

## **BILL ANALYSIS**

S.B. 1328  
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Public Health  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Since the functionality to add first-responder immunization records into ImmTrac, the statewide registry, first became available during the response to Hurricane Ike, nearly 2,000 records have been entered, about half of them from first responders, and the rest from their family members. First responders should typically be vaccinated against hepatitis A and B, tetanus, and other diseases prior to entering a disaster area. Many of them do not receive these vaccinations until after they have entered a disaster zone, when it may be too late for the vaccine to be effective. This puts our first responders, their families, and the communities they return to at high risk for vaccine-preventable diseases.

This bill seeks to determine how feasible it is for the state to create a vaccination program for first responders and their families and to assess the current burden that obtaining vaccinations places on first responders.

S.B. 1328 requires the Department of State Health Services (DSHS) to conduct a study assessing the feasibility of providing vaccines to a first responder who may be exposed to certain diseases during deployment to a disaster area, the vaccination status of first responders and their families, workplace immunization policies and insurance coverage for first responders, the current ability of DSHS to provide vaccines to this population, possible funding sources for such a vaccination program, and ways to educate first responders about available options to vaccinate themselves and their families.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 1328 sets forth temporary provisions, set to expire September 1, 2011, requiring the Department of State Health Services (DSHS) to conduct a study to determine the feasibility of providing vaccines to a first responder who may be exposed to vaccine-preventable diseases during deployment to a disaster area and to the immediate family members of a first responder to whom the first responder may transmit a vaccine-preventable disease after such deployment. The bill requires the study to consider the feasibility of providing vaccines for hepatitis B for first responders who may be in direct contact with blood and other bodily fluids, a tetanus-containing vaccine, and other vaccines or biologicals recommended by the Centers for Disease Control and Prevention for disasters. The bill requires DSHS to assess the vaccination status of first responders and their immediate family members in Texas, assess workplace immunization policies and insurance coverage for first responders, make recommendations on educating first responders and their immediate family members about available options to obtain immunization services regardless of insurance coverage, assess the current ability of DSHS in conjunction with local health departments to provide vaccines to first responders and their immediate family members who are uninsured or underinsured, identify and recommend funding sources for the

procurement of recommended vaccines for first responders and their immediate family members who are uninsured or underinsured, and evaluate the potential use and cost of providing other biologicals to be used in conjunction with vaccines to prevent the spread of vaccine-preventable diseases. The bill requires the statewide wellness coordinator to assist DSHS in obtaining data from state agencies that employ first responders by consulting with the wellness liaison for a state agency that employs first responders to gain study-related information from the agency, assessing the readiness of each state agency to administer vaccines to the agency's first responders before deployment to a disaster area, and providing to DSHS appropriate information from state agencies regarding the current immunization policies of those agencies. The bill requires a state agency providing data to DSHS for purposes of the study to ensure that the data does not identify a first responder or family member of a first responder to whom the data pertains. The bill requires DSHS to submit to the legislature a written report containing the findings of the study and DSHS's recommendations not later than August 1, 2011. The bill defines "department," "disaster," and "first responder."

#### **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.