1st time March 5, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

4691L.01I

AN ACT

To amend chapter 198, RSMo, by adding thereto one new section relating to availability of certain vaccinations for residents in long-term care facilities.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 198, RSMo, is amended by adding thereto one new section, to be
2 known as section 198.074, to read as follows:

**198.074. 1. Every long-term care facility licensed pursuant to this chapter shall
2 offer residents the opportunity to be vaccinated for influenza and pneumonia at the facility
3 on an annual basis or upon admission to the facility. Nothing in this section shall be
4 construed as requiring such facilities to administer such vaccinations, but shall make
5 available or contract with persons who will administer the vaccinations.**

**6 2. The department of health and senior services shall prescribe by rule the manner
7 by which long-term care facilities will document compliance with this section, including
8 documenting residents who decline such vaccinations. The department shall not discipline
9 the license of a facility for not offering such vaccinations if there is a shortage of such
10 vaccines in this state as determined by the director of the department.**

**11 3. No rule or portion of a rule promulgated under the authority of this section shall
12 become effective unless it has been promulgated pursuant to chapter 536, RSMo.**