

House File 297 - Introduced

HOUSE FILE 297

BY SHIPLEY

A BILL FOR

1 An Act relating to the provision of informed consent prior to
2 the administration of a vaccine.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 135.39E Informed consent —
2 administration of vaccines.

3 A health professional who administers vaccines shall provide
4 all of the following information to a person or, if the person
5 is a minor, to the person's parent or legal guardian, before
6 administering a vaccine:

7 1. The benefits and risks of the vaccine.

8 2. The vaccine manufacturer's product insert.

9 3. The centers for disease control and prevention of the
10 United States department of health and human services excipient
11 and media summary for the vaccine.

12 4. How to report a vaccine-adverse event.

13 Sec. 2. Section 139A.8, subsection 8, Code 2019, is amended
14 to read as follows:

15 8. The department, in consultation with the director
16 of the department of education, shall adopt rules for the
17 implementation of this section and shall provide those rules to
18 local school boards and local boards. The rules shall include
19 required compliance with the informed consent provisions
20 specified pursuant to section 135.39E.

21 Sec. 3. Section 139A.26, subsection 1, Code 2019, is amended
22 to read as follows:

23 1. Each institution of higher education that has an
24 on-campus residence hall or dormitory shall provide vaccination
25 information on meningococcal disease to each student enrolled
26 in the institution. The vaccination information shall be
27 contained on student health forms provided to each student
28 by the institution, which forms shall include space for the
29 student to indicate whether or not the student has received the
30 vaccination against meningococcal disease. The vaccination
31 information about meningococcal disease shall include any
32 recommendations issued by the national centers for disease
33 control and prevention regarding the disease. The vaccination
34 information shall also include the requirements regarding
35 informed consent as specified pursuant to section 135.39E.

1 Vaccination information obtained under [this section](#) that is in
2 the possession of an institution of higher education pursuant
3 to [this section](#) shall not be considered a public record. Data
4 obtained under [this section](#) shall be submitted annually to the
5 department in a manner prescribed by the department and such
6 that no individual person can be identified.

7 Sec. 4. Section 155A.44, subsection 2, Code 2019, is amended
8 to read as follows:

9 2. The board shall adopt rules requiring pharmacists to
10 complete training pursuant to continuing education requirements
11 and establish protocols for the review of prescriptions and
12 administration of vaccines and immunizations. The rules shall
13 allow a licensed pharmacist who has completed the required
14 training to administer vaccines and immunizations in accordance
15 with the rules of the board and shall include the United States
16 centers for disease control and prevention's protocol for the
17 administration of the vaccinations and immunizations. The
18 rules shall include required compliance with the informed
19 consent provisions specified pursuant to section 135.39E.

20 Sec. 5. Section 155A.46, subsection 2, paragraph c, Code
21 2019, is amended to read as follows:

22 c. Complete continuing pharmacy education related to
23 statewide protocols recognized and approved by the board. The
24 statewide protocols shall include required compliance with
25 the informed consent provisions specified pursuant to section
26 135.39E.

27 Sec. 6. Section 239B.12, subsection 1, Code 2019, is amended
28 to read as follows:

29 1. To the extent feasible, the department shall determine
30 the immunization status of children receiving assistance under
31 this chapter. The status shall be determined in accordance
32 with the immunization recommendations adopted by the Iowa
33 department of public health under [section 139A.8](#), including the
34 exemption provisions in [section 139A.8, subsection 4](#). If the
35 department determines a child is not in compliance with the

1 immunization recommendations, the department shall refer the
2 child's parent or guardian to a local public health agency for
3 immunization services for the child and other members of the
4 child's family. Immunization services under this section shall
5 comply with the informed consent provisions specified pursuant
6 to section 135.39E.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with
9 the explanation's substance by the members of the general assembly.

10 This bill requires that a health professional who
11 administers vaccines shall provide certain information to a
12 person or, if the person is a minor, to the person's parent
13 or legal guardian, before administering a vaccine. The
14 information to be provided includes: the benefits and risks
15 of the vaccine; the vaccine manufacturer's product insert; the
16 federal excipient and media summary for the vaccine; and how
17 to report a vaccine-adverse event. The bill makes conforming
18 changes throughout the Code to reflect the required informed
19 consent provision in the administration of vaccines.