

AMENDED IN SENATE MARCH 19, 2001

SENATE BILL

No. 212

Introduced by Senator Oller

February 13, 2001

An act to add Chapter 1.1 (commencing with Section 120381) to Part 2 of Division 105 of the Health and Safety Code, relating to health, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 212, as amended, Oller. ~~Meningitis vaccinations for children~~
Meningococcal Disease.

Existing law contains various vaccination requirements related to school attendance.

~~This bill would require the State Department of Health Services, in conjunction with the State Department of Education, to develop and implement a meningitis vaccination program for all children in kindergarten and grades 1 through 12 and who are 18 years of age or younger. It would require all children to be vaccinated unless exempted in accordance with the bill.~~

~~The bill would require the program to commence operation in the first half of the 2002-03 school year to develop a Meningococcal Strategic Prevention Plan. In developing the plan the department would be required to review various scientific and medical resources, other governmental disease prevention programs, and health coverage programs.~~

~~This bill would also require the department to involve and receive input from victims of meningococcal disease and their families in the development of the plan.~~

This bill would require the department to have the plan completed and made available to the Legislature on or before December 30, 2001.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. This act shall be known, and may be cited as, the
2 ~~Meningitis Vaccination~~ *Meningococcal Strategic Prevention Act*
3 of 2001.

4 SEC. 2. ~~Chapter 1.1 (commencing with Section 120381) is~~
5 ~~added to Part 2 of Division 105 of the Health and Safety Code, to~~
6 ~~read:~~

7
8 CHAPTER 1.1. ~~MENINGITIS VACCINATION PROGRAM~~
9

10 ~~120381. (a) The State Department of Health Services shall,~~
11 ~~in conjunction with the State Department of Education, develop~~
12 ~~and implement a statewide meningitis vaccination program for~~
13 ~~children in kindergarten and grades 1 through 12 who are 18 years~~
14 ~~of age or younger.~~

15 ~~(b) The State Department of Health Services shall develop a~~
16 ~~program plan, in order to permit the program to be implemented~~
17 ~~commencing in the first half of the 2002-03 school year.~~

18 ~~120381.1. (a) Subject to the availability of vaccinations, all~~
19 ~~children shall be required to be vaccinated under the program,~~
20 ~~except as provided for in subdivision (b).~~

21 ~~(b) A child shall not be vaccinated if his or her parent or~~
22 ~~guardian, or, in the case of a child who is either 18 years of age or~~
23 ~~a legally emancipated minor, the child, signs a form providing for~~
24 ~~an exemption from vaccination under this program. The form shall~~
25 ~~be developed by the State Department of Health Services and shall~~
26 ~~contain information about the meningitis vaccination and the need~~
27 ~~for the program.~~

28 ~~120381.2. The program plan required by subdivision (b) of~~
29 ~~Section 120381 shall include provisions addressing all of the~~
30 ~~following:~~

31 ~~(a) The availability and cost of the vaccine.~~



~~(b) The logistics of providing the vaccinations.~~

~~(c) Priority for the provision of vaccinations. Highest priority shall be given to the oldest children eligible for vaccinations.~~

~~(d) Fees for vaccinations, as well as funding options for uninsured children whose parents are unable to pay for the vaccinations.~~

~~(e) Exemptions from vaccinations as prescribed by Section 120381.1.~~

SEC. 3.—*(a) The Legislature finds and declares:*

(1) Invasive meningococcal infection is a serious and sometimes fatal disease that most often affects children and young adults.

(2) There are some meningitis strains that can be prevented through the use of currently available vaccines.

(b) It is the intent of the Legislature that:

(1) The State Department of Health Services develop a strategic plan to address this devastating disease.

(2) Local public health agencies are encouraged to periodically sponsor meningococcal vaccination days in local communities.

(3) In making the vaccine accessible it is not the intent of the Legislature that the vaccine be purchased with public funds at this time, although purchase of the vaccine with public funds may be a recommendation of the strategic plan.

SEC. 3. Chapter 1.1 (commencing with Section 120381) is added to Part 2 of Division 105 of the Health and Safety Code, to read:

CHAPTER 1.1. MENINGOCOCCAL PREVENTION ACT OF 2001

120381. (a) The State Department of Health Services shall develop a Meningococcal Strategic Prevention Plan.

(b) The plan shall include, but not be limited to, a review of all of the following:

(1) The current scientific literature on meningococcal disease.

(2) Experiences of other states and governmental jurisdictions in the prevention of meningococcal disease and prevention programs for diseases similar to tuberculosis and hepatitis.

(3) The potential role of age specific vaccination programs.

(4) The availability of vaccines.



1 (5) *The application and roles of other governmental programs.*

2 (6) *Current health plan coverages and other health insurance*
3 *products.*

4 (c) *The victims of meningococcal disease and their families*
5 *shall be involved and have input in the development of the plan.*

6 (d) *The department shall encourage public and private medical*
7 *entities to cooperate with each other to make meningococcal*
8 *vaccines accessible and provide any currently available vaccine*
9 *for families who desire their children to be inoculated.*

10 (e) *The plan shall be completed and made available to the*
11 *Legislature on or before December 30, 2001.*

12 SEC. 4. This act is an urgency statute necessary for the
13 immediate preservation of the public peace, health, or safety
14 within the meaning of Article IV of the Constitution and shall go
15 into immediate effect. The facts constituting the necessity are:

16 ~~In order to enable a statewide meningitis vaccination program~~
17 ~~to be developed and implemented the first semester of the 2002-03~~
18 ~~school year, it is necessary that this act go into immediate effect.~~

19 *In order to enable the Meningococcal Strategic Prevention Plan*
20 *required by this act to be developed for the protection of public*
21 *safety as soon as possible, it is necessary that this act go into*
22 *immediate effect.*

