

2022 Regular Session

HOUSE BILL NO. 600

BY REPRESENTATIVE FRIEMAN

VACCINES/VACCINATION: Provides for release of opt-out information to the public when state law requires a vaccination or immunization

1 AN ACT

2 To enact R.S. 40:2023.1, relative to the public release of information regarding opt-out
3 information for recommended, requested, or required immunizations and
4 vaccinations; to require the distribution of informational materials regarding
5 exemption from and the ability to opt-out of immunizations and vaccinations; and
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:2023.1 is hereby enacted to read as follows:

9 §2023.1. Inclusion of exemption and opt-out information regarding immunizations
10 and vaccinations

11 A. Whenever an immunization or a vaccination is recommended, requested,
12 or required of any citizen of this state by any state or local government, such entity
13 shall provide the following information:

14 (1) Information relative to the rights of the citizen to request an exemption
15 from or opt-out of the immunization or vaccination.

16 (2) Website information or the link to the Vaccine Adverse Event Reporting
17 System, to which a person may report adverse reactions to the immunization or
18 vaccination.

1 B. The information required by Subsection A of this Section shall be
 2 included in any written communications from the entities identified in this Section
 3 regarding the recommended, requested, or required immunization or vaccination.

4 C. The Louisiana Department of Health shall publish and maintain resources
 5 and information on its website, in a downloadable format, for the entities identified
 6 in this Section to utilize for such written communications.

7 D. The Louisiana Department of Health shall promulgate, in accordance with
 8 the Administrative Procedure Act, R.S. 49:950 et. seq., all such rules as necessary
 9 to implement the provisions of this Section.

10 E. The provisions of this Section shall not apply to any recommendation or
 11 request by a governmental entity that is subject to the provisions of R.S. 40:1071 et
 12 seq.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 600 Reengrossed

2022 Regular Session

Frieman

Abstract: Requires the provision of certain information regarding methods for opting out of and exemption from immunizations or vaccinations when the immunizations or vaccinations are recommended, requested, or required.

Proposed law requires that whenever a vaccination or immunization is recommended, requested, or required by a state or local government entity, such entity shall provide certain information relative to opting out and exempting from the recommended, requested, or required vaccination or immunization.

Proposed law provides that the information relative to opting out of and exempting oneself from vaccinations or immunizations shall include information relative to people's right to opt-out and exempt themselves from the vaccinations or immunizations and the reporting information for the Vaccine Adverse Event Reporting System.

Proposed law provides that the information required by proposed law shall be included in any written communications from the entities described in proposed law.

Proposed law requires LDH to publish downloadable content for the entities described in proposed law to utilize to carry out the provisions of proposed law.

Proposed law states that provisions set forth in proposed law shall not apply to any recommendation or request by a governmental entity that is subject to the provisions of present law.

(Adds R.S. 40:2023.1)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Require any state or local government entity recommending, requesting, or requiring an immunization or vaccination to provide information to exempting oneself from or opting-out of the recommended, requested, or required vaccination or immunization.
2. Require information about reporting to the Vaccine Adverse Event Reporting System and people's rights to exempt themselves from and opt-out of vaccinations and immunizations be included in the information provided by the requesting, recommending, or requiring entities.
3. Provide that the information required by proposed law shall be communicated in any written communications from the requesting, recommending, or requiring entities.
4. Require the La. Dept. of Health to provide downloadable content for the requesting, recommending, or requiring entities to use to carry out the provisions of proposed law.
5. Remove the requirement for opt-out and exemption information to be provided in the event of a governmental vaccination mandate.
6. Remove the requirement for the La. Dept. of Health to publicize and distribute all information relative to opting out of and exempting from immunizations or vaccinations.
7. Remove the requirement for annual updates regarding the opt-out and exemption information provided by the La. Dept. of Health.
8. Remove the requirement for the La. Dept. of Health to determine the most cost-effective means of distribution.
9. Make technical corrections.

The House Floor Amendments to the engrossed bill:

1. Add provision that proposed law shall not apply to any recommendation or request by a governmental entity that is subject to the provisions of present law.
2. Make technical corrections.