

**Senate File 2156 - Introduced**

SENATE FILE 2156

BY GUTH

**A BILL FOR**

1 An Act relating to information to be provided, recorded,  
2 and reported by health care providers relative to certain  
3 vaccinations, and providing penalties.

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

1 Section 1. NEW SECTION. 135.39F Vaccinations — health care  
2 provider requirements — penalties.

3 1. For the purposes of this section:

4 a. "*Health care provider*" means any licensed health care  
5 professional, organization, or institution, whether public  
6 or private, including federal, state, and local departments,  
7 agencies, and instrumentalities, under whose authority a  
8 licensed or emergency use vaccine is administered.

9 b. "*Health profession board*" means a profession board  
10 designated pursuant to section 147.13.

11 c. "*Vaccine injury table*" means the vaccine injury table  
12 created and revised pursuant to 42 U.S.C. §300aa-14.

13 2. The department shall collaborate with each health  
14 profession board to ensure that a health care provider under  
15 the purview of the department or a health profession board  
16 is aware of and complies with the requirements of 42 U.S.C.  
17 §300aa-25 and 42 U.S.C. §300aa-26, including all of the  
18 following:

19 a. That, prior to the patient receiving the vaccine, the  
20 health care provider provides an adult patient, or the parent  
21 or legal representative of a minor patient, with a copy of  
22 the relevant federal vaccine information statement for the  
23 vaccine the patient is to receive and verbally informs the  
24 adult patient, or the parent or legal representative of a  
25 minor patient, of the existence of the federal food and drug  
26 administration vaccine adverse event reporting system and the  
27 national vaccine injury compensation program referenced in the  
28 statement, if the vaccine is included in the vaccine injury  
29 table.

30 b. That the health care provider records certain required  
31 information about the vaccine administered in the patient's  
32 medical record or a permanent office log or file.

33 c. That the health care provider documents any adverse  
34 event following the vaccination that the patient experiences  
35 within eight weeks post-administration and that becomes known

1 to the health care provider, submits the report to the federal  
2 food and drug administration vaccine adverse event reporting  
3 system, and provides the adult patient, or the parent or legal  
4 representative of a minor patient, with a copy of the report.

5 3. The health profession board for a health care provider  
6 may deny an applicant a license or suspend, revoke, or refuse  
7 to renew a license, and may take other disciplinary action  
8 against a licensee based on the applicant or licensee having  
9 three or more verified failures to comply with the applicable  
10 health care provider requirements pursuant to 42 U.S.C.  
11 §300aa-25 and 42 U.S.C. §300aa-26.

12 4. A health care provider who violates a provision of  
13 42 U.S.C. §300aa-25 or 42 U.S.C. §300aa-26, in addition to  
14 licensee disciplinary action pursuant to subsection 3, shall  
15 be subject to a fine, per violation, of a minimum amount of one  
16 thousand dollars, established by rule of the department or the  
17 respective health profession board, as applicable.

18 EXPLANATION

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

21 This bill relates to the requirements established under  
22 federal law for health care providers administering certain  
23 vaccines. The bill provides definitions used in the bill  
24 including "health care provider" which is the definition used  
25 under federal law (42 U.S.C. §300aa-33(1)); "health profession  
26 board"; and "vaccine injury table".

27 The bill requires the department of public health (DPH) to  
28 collaborate with each health profession board to ensure that  
29 a health care provider under the purview of the department or  
30 a health profession board is aware of and complies with the  
31 requirements applicable to health care providers who administer  
32 vaccines, including providing the relevant federal vaccine  
33 information statement for the vaccine the patient is to receive  
34 and verbal information regarding the federal food and drug  
35 administration vaccine adverse event reporting system (FAERS)

1 and the national vaccine injury compensation program, for  
2 those vaccines included in the vaccine injury table, prior to  
3 the patient receiving the vaccine; recording certain required  
4 information about the vaccine administered in the patient's  
5 medical record or a permanent office log or file; documenting  
6 and reporting any adverse event following the vaccination that  
7 the patient experiences within eight weeks post-administration  
8 and that becomes known to the health care provider to the  
9 FAERS; and providing to an adult patient, or the parent or  
10 legal representative of a minor patient, a copy of the report.

11 The bill provides for disciplinary action by DPH or the  
12 respective health profession board and for fines in a minimum  
13 amount of \$1,000, established by DPH or the respective board,  
14 for noncompliance with the federal requirements.