

AMENDED IN ASSEMBLY MARCH 20, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2069

Introduced by Assembly Member Maienschein

February 20, 2014

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

LEGISLATIVE COUNSEL'S DIGEST

AB 2069, as amended, 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~~ *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; provide, prior to discharge, educational information regarding influenza disease and the availability of a vaccine~~

to protect against the influenza virus to persons who are between 6 months and 64 years of age, inclusive, 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 chooses to offer influenza vaccinations to patients who are between 6 months and 64 years of age, inclusive, 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; *provide, prior to discharge, educational information regarding*
 13 *influenza disease and the availability of a vaccine to protect against*
 14 *the influenza virus to persons who are between 6 months and 64*
 15 *years of age, inclusive. The educational information provided shall*
 16 *be in accordance with the recommendations of the Advisory*
 17 *Committee on Immunization Practices of the federal Centers for*
 18 *Disease Control and Prevention of the United States Department*
 19 *of Health and Human Services, and the recommendations of*
 20 *appropriate entities for the prevention, detection, and control of*

1 influenza outbreaks in California general acute care hospitals as
2 the recommendations exist and are annually updated, if applicable,
3 on January 1 of the year in which the ~~vaccine is offered~~ *educational*
4 *information is provided*. Nothing in this section shall be construed
5 to require a hospital to cover the cost of a vaccination ~~provided~~
6 ~~pursuant to this section~~ *if a hospital chooses to offer the influenza*
7 *vaccine to inpatients who are between 6 months and 64 years of*
8 *age, inclusive*.

9 (b) A general acute care hospital that ~~offers vaccinations~~
10 ~~pursuant to subdivision (a)~~ *chooses to offer influenza vaccinations*
11 *to patients who are between 6 months and 64 years of age,*
12 *inclusive*, shall inform each inpatient that he or she may be required
13 to pay for the cost of the vaccination.