

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 131**  
**93RD GENERAL ASSEMBLY**

---

Reported from the Committee on Health Care Policy February 23, 2005, with recommendation that the House Committee Substitute for House Bill No. 131 Do Pass.

STEPHEN S. DAVIS, Chief Clerk

0713L.04C

---

**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 shall not contain any mercury preservatives, including but not limited to**  
3 **thimerosal. The Food and Drug Administration's January 2005 designation as thimerosal**  
4 **free or trace only shall comply with this section. All other persons receiving immunizations**  
5 **that are not designated as thimerosal free or trace only shall be informed in advance that**  
6 **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**

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.

16 of vaccine free of mercury preservative, as required in subsection 1 of this section. The  
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.