

Bill Number: OK51RSB 1407

Date: 02-22-2008

SENATE FLOOR VERSION

THE STATE SENATE

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Wednesday, February 20, 2008

Senate Bill No. 1407

As Amended

SB 1407

SENATE BILL NO. 1407 - By: GUMM of the Senate and COX of the House.

~~[public health - prohibiting use of certain vaccines - codification - effective date]~~

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6060.4a of Title 36, unless there is created a duplication in numbering, reads as follows:

Any individual or group health benefit plan, including the State and Education Employees Group Health Insurance Plan, that is offered, issued, or renewed in this state on or after January 1, 2009, shall reimburse for immunizations not containing mercury at the same percentage rate of the usual and customary charges which were provided for immunizations containing mercury or other preservatives immediately prior to January 1, 2009.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 490 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. Beginning January 1, 2009, vaccines administered in this state to children less than three (3) years of age and knowingly

1 pregnant women shall not contain more than 0.5 micrograms of mercury
2 per 0.5 milliliter dose, except as provided in subsection B of this
3 section.

4 B. Beginning January 1, 2009, influenza vaccines administered
5 in this state to children less than three (3) years of age and
6 knowingly pregnant women shall not contain more than 0.625
7 micrograms of mercury per 0.25 milliliter dose.

8 C. The State Commissioner of Health may exempt the use of a
9 vaccine from the provisions of this act if the Commissioner finds
10 that an actual or potential public health emergency, including an
11 epidemic, outbreak or shortage, for which there does not exist a
12 sufficient supply of vaccine that complies with subsection A of this
13 section that would prevent children less than three (3) years of age
14 or knowingly pregnant women from receiving the needed vaccine. The
15 exemption shall meet all of the following conditions:

16 1. The exemption shall not be issued for more than three (3)
17 months;

18 2. At the end of the effective period of any exemption, the
19 Commissioner may issue another exemption for up to three (3) months
20 from the same incident or public health emergency if the
21 Commissioner makes a determination that the exemption is necessary
22 as set forth in this act; and

23 3. Upon issuing an exemption, the Commissioner shall, within
24 forty-eight (48) hours, notify the State Board of Health, the
25 Governor and the Legislature about any exemption and about the
26 Commissioners findings justifying the exemption.

27 SECTION 3. This act shall become effective November 1, 2008.

1 COMMITTEE REPORT BY: COMMITTEE ON RETIREMENT & INSURANCE,
2 dated 2-14-08 - DO PASS, As Amended and Coauthored.
3 Req. No. *Req. No.*\Page 2
4 SB1407 SFLR1State Senate
5 (Bold face denotes Committee Amendments)