

1-1 By: Zaffirini S.B. No. 486
1-2 (In the Senate - Filed February 13, 2003; February 19, 2003,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; March 17, 2003, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; March 17, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to immunization of children.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subchapter A, Chapter 161, Health and Safety
1-11 Code, is amended by adding Sections 161.010 and 161.0105 to read as
1-12 follows:

1-13 Sec. 161.010. INCREASE IMMUNIZATION AWARENESS. (a) The
1-14 department shall develop new public-private partnerships and work
1-15 with existing public-private partnership programs, including the
1-16 Seniors and Volunteers Program For Childhood Immunization, to
1-17 increase public and private awareness of and support for early
1-18 childhood immunizations.

1-19 (b) The department shall work with the Texas Education
1-20 Agency to increase immunization awareness and participation among
1-21 parents of preschool and school-age children by:

1-22 (1) jointly applying for federal funds for
1-23 immunization awareness and vaccination programs; and

1-24 (2) creating partnerships with public and private
1-25 health, service, and education organizations, including
1-26 parent-teacher associations, the United Way, schools, local
1-27 businesses, community-based organizations, chambers of commerce,
1-28 and athletic booster clubs, to increase awareness and participation
1-29 in the state's early childhood vaccination program.

1-30 Sec. 161.0105. LIMITATION ON LIABILITY. (a) A health care
1-31 provider who acts in compliance with Sections 161.007 and 161.008
1-32 and any rules adopted under those sections is not civilly or
1-33 criminally liable for furnishing the information required under
1-34 those sections. This subsection does not apply to criminal
1-35 liability established under Section 161.009.

1-36 (b) A person who administers a vaccination under a
1-37 department program may be held liable only to the extent the person
1-38 would be liable if the person administered the vaccination outside
1-39 the program. The person is not liable for damages arising from the
1-40 acts or omissions of another person acting under the program or the
1-41 department.

1-42 (c) The immunity created by this section is in addition to
1-43 any immunity created by Sections 161.001 and 161.007(g).

1-44 SECTION 2. Chapter 2056, Government Code, is amended by
1-45 adding Section 2056.0022 to read as follows:

1-46 Sec. 2056.0022. IMMUNIZATIONS AWARENESS. (a) Each state
1-47 agency that has contact with families in this state either in person
1-48 or by telephone, mail, or the Internet shall include in the agency's
1-49 strategic plan a strategy for increasing public awareness of the
1-50 need for early childhood immunizations.

1-51 (b) The Texas Department of Health shall identify the state
1-52 agencies to which this section applies and notify the agencies of
1-53 their duty under this section.

1-54 SECTION 3. This Act takes effect September 1, 2003.

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