

## **BILL ANALYSIS**

Senate Research Center  
80R7706 MCK-D

C.S.S.B. 164  
By: Deuell  
Health & Human Services  
2/28/2007  
Committee Report (Substituted)

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

Current law does not provide for prioritization in the distribution of the influenza vaccine. In years when there is a shortage of the vaccine, acquisition of the vaccine can be difficult for physicians because they often receive it after retail establishments. It is important for physicians to receive the vaccines prior to retail establishments because a physician can check the entire health of a patient and better ensure that at-risk patients get the vaccines first.

C.S.S.B. 164 requires the executive commissioner of the Health and Human Services Commission to conduct a study on prioritizing physicians and licensed health care providers in the distribution of the influenza vaccine. This bill also authorizes the executive commissioner to implement a priority vaccine system if it is determined feasible.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter E, Chapter 431, Health and Safety Code, by adding Section 431.117, as follows:

Sec. 431.117. PRIORITY FOR HEALTH CARE PROVIDERS IN THE DISTRIBUTION OF INFLUENZA VACCINE. Requires the executive commissioner of the Health and Human Services Commission (executive commissioner) to study the wholesale distribution of influenza vaccine (vaccine) and determine the feasibility of implementing a system to require that priority in filling vaccine orders be given to physicians and licensed health care providers authorized to administer vaccine over retail establishments. Authorizes the executive commissioner to implement this system if it is determined to be feasible.

SECTION 2. Effective date: September 1, 2007.