2022 Regular Session

HOUSE BILL NO. 640

BY REPRESENTATIVE WRIGHT

VACCINES/VACCINATION: Provides relative to vaccines and vaccine-related pharmaceuticals produced with aborted human fetal-derived cells or human embryonic-derived cells

AN ACT

To enact Subpart E of Part IV of Subchapter A of Ch. 5-D of Title 40 of the Louisiana Revised Statutes, to be comprised of R.S. 40:1177.1, relative to vaccines and vaccine-related pharmaceuticals; to require sufficient information regarding vaccines and vaccine-related pharmaceuticals distributed in the state; to require the Louisiana Department of Health to provide certain information; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart E of Part IV of Subchapter A of Ch. 5-D of Title 40 of the Louisiana Revised Statutes, comprised of R.S. 40:1177.1, is hereby enacted to read as follows:

SUBPART E. REQUIRED INFORMATION FOR VACCINES AND VACCINE-RELATED PHARMACEUTICALS

§1177.1. Information requirements for vaccines and vaccine-related pharmaceuticals

A. All healthcare providers administering vaccines within this state shall provide to a consumer, prior to administering a vaccine, a document created by the Louisiana Department of Health that states, "If you would like to learn more information about whether the vaccine you are taking was produced with or tested

on aborted human fetal-derived cells or human embryonic-derived cells, please visit www.ldh.la.gov/vaccineinfo."

B. The Louisiana Department of Health shall do all of the following:

(1) Create a document that complies with Subsection A of this Section and provide the document to healthcare providers via electronic or physical means.

(2) Publish a webpage that provides information on vaccinations produced with or tested on aborted human fetal-derived cells or human embryonic-derived cells. The webpage shall be made accessible through the URL, www.ldh.la.gov/vaccineinfo.

(3) Determine the most cost-effective method of production of the document written exclusively for the state of Louisiana as required by Subsection A of this Section.

(4) Promulgate rules as needed to facilitate the document required by Subsection A of this Section.

C. For the purposes of this Section, "testing" means preclinical examinations that occur after production and are conducted by a pharmaceutical company or its contractors or collaborators to determine the efficacy or composition of the final vaccination product.

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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)]

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**Abstract:** Requires all healthcare providers administering vaccines within this state to make certain information, provided by La. Dept. of Health (LDH), available to the consumer of a vaccine or vaccine-related pharmaceutical prior to the administration of the vaccine or vaccine-related pharmaceutical.

Proposed law requires all healthcare providers administering vaccines within this state to provide consumers with a document created by LDH that says, "If you would like to learn more information about whether the vaccine you are taking was produced with or tested on aborted human fetal-derived cells or human embryonic-derived cells, please visit www.ldh.la.gov/vaccineinfo."

Proposed law requires LDH to share the vaccination information required by proposed law on a designated webpage on the LDH website.

Proposed law requires LDH to create a document that complies with proposed law and provide the document to healthcare providers via electronic or physical means, publish a webpage that provides information on vaccinations produced with or tested on aborted human fetal-derived cells or human embryonic-derived cells, determine the most cost-effective method of production of the document required by proposed law, and promulgate rules as needed to implement proposed law.

Proposed law defines "testing" as preclinical examinations that occur after production and are conducted by a pharmaceutical company or its contractors or collaborators to determine the efficacy or composition of the final vaccination product.

(Adds R.S. 40:1177.1)

Summary of Amendments Adopted by House

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

1. Require any commercial entity producing or distributing vaccines or vaccine-related pharmaceuticals within the state to provide certain information to consumers via a copy of the insert that accompanied the vaccine or vaccine-related pharmaceutical.

2. Remove the requirement for any commercial entity producing or distributing vaccines or vaccine-related pharmaceuticals within the state to provide certain information to consumers on the packaging of the vaccine or vaccine-related pharmaceutical.

The House Floor Amendments to the engrossed bill:

1. Remove the requirement for any commercial entity producing or distributing vaccines or vaccine-related pharmaceuticals within the state to provide certain information to consumers via a copy of the insert that accompanied the vaccine or vaccine-related pharmaceutical.

2. Remove the requirement for LDH to publish a website to inform the public of the presence of aborted human fetal-derived cells or human embryonic-derived cells in certain vaccines and vaccine-related pharmaceuticals.

3. Remove violation provisions against manufacturers.

4. Require all healthcare providers administering vaccines within this state to provide to a consumer a document created by LDH.

5. Require LDH to share the vaccination information required by proposed law on a designated webpage on the LDH website.

6. Require LDH to create a document that complies with proposed law, provide the document to healthcare providers, publish a webpage that provides information on vaccinations produced with or tested on aborted human fetal-derived cells or human embryonic-derived cells, determine the most cost-effective method of production, and promulgate rules as needed to implement proposed law.

7. Define "testing" for the purposes of proposed law.

8. Make technical corrections.