

By: Hopson

H.B. No. 3237

A BILL TO BE ENTITLED

AN ACT

1
2 relating to requiring the Department of State Health Services to
3 allow health care providers to use certain vaccines in the vaccines
4 for children program.

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

6 SECTION 1. Subchapter A, Chapter 161, Health and Safety
7 Code, is amended by adding Section 161.0102 to read as follows:

8 Sec. 161.0102. VACCINES FOR CHILDREN PROGRAM. (a) In this
9 section, "vaccines for children program" means the program operated
10 by the department under authority of 42 U.S.C. Section 1396s, as
11 amended.

12 (b) The department shall allow each health care provider
13 participating in the vaccines for children program to select
14 vaccines from the list of all vaccines that are:

15 (1) approved by the United States Food and Drug
16 Administration;

17 (2) recommended by the federal Advisory Committee on
18 Immunization Practices; and

19 (3) made available under contract with the Centers for
20 Disease Control of the United States Public Health Service.

21 (c) The department shall provide a vaccine selected by a
22 health care provider under Subsection (b) only if the cost to the
23 department of providing the vaccine is not more than 110 percent of
24 the lowest priced equivalent vaccine.

1 (d) This section shall apply only to vaccines which are
2 available from more than one manufacturer.

3 SECTION 2. This Act takes effect September 1, 2007.