

By: Howard, Price, Jetton, Guerra, Klick,
et al.

H.B. No. 797

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the possession and administration of certain vaccines
3 by a home and community support services agency or its employees.

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

5 SECTION 1. Section 142.0062(a), Health and Safety Code, is
6 amended to read as follows:

7 (a) A home and community support services agency or its
8 employees who are registered nurses or licensed vocational nurses
9 may purchase, store, or transport for the purpose of administering
10 to the agency's employees, home health or hospice patients, or
11 patient family members under physician's standing orders the
12 following dangerous drugs:

- 13 (1) hepatitis B vaccine;
14 (2) influenza vaccine;
15 (3) tuberculin purified protein derivative for
16 tuberculosis testing; ~~and~~
17 (4) pneumococcal polysaccharide vaccine; and
18 (5) any other vaccine approved, authorized for
19 emergency use, or otherwise permitted for use by the United States
20 Food and Drug Administration to treat or mitigate the spread of a
21 communicable disease, as defined by Section 81.003.

22 SECTION 2. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2021.