

FIRST REGULAR SESSION

HOUSE BILL NO. 131

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHAAF.

Pre-filed December 22, 2004 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0713L.011

AN ACT

To amend chapter 191, RSMo, by adding thereto one new section relating to administration of immunizations with mercury preservatives.

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

Section A. Chapter 191, RSMo, is amended by adding thereto one new section, to be
2 known as section 191.235, to read as follows:

**191.235. 1. Beginning January 1, 2007, immunizations administered in the state of
2 Missouri to children less than eight years of age shall not contain any mercury
3 preservatives, including but not limited to thimerosal. The Food and Drug
4 Administration's designation as thimerosal free or trace only shall comply with this section.
5 All other persons receiving immunizations that are not designated as thimerosal free or
6 trace only shall be informed in advance that it contains a mercury-based preservative.**

**7 2. Beginning January 1, 2007, any insurer doing business in the state of Missouri
8 that provides insurance coverage for immunizations on a fee schedule or on a percentage
9 reimbursement basis shall reimburse for immunizations not containing mercury at the
10 same percentage rate of the usual and customary charges which were provided for
11 immunizations containing mercury or other preservatives immediately prior to January
12 1, 2007.**

**13 3. The director of the department of health and senior services shall receive
14 exemption from compliance with this section by providing documentation of an outbreak
15 requiring a public vaccination program for which there does not exist a sufficient supply
16 of vaccine free of mercury preservative, as required in subsection 1 of this section. The**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **duration of such exemption shall be determined by the director. Such documentation shall**
18 **be submitted to the chairs of committees of the house of representatives and the senate**
19 **whose jurisdiction covers public health policy. Persons receiving an exempted**
20 **immunization shall be informed in advance that it contains a mercury-based preservative.**