

BILL ANALYSIS

Senate Research Center
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S.B. 1310
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Parents and guardians of children are not routinely provided with information about the benefits and risks of vaccines, nor are they routinely informed of their rights to file a claim if their children are injured by vaccines.

Federal law requires that individuals consenting to a particular vaccine must be provided with the corresponding Vaccine Information Statement (VIS), a one-page sheet produced by the Centers for Disease Control and Prevention (CDC) that explains the benefits and risks of the vaccine. However, this federal mandate regarding Vaccine Information Statements is often ignored in doctor offices, and the statements themselves frequently omit important data included in vaccine package inserts.

S.B. 1310 codifies federal law regarding the distribution of these CDC Vaccine Information Statements. The bill also requires that prior to consent, parents and guardians must be provided with information on how to file a claim in the event of an adverse reaction to a vaccine, which can be found on a VIS. In addition, the bill requires parents and guardians to be provided with a copy of the CDC Vaccine Excipient Summary, which lists the multiple ingredients contained in each vaccine, by vaccine.

As proposed, S.B. 1310 amends current law relating to informed consent to immunizations for children.

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. Amends Sections 32.102(a) and (c), Family Code, as follows:

(a) Requires a health care provider, before administering an immunization to a child, to obtain the informed consent of a person authorized to consent to immunization of the child. Provides that the person authorized to consent is not required to be present when immunization of the child is requested if a consent form that meets the requirements of Section 32.002 (Consent Form) has been given to the health care provider. Deletes existing text providing that a person authorized to consent to the immunization of a child has the responsibility to ensure that the consent, if given, is an informed consent.

(c) Requires a health care provider, as part of the information given in the counseling for informed consent, to provide the person authorized to consent to immunization information regarding:

(1) the benefits and risks of immunization, including any vaccine information statement required by the National Childhood Vaccine Injury Act of 1986 (42 U.S.C. Section 300aa-1 et seq.);

(2) creates this subdivision from existing text and makes nonsubstantive changes;
and

(3) the vaccine excipient and media summary published by the Centers for
Disease Control and Prevention for each immunization to be administered.

SECTION 2. Effective date: September 1, 2021.