

- SUBJECT:** Creating a public school immunization awareness program
- COMMITTEE:** Public Education — committee substitute recommended
- VOTE:** 7 ayes — Eissler, Delisi, Dutton, Hochberg, Mowery, Olivo, Patrick
0 nays
2 absent — Zedler, Branch
- WITNESSES:** For — William Paul Glezen, Influenza Research Center at Baylor College of Medicine; Joe Lastinger; (*Registered, but did not testify:* Greg Herzog, Texas Medical Association; Carrie Kroll, Texas Pediatric Society; Ted Melina Raab, Texas Federation of Teachers; Denise Rose, Texas Children’s Hospital; Bryan Sperry, Children’s Hospital Association of Texas)

Against —None

On —Jack Sims, Texas Department of State Health Services
- BACKGROUND:** With certain exceptions, including those for medical reasons and religious beliefs, school-age children attending elementary or secondary school must be fully immunized against diphtheria, rubeola, rubella, mumps, tetanus, and poliomyelitis. The Department of State Health Services (DSHS) may modify, delete, or add to these immunizations as a requirement for admission to any elementary or secondary school.
- DIGEST:** CSHB 1059 would add the Emily Lastinger Act to Education Code, sec. 38.019, which would establish a public school immunization awareness program beginning in the 2007-08 school year. DSHS would be required to prepare a list of required and recommended immunizations for school-age children in a format that easily could be posted on a school district’s web site. A district that maintained a web site would be required to post the list prominently, with information to include:
- immunizations required for admission to school;
 - immunizations recommended by DSHS and or the school district board of trustees; and

- health clinics in the district that offered the influenza vaccine.

The list of recommended immunizations would have to include the influenza vaccine, unless DSHS made it mandatory for school admission. A district would not be liable for an injury to a student as the result of an employee or volunteer administering any of the required or recommended vaccines.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2007.

**SUPPORTERS
SAY:**

CSHB 1059 would help increase public awareness and understanding about immunizations and vaccines that are required or recommended to fight infectious diseases among children. Childhood immunizations are important not only because they are required by law for admission to school but because they prevent many infectious diseases and save lives. In the past, many children and adults died from diseases that immunizations now prevent, such as whooping cough, measles, and polio. Childhood immunizations serve not only to protect the health of children, but also to protect the health of the general community.

CSHB 1059 also would increase awareness about the potential dangers posed by influenza, commonly known as the flu. According to the Centers for Disease Control and Prevention, this contagious respiratory illness and its complications result in more than 200,000 hospitalizations in the United States every year, with 36,000 cases resulting in death. Children are especially susceptible to the flu. In 2007 alone, according to DSHS, 10 pediatric influenza-associated deaths have been reported in Texas. Including influenza on the list of recommended immunizations would alert parents to the dangers of the flu and encourage more vaccinations. The bill would be named in honor of Emily Lastinger, a young child who died due to complications of influenza during the 2004 flu season.

By requiring districts that maintain web sites to post immunization information online, CSHB 1059 would provide a convenient and cost-effective way to convey this important information. Printing and mailing brochures or other forms of mass media would be time-consuming and expensive for districts and would create an unfunded mandate. In addition, parents increasingly are accustomed to receiving news and information

about school activities and other programs that affect their children on the Internet.

**OPPONENTS
SAY:**

CSHB 1059 would provide no way for districts lacking web sites to convey this important information, nor would families without Internet access have a convenient way to receive it. In addition, school districts communicate large amounts of information to the public on their web sites. It would be easy for a posting about immunizations to get lost in the clutter. The bill should require districts to make the information available through other sources.

NOTES:

Unlike the bill as introduced, the committee substitute would:

- require DSHS to prepare a list of required and recommended immunizations for school-age children suitable for posting on a district's web site;
- protect a school district from liability for an injury received by a student because of a required or recommended immunization administered by an employee or volunteer; and
- refer to the bill as the Emily Lastinger Act.