

MAINE STATE LEGISLATURE

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R & S

L.D. 1180

DATE: 5-17-99

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HEALTH AND HUMAN SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 846, L.D. 1180, Bill, "An Act to Require Additional Vaccines for Employees of Health Care Facilities"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 22 MRSA §802, sub-§4, as enacted by PL 1989, c. 487, §11, is amended to read:

4. Immunization required. Except as otherwise provided under this subchapter, each hospital in the State and any other health facility in the State designated by the department, shall require for all employees born after 1956, either proof of immunization or serologic evidence of immunity against Rubeola measles and Rubella, or German, measles. Employees currently working in the hospital or designated health facility ~~must~~ shall meet these standards within 180 days of the effective date of this subsection. The personnel records of each employee born after 1956 ~~shall~~ must include a copy of the documentation of the vaccine history, showing month, day and year or the serologic history of immunity. For purposes of this subsection, "employee" means a person who performs a service for wages or other remuneration for a hospital or designated health facility under a contract of hire, written or oral, expressed or implied. Immunization required by this subsection does not apply to any employee who:

A. Provides a physician's written statement that immunization against one or more of the diseases may be medically inadvisable; or

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2 B. States in writing a sincere religious belief which that
is contrary to the immunization requirement of this
subsubsection.

4
6 In addition, all employees, regardless of their dates of birth,
7 who have a risk of direct occupational exposure to blood or body
8 fluids shall provide either proof of immunization or serologic
9 evidence of immunity against Hepatitis B. Employees employed in
10 the hospital or designated health facility shall meet and
11 maintain these standards by January 1, 2000.

12 Sec. 2. 22 MRSA §802, sub-§5 is enacted to read:

14 5. Immunization requirements for nursing facility staff. A
15 nursing facility or licensed assisted living facility shall adopt
16 a facility policy that recommends and offers annual immunizations
17 against influenza to all personnel who provide direct care to
18 residents of the facility.'

20 Further amend the bill by inserting at the end before the
summary the following:

22

24 **FISCAL NOTE**

26 The Department of Human Services will incur some minor
additional costs to revise their principles of reimbursement and
28 to include immunization costs as a reimbursable item for
designated health facilities. These costs can be absorbed within
30 the department's existing budgeted resources.

32 The Department of Mental Health, Mental Retardation and
Substance Abuse Services will incur some minor additional costs
34 to provide immunization for all employees in designated
facilities that are at risk of direct occupational exposure to
36 blood or body fluids. These costs can be absorbed within the
department's existing budgeted resources.'

38

40 **SUMMARY**

42 This amendment replaces the bill. It clarifies that the
Hepatitis B immunization requirements apply to all employees in
44 hospitals and designated health facilities that are at risk of
direct occupational exposure to blood or body fluids. It
46 requires nursing facilities and licensed assisted living
facilities to adopt policies recommending and offering influenza
48 immunizations to direct care personnel. It also adds a fiscal
note to the bill.

COMMITTEE AMENDMENT