

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]

HOUSE BILL NO. 413

93RD GENERAL ASSEMBLY

1150L.01T

2005

AN ACT

To amend chapter 190, RSMo, by adding thereto one new section relating to a bioterrorism vaccination program for first responders deployed to disaster locations, with an emergency clause.

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

Section A. Chapter 190, RSMo, is amended by adding thereto one new section, to be
2 known as section 190.091, to read as follows:

190.091. 1. As used in this section, the following terms mean:

- 2 (1) **"Bioterrorism"**, the intentional use of any microorganism, virus, infectious
3 substance, or biological product that may be engineered as a result of biotechnology or any
4 naturally occurring or bioengineered component of any microorganism, virus, infectious
5 substance, or biological product to cause death, disease, or other biological malfunction in
6 a human, an animal, a plant, or any other living organism to influence the conduct of
7 government or to intimidate or coerce a civilian population;
- 8 (2) **"Department"**, the Missouri department of health and senior services;
- 9 (3) **"Director"**, the director of the department of health and senior services;
- 10 (4) **"Disaster locations"**, any geographical location where a bioterrorism attack,
11 terrorist attack, catastrophic or natural disaster, or emergency occurs;
- 12 (5) **"First responders"**, state and local law enforcement personnel, fire department
13 personnel, and emergency medical personnel who will be deployed to bioterrorism attacks,
14 terrorist attacks, catastrophic or natural disasters, and emergencies.

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.

15 **2. The department shall offer a vaccination program for first responders who may**
16 **be exposed to infectious diseases when deployed to disaster locations as a result of a**
17 **bioterrorism event or a suspected bioterrorism event. The vaccinations shall include, but**
18 **are not limited to, smallpox, anthrax, and other vaccinations when recommended by the**
19 **federal Centers for Disease Control and Prevention's Advisory Committee on**
20 **Immunization Practices.**

21 **3. Participation in the vaccination program shall be voluntary by the first**
22 **responders, except for first responders who, as determined by their employer, cannot safely**
23 **perform emergency responsibilities when responding to a bioterrorism event or suspected**
24 **bioterrorism event without being vaccinated. The recommendations of the Centers for**
25 **Disease Control and Prevention's Advisory Committee on Immunization Practices shall be**
26 **followed when providing appropriate screening for contraindications to vaccination for**
27 **first responders. A first responder shall be exempt from vaccinations when a written**
28 **statement from a licensed physician is presented to their employer indicating that a vaccine**
29 **is medically contraindicated for such person.**

30 **4. If a shortage of the vaccines referred to in subsection 2 of this section exists**
31 **following a bioterrorism event or suspected bioterrorism event, the director, in**
32 **consultation with the governor and the federal Centers for Disease Control and Prevention,**
33 **shall give priority for such vaccinations to persons exposed to the disease and to first**
34 **responders who are deployed to the disaster location.**

35 **5. The department shall notify first responders concerning the availability of the**
36 **vaccination program described in subsection 2 of this section and shall provide education**
37 **to such first responders and their employers concerning the vaccinations offered and the**
38 **associated diseases.**

39 **6. The department may contract for the administration of the vaccination program**
40 **described in subsection 2 of this section with health care providers, including but not**
41 **limited to, local public health agencies, hospitals, federally qualified health centers, and**
42 **physicians.**

43 **7. The provisions of this section shall become effective upon receipt of federal**
44 **funding or federal grants which designate that the funding is required to implement**
45 **vaccinations for first responders in accordance with the recommendations of the federal**
46 **Centers for Disease Control and Prevention's Advisory Committee on Immunization**
47 **Practices. Upon receipt of such funding, the department shall make available the vaccines**
48 **to first responders as provided in this section.**

 Section B. Because immediate action is necessary to ensure the safety of all first
2 responders, section A of this act is deemed necessary for the immediate preservation of the

3 public health, welfare, peace, and safety, and is hereby declared to be an emergency act within
4 the meaning of the constitution, and section A of this act shall be in full force and effect upon
5 its passage and approval.

