

House File 2528 - Introduced

HOUSE FILE 2528

BY ANDREWS

A BILL FOR

1 An Act relating to the provision of covered vaccine
2 information, relating to the federal vaccine adverse
3 event reporting system and the national vaccine injury
4 compensation program.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 135.139F Administration and
2 advertisement of covered vaccines — provision of information —
3 limitation of liability for vaccine injuries.

4 1. A health care provider who is licensed or authorized
5 to administer covered vaccines, shall verbally provide to the
6 patient prior to the administration of a covered vaccine,
7 information regarding the federal vaccine adverse event
8 reporting system and the national vaccine injury compensation
9 program, including information regarding the limitation of the
10 covered vaccine manufacturer's liability for a vaccine injury
11 related to the covered vaccine.

12 2. Any advertisement distributed in the state for a covered
13 vaccine via radio, newspaper, television, internet, or other
14 medium, shall include a statement regarding the limitation of
15 the liability of the manufacturer of the covered vaccine for
16 any vaccine injury related to the covered vaccine under the
17 national vaccine injury compensation program.

18 3. For the purposes of this section:

19 a. "Covered vaccine" means a vaccine recommended by the
20 centers for disease control and prevention of the United
21 States department of health and human services for routine
22 administration to children or pregnant women and subject to an
23 excise tax under federal law.

24 b. "Federal vaccine adverse event reporting system" means the
25 national vaccine safety surveillance program comonitored by the
26 United States food and drug administration and the centers for
27 disease control and prevention of the United States department
28 of health and human services.

29 c. "National vaccine injury compensation program" means
30 the national vaccine injury compensation program established
31 pursuant to 42 U.S.C. §300aa-10 and administered by the
32 division of compensation programs, health care systems bureau,
33 health resources and services administration, United States
34 department of health and human services.

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EXPLANATION

H.F. 2528

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

3 This bill relates to the information that must be provided
4 regarding the limitation of the liability of a manufacturer of
5 a covered vaccine under federal law prior to the administration
6 of a covered vaccine and in any advertisement of the covered
7 vaccine in the state. The bill requires a health care provider
8 who is licensed or authorized to administer covered vaccines,
9 to verbally provide to the patient prior to the administration
10 of a covered vaccine, information regarding the federal vaccine
11 adverse event reporting system and the national vaccine injury
12 compensation program, including information regarding the
13 limitation of the covered vaccine manufacturer's liability
14 for a vaccine injury related to the vaccine. The bill also
15 requires that any advertisement distributed in the state for
16 a covered vaccine via radio, newspaper, television, internet,
17 or other medium, shall include a statement regarding the
18 limitation of the liability of the manufacturer of the covered
19 vaccine for any vaccine injury related to the covered vaccine
20 under the national vaccine injury compensation program.