

By: Zedler

H.B. No. 4274

A BILL TO BE ENTITLED

AN ACT

relating to informed consent to immunizations for children.

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

SECTION 1. Sections 32.102(a) and (c), Family Code, are amended to read as follows:

(a) Before administering an immunization to a child, a health care provider must obtain the informed consent of a [A] person authorized to consent to [the] immunization of the [a] child [has the responsibility to ensure that the consent, if given, is an informed consent]. The person authorized to consent is not required to be present when [the] immunization of the child is requested if a consent form that meets the requirements of Section 32.002 has been given to the health care provider.

(c) As part of the information given in the counseling for informed consent, the health care provider shall provide [~~information to inform~~] the person authorized to consent to immunization information regarding:

(1) the benefits and risks of immunization, including any vaccine information statement required by the National Childhood Vaccine Injury Act of 1986 (42 U.S.C. Section 300aa-1 et seq.);

(2) [of] the procedures available under the National Childhood Vaccine Injury Act of 1986 (42 U.S.C. Section 300aa-1 et seq.) to seek possible recovery for unreimbursed expenses for

1 certain injuries arising out of the administration of certain
2 vaccines; and

3 (3) the vaccine excipient and media summary published
4 by the Centers for Disease Control and Prevention for each
5 immunization to be administered.

6 SECTION 2. This Act takes effect September 1, 2019.