

2022 Regular Session

HOUSE BILL NO. 407

BY REPRESENTATIVE AMEDEE

VACCINES/VACCINATION: Prohibits adding any vaccine with emergency use authorization status to the list of vaccinations required for school and child daycare entry

1 AN ACT

2 To amend and reenact R.S. 40:4(A)(2)(introductory paragraph), relative to emergency  
3 authorization of vaccinations; to provide for vaccination requirements for school and  
4 daycare entry; to prohibit under certain circumstances the addition of vaccinations  
5 to the immunization schedule; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 40:4(A)(2)(introductory paragraph) is hereby amended and reenacted  
8 to read as follows:

9 §4. Sanitary Code

10 A. The state health officer acting through the office of public health of the  
11 Louisiana Department of Health shall prepare, promulgate, and enforce rules and  
12 regulations embodied within the state's Sanitary Code covering all matters within his  
13 jurisdiction as defined and set forth in R.S. 40:5. The promulgation of this Sanitary  
14 Code shall be accomplished in strict accordance with the provisions of the  
15 Administrative Procedure Act, and further, in conformity with the following  
16 guidelines and directives:

17 \* \* \*

18 (2) In order to prevent the occurrence or spread of communicable diseases,  
19 the rules and regulations of the Sanitary Code shall provide for an immunization

1 program and provide for and require the reporting, including but not limited to the  
 2 reporting of cases of Respiratory Syncytial Virus (RSV) when such a test is  
 3 conducted by a laboratory or hospital, investigation, and application and  
 4 implementation of appropriate control measures to expressly include isolation and  
 5 quarantine proceedings and measures, for all communicable diseases of public health  
 6 significance. However, no rule or regulation of the Sanitary Code shall impose or  
 7 create any general duty to warn third parties upon any healthcare provider who has  
 8 complied with the applicable reporting requirements for communicable diseases as  
 9 set forth in the Sanitary Code. No rule or regulation set forth within the Sanitary  
 10 Code shall allow any vaccination under Emergency Use Authorization to be added  
 11 to the required immunization schedule for daycare and school enrollment. These  
 12 rules and regulations shall also be designed to:  
 13 \* \* \*

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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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HB 407 Original

2022 Regular Session

Amedee

**Abstract:** Prohibits adding any vaccine with Emergency Use Authorization status to the list of vaccinations required for school and child daycare entry.

Present law requires the state health officer acting through the office of public health of the Louisiana Department of Health to prepare, promulgate, and enforce rules and regulations embodied within the state's Sanitary Code.

Present law requires the rules and regulations of the Sanitary Code to provide for an immunization program and provide for and require the reporting when a test is conducted by a laboratory or hospital, investigation, and application and implementation of appropriate control measures to expressly include isolation and quarantine proceedings and measures, for all communicable diseases of public health significance.

Present law states that no rule or regulation of the Sanitary Code shall impose or create any general duty to warn third parties of any healthcare provider who has complied with the applicable reporting requirements for communicable diseases as set forth in present law.

Proposed law states that no vaccine under Emergency Use Authorization may be added to the list of required immunizations for daycare and school enrollment.

(Amends R.S. 40:4(A)(2)(intro. para.))