

AN ACT

relating to a study on the feasibility of providing vaccines to first responders deployed to a disaster area.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. (a) In this Act:

(1) "Department" means the Department of State Health Services.

(2) "Disaster" means:

(A) a public health disaster as defined by Section 81.003, Health and Safety Code;

(B) a natural or man-made disaster;

(C) a terrorist attack;

(D) a hostile military or paramilitary action;

(E) an extraordinary law enforcement emergency;

or

(F) any other state of disaster declared under Chapter 418, Government Code.

(3) "First responder" has the meaning assigned by Section 421.095, Government Code.

(b) The department shall conduct a study to determine the feasibility of providing vaccines to:

(1) a first responder who may be exposed to vaccine-preventable diseases during the responder's deployment to a disaster area; and

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1 (2) the immediate family members of a first responder
2 to whom the first responder may transmit a vaccine-preventable
3 disease after deployment to a disaster area.

4 (c) The study must consider the feasibility of providing the
5 following vaccines:

6 (1) the hepatitis B vaccine for first responders who
7 may be in direct contact with blood and other bodily fluids;

8 (2) a tetanus-containing vaccine; and

9 (3) other vaccines or biologicals recommended by the
10 Centers for Disease Control and Prevention for disasters.

11 (d) The department shall:

12 (1) assess the vaccination status of first responders
13 and their immediate family members in this state;

14 (2) assess workplace immunization policies and
15 insurance coverage for first responders;

16 (3) make recommendations on educating first
17 responders and their immediate family members about available
18 options to obtain immunization services, regardless of insurance
19 coverage;

20 (4) assess the current ability of the department, in
21 conjunction with local health departments, to provide vaccines to
22 first responders and their immediate family members who are
23 uninsured or underinsured;

24 (5) identify and recommend funding sources for the
25 procurement of recommended vaccines for first responders and their
26 immediate family members who are uninsured or underinsured; and

27 (6) evaluate the potential use and cost of providing

1 other biologicals, such as immune globulin, to be used in
2 conjunction with vaccines to prevent the spread of
3 vaccine-preventable diseases.

4 (e) The statewide wellness coordinator designated under
5 Subsection (a), Section 664.053, Government Code, shall assist the
6 department in obtaining data from state agencies that employ first
7 responders by:

8 (1) consulting with the wellness liaison identified
9 under Subsection (d), Section 664.053, Government Code, for a state
10 agency that employs first responders to gain study-related
11 information from the state agency;

12 (2) assessing the readiness of each state agency to
13 administer vaccines to the agency's first responders before
14 deployment to a disaster area; and

15 (3) providing to the department appropriate
16 information from state agencies regarding the current immunization
17 policies of those agencies.

18 (f) A state agency that provides data to the department for
19 purposes of the study shall ensure that the data does not identify a
20 first responder or family member of a first responder to whom the
21 data pertains.

22 (g) Not later than August 1, 2011, the department shall
23 submit to the legislature a written report containing the findings
24 of the study and the department's recommendations.

25 (h) This section expires September 1, 2011.

26 SECTION 2. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2009.

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David Dewhurst
President of the Senate

Jon Stansbury
Speaker of the House

I hereby certify that S.B. No. 1328 passed the Senate on April 16, 2009, by the following vote: Yeas 31, Nays 0.

Datsy Pau
Secretary of the Senate

I hereby certify that S.B. No. 1328 passed the House on May 26, 2009, by the following vote: Yeas 140, Nays 0, one present not voting.

Robert Haney
Chief Clerk of the House

Approved:

19 JUN '09
Date

RICK PERRY
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2PM O'CLOCK

JUN 19 2009

Colby Hunter III