

AN ACT

relating to the possession and administration of certain vaccines by a home and community support services agency or its employees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 142.0062(a), Health and Safety Code, is amended to read as follows:

(a) A home and community support services agency or its employees who are registered nurses or licensed vocational nurses may purchase, store, or transport for the purpose of administering to the agency's employees, home health or hospice patients, or patient family members under physician's standing orders the following dangerous drugs:

(1) hepatitis B vaccine;

(2) influenza vaccine;

(3) tuberculin purified protein derivative for tuberculosis testing; ~~and~~

(4) pneumococcal polysaccharide vaccine; and

(5) any other vaccine approved, authorized for emergency use, or otherwise permitted for use by the United States Food and Drug Administration to treat or mitigate the spread of a communicable disease, as defined by Section 81.003.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

H.B. No. 797

1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 797 was passed by the House on April 1, 2021, by the following vote: Yeas 148, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 797 was passed by the Senate on May 5, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor