

**ASSEMBLY BILL**

**No. 2069**

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**Introduced by Assembly Member Maienschein**

February 20, 2014

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An act to add Section 120392.10 to the Health and Safety Code, relating to health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2069, as introduced, Maienschein. Health facilities: influenza.

Under existing law, the State Department of Public Health licenses and regulates various types of health facilities, including general acute care hospitals.

Existing law requires a general acute care hospital, as defined, to offer, each year commencing with October 1 to the following April 1, inclusive, prior to discharge, immunizations for influenza and pneumococcal disease to inpatients, 65 years of age or older, based upon the adult immunization recommendations of the Advisory Committee on Immunization Practices of the federal Centers for Disease Control and Prevention, and the recommendations of appropriate entities for the prevention, detection, and control of influenza outbreaks in California general acute care hospitals, pursuant to the hospital's standardized procedures and if the hospital has the vaccine in its possession.

This bill, in addition, would require each general acute care hospital to offer prior to discharge onsite vaccinations for influenza to inpatients who are children 6 months to 59 months of age and persons 50 years to 64 years of age, annually, beginning no later than October 1 and ending on the following April 1, except when there is a state vaccine shortage or when a physician does not recommend that the patient

receive an influenza vaccine due to potential health hazards, pursuant to the standardized procedures of the hospital, if it has the vaccine in its possession, and in accordance with the recommendations of the Advisory Committee on Immunization Practices of the federal Centers for Disease Control and Prevention of the United States Department of Health and Human Services, as specified. This bill would also require a general acute care hospital that offers vaccinations pursuant to the above-described provision to inform each inpatient that he or she may be required to pay for the cost of the vaccination.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

1 SECTION 1. Section 120392.10 is added to the Health and  
2 Safety Code, immediately following Section 120392.9, to read:  
3 120392.10. (a) Pursuant to its standardized procedures and if  
4 it has the vaccine in its possession, each general acute care hospital,  
5 as defined in subdivision (a) of Section 1250, shall annually,  
6 beginning no later than October 1 and ending on the following  
7 April 1, except when there is a state vaccine shortage or when a  
8 physician does not recommend that the patient receive an influenza  
9 vaccine due to potential health hazards, offer prior to discharge  
10 onsite vaccinations for influenza to inpatients who are children six  
11 months to 59 months of age and persons 50 years to 64 years of  
12 age, in accordance with the recommendations of the Advisory  
13 Committee on Immunization Practices of the federal Centers for  
14 Disease Control and Prevention of the United States Department  
15 of Health and Human Services, and the recommendations of  
16 appropriate entities for the prevention, detection, and control of  
17 influenza outbreaks in California general acute care hospitals as  
18 the recommendations exist and are annually updated, if applicable,  
19 on January 1 of the year in which the vaccine is offered. Nothing  
20 in this section shall be construed to require a hospital to cover the  
21 cost of a vaccination provided pursuant to this section.  
22 (b) A general acute care hospital that offers vaccinations  
23 pursuant to subdivision (a) shall inform each inpatient that he or  
24 she may be required to pay for the cost of the vaccination.

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