

## **BILL ANALYSIS**

Senate Research Center  
81R21221 SJM-F

C.S.S.B. 1328  
By: Nelson  
Health & Human Services  
3/31/2009  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Since the functionality to add first responder immunization records into ImmTrac, the statewide registry first became available during the response to Hurricane Ike, nearly 2,000 records have been entered, about half of them from first responders, and the rest from their family members. First responders should typically be vaccinated against Hepatitis A and B, tetanus, and other diseases prior to entering a disaster area. Many of them do not receive these vaccinations until after they have entered a disaster zone, when it may be too late for the vaccine to be effective. This puts our first responders, their families, and the communities they return to at high risk for vaccine-preventable diseases.

This bill seeks to determine how feasible it is for the state to create a vaccination program for first responders and their families and to assess the current burden obtaining vaccinations places on first responders.

C.S.S.B. 1328 requires the Department of State Health Services (DSHS) to conduct a study assessing the vaccination status of first responders and their families, workplace immunization policies, and insurance coverage currently available to first responders, the current ability of DSHS to provide vaccines to this population, possible funding sources for such a program, and ways to educate first responders about available options to vaccinate themselves and their families.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. (a) Defines "department," "disaster," and "first responder."

(b) Requires the Department of State Health Services (DSHS) to conduct a study to determine the feasibility of providing vaccines to a first responder who may be exposed to vaccine-preventable diseases during the responder's deployment to a disaster area, and the immediate family members of a first responder to whom the first responder may transmit a vaccine-preventable disease after deployment to a disaster area.

(c) Requires that the study consider the feasibility of providing the following vaccines: the hepatitis B vaccine for first responders who may be in direct contact with blood or other bodily fluids, a tetanus-containing vaccine, and other vaccines or biologicals recommended by the Centers for Disease Control and Prevention for disasters.

(d) Requires DSHS to assess the vaccination status of first responders and their immediate family members in this state; assess workplace immunization policies and insurance coverage for first responders; make recommendations on educating first responders and their immediate family members about available options to obtain immunization services, regardless of insurance coverage; assess the current ability of DSHS, in conjunction with local health departments, to provide vaccines to first responders and their immediate family members who are uninsured or underinsured; identify and recommend funding sources for the procurement of recommended vaccines for first responders and their immediate family members who are uninsured or

underinsured; and evaluate the potential use and cost of providing other biologicals, such as immune globulin, to be used in conjunction with vaccines to prevent the spread of vaccine-preventable diseases.

(e) Requires the statewide wellness coordinator designated under Section 664.053(a) (relating to a model statewide wellness program for use by state agencies to improve the health and wellness of state employees), Government Code, to assist DSHS in obtaining data from state agencies that employ first responders by consulting with the wellness liaison identified under Section 664.053(d) (relating to the requirement of a state agency to designate an employee to serve as the wellness liaison between the agency and the statewide wellness coordinator), Government Code, for a state agency that employs first responders to gain study-related information from the state agency; assessing the readiness of each state agency to administer vaccines to the agency's first responders before deployment to a disaster area; and providing to DSHS appropriate information from state agencies regarding the current immunization policies of those agencies.

(f) Requires a state agency that provides data to DSHS for purposes of the study to ensure that the data does not identify a first responder or family member of a first responder to whom the data pertains.

(g) Requires DSHS, not later than August 1, 2011, to submit to the legislature a written report containing the findings of the study and DSHS's recommendations.

(h) Provides that this section expires September 1, 2011.

SECTION 2. Effective date: upon passage or September 1, 2009.