

By: Delisi

H.B. No. 1035

A BILL TO BE ENTITLED

AN ACT

relating to immunization of children.

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

SECTION 1. Subchapter A, Chapter 161, Health and Safety Code, is amended by adding Sections 161.010 and 161.0105 to read as follows:

Sec. 161.010. INCREASE IMMUNIZATION AWARENESS. (a) The department shall develop new public-private partnerships and work with existing public-private partnership programs, including the Seniors and Volunteers Program For Childhood Immunization, to increase public and private awareness of and support for early childhood immunizations.

(b) The department shall work with the Texas Education Agency to increase immunization awareness and participation among parents of preschool and school-age children by:

(1) jointly applying for federal funds for immunization awareness and vaccination programs; and

(2) creating partnerships with public and private health, service, and education organizations, including parent-teacher associations, the United Way, schools, local businesses, community-based organizations, chambers of commerce, and athletic booster clubs, to increase awareness and participation in the state's early childhood vaccination program.

Sec. 161.0105. LIMITATION ON LIABILITY. (a) A health care

1 provider who acts in compliance with Sections 161.007 and 161.008
2 and any rules adopted under those sections is not civilly or
3 criminally liable for furnishing the information required under
4 those sections. This subsection does not apply to criminal
5 liability established under Section 161.009.

6 (b) A person who administers a vaccination under a
7 department program may be held liable only to the extent the person
8 would be liable if the person administered the vaccination outside
9 the program. The person is not liable for damages arising from the
10 acts or omissions of another person acting under the program or the
11 department.

12 (c) The immunity created by this section is in addition to
13 any immunity created by Sections 161.001 and 161.007(g).

14 SECTION 2. Chapter 2056, Government Code, is amended by
15 adding Section 2056.0022 to read as follows:

16 Sec. 2056.0022. IMMUNIZATIONS AWARENESS. (a) Each state
17 agency that has contact with families in this state either in person
18 or by telephone, mail, or the Internet shall include in the agency's
19 strategic plan a strategy for increasing public awareness of the
20 need for early childhood immunizations.

21 (b) The Texas Department of Health shall identify the state
22 agencies to which this section applies and notify the agencies of
23 their duty under this section.

24 SECTION 3. This Act takes effect September 1, 2003.