

# SENATE BILL 105

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By: **The President (By Request – Administration) and Senators DeGrange,  
Garagiola, Klausmeier, Miller, and Rosapepe**

Introduced and read first time: January 22, 2007

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Statewide Advisory Commission on Immunization – Universal Vaccine**  
3 **Purchasing System**

4 FOR the purpose of expanding certain duties of the Statewide Advisory Commission  
5 on Immunizations; requiring the Commission to make certain recommendations  
6 in a certain annual report by a certain date; providing for the termination of a  
7 certain provision of this Act; and generally relating to the Statewide Advisory  
8 Commission on Immunizations.

9 BY repealing and reenacting, with amendments,  
10 Article – Health – General  
11 Section 18–214  
12 Annotated Code of Maryland  
13 (2005 Replacement Volume and 2006 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Health – General**

17 18–214.

18 (a) In this section, “vaccine” means a product intended to elicit, in humans,  
19 active or passive immunity against an infectious agent or product of an infectious  
20 agent.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1           (b)    There is a Statewide Advisory Commission on Immunizations.
- 2           (c)    The Commission consists of at least the following members:
- 3                (1)    One physician member of the Medical and Chirurgical Faculty  
4 Public Health Council;
- 5                (2)    The chairperson of the Maryland Childhood Immunization  
6 Partnership;
- 7                (3)    Two physician members of the Maryland Chapter of the American  
8 Academy of Pediatrics with experience in private practice and infectious diseases;
- 9                (4)    One physician member of the Maryland Academy of Family  
10 Physicians;
- 11               (5)    One physician member of the American College of Physicians –  
12 Internal Medicine Society of Maryland;
- 13               (6)    The executive director of the Maryland Partnership for Prevention;
- 14               (7)    One local health officer;
- 15               (8)    One representative from the Department’s Vaccines for Children  
16 Program;
- 17               (9)    One representative of the Maryland school system with knowledge  
18 of the immunizations required of children entering schools;
- 19               (10)   The Maryland State Epidemiologist;
- 20               (11)   One representative from a public health consumer advocacy group;  
21 and
- 22               (12)   One nurse practitioner.
- 23           (d)    The Secretary of the Department of Health and Mental Hygiene shall  
24 appoint the membership of the Commission, based on the recommendation of the  
25 appropriate medical society or agency.
- 26           (e)    The physician member of the Medical and Chirurgical Faculty Public  
27 Health Council shall:

- 1           (1)    Chair the Commission;
- 2           (2)    Establish subcommittees to facilitate the work of the Commission;
- 3    and
- 4           (3)    Appoint subcommittee chairs from among the Commission
- 5    members.

6           (f)    A member of the Commission may not receive compensation but is

7    entitled to reimbursement for expenses under the Standard State Travel Regulations,

8    as provided in the State budget.

9           (g)    The Department of Health and Mental Hygiene shall provide the staffing

10   for the Commission.

11          (h)    The Commission shall:

12               (1)    Determine where community vaccine shortages exist and which

13   vaccines are in short supply;

14               (2)    Develop a recommendation for a plan to effectuate the equitable

15   distribution of vaccines; and

16               (3)    Study and make recommendations about other related issues as

17   determined by the Commission, including but not limited to:

18                   (i)    Immunizations required of children entering schools in

19   times of vaccine shortage;

20                   (ii)   All available options for the purchasing of vaccines,

21   **INCLUDING THE DEVELOPMENT OF A UNIVERSAL VACCINE PURCHASING**

22   **SYSTEM, OR A SIMILAR PROGRAM TO INCREASE ACCESS TO NECESSARY**

23   **VACCINES, FOR THE STATE;**

24                   (iii)   Elimination of any vaccine distribution disparities;

25                   (iv)   A public education campaign in the event of a vaccine

26   shortage;

27                   (v)    The availability and affordability of adult and childhood

28   vaccines; and

1 (vi) Strategies to increase immunizations among those adults  
2 and children recommended to receive immunizations, including catch-up  
3 immunizations.

4 (i) On or before December 15 of each year, the Commission shall submit a  
5 report on its findings and recommendations to the Governor and, in accordance with §  
6 2-1246 of the State Government Article, to the Senate Education, Health, and  
7 Environmental Affairs Committee and the House Health and Government Operations  
8 Committee.

9 SECTION 2. AND BE IT FURTHER ENACTED, That:

10 (a) The report of the Statewide Advisory Commission on Immunizations that  
11 is due on December 15, 2007, shall contain recommendations on whether the State  
12 should consider implementing a Universal Vaccine Purchasing System or take other  
13 appropriate action to increase access to necessary vaccines.

14 (b) In developing its recommendations, the Commission shall:

15 (1) consult with all interested stakeholders;

16 (2) review the structure, cost, scope, success, and implementation  
17 issues of similar programs in other states;

18 (3) consider any existing State or federal programs or funds, or any  
19 other source of funds, that may be available to mitigate the cost and administrative  
20 burden of any proposed new program; and

21 (4) provide a range of policy, structure, cost, and scope options to be  
22 considered in any proposed new program.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 July 1, 2007. Section 2 of this Act shall remain effective for a period of 1 year and 6  
25 months and, at the end of December 31, 2008, with no further action required by the  
26 General Assembly, Section 2 of this Act shall be abrogated and of no further force and  
27 effect.