

MAINE STATE LEGISLATURE

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119th MAINE LEGISLATURE

FIRST REGULAR SESSION-1999

Legislative Document

No. 1180

H.P. 846

House of Representatives, February 11, 1999

An Act to Require Additional Vaccines for Employees of Health Care Facilities.

Submitted by the Department of Human Services pursuant to Joint Rule 204.
Reference to the Committee on Health and Human Services suggested and ordered printed.

A handwritten signature in cursive script that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative FULLER of Manchester.
Cosponsored by Representatives: BROOKS of Winterport, DUGAY of Cherryfield, QUINT of Portland.

Be it enacted by the People of the State of Maine as follows:

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

6 **4. Immunization required.** Except as otherwise provided
8 under this subchapter, each hospital in the State and any other
10 health facility in the State designated by the department, shall
12 require for all employees born after 1956, either proof of
14 immunization or serologic evidence of immunity against Rubeola
16 measles and; Rubella, or German, measles; and hepatitis B.
18 Employees currently working in the hospital or designated health
20 facility must meet these standards ~~within--180--days--of--the~~
22 ~~effective--date--of--this--subsection~~ by January 1, 2000 and each
24 year thereafter. 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:

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

30 B. States in writing a sincere religious belief which that
32 is contrary to the immunization requirement of this
subsection.

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

36 **5. Immunization requirements for nursing home staff.**
38 Except as otherwise provided under this subchapter, each nursing
40 home or extended care facility in the State shall require for all
42 employees proof of immunization against influenza each year.
44 Employees currently working in the nursing home or extended care
facility shall meet these standards by November 1, 1999 and by
November 1st of each year thereafter. The personnel records of
each employee must include a copy of the documentation of the
vaccine history, showing receipt of appropriate influenza
vaccination for each year.

46 For purposes of this subsection, "employee" means a person who
48 performs a service for wages or other remuneration for a nursing
home or extended care facility under a contract of hire, written
or oral, expressed or implied or who volunteers at a nursing home
50 or extended care facility.

2 Immunization required by this subsection does not apply to any
3 employee who:

4

5 A. Provides a physician's written statement that
6 immunization against influenza may be medically inadvisable;
7 or

8

9 B. States in writing a sincere religious, moral or
10 philosophical belief that is contrary to the immunization
11 requirement of this subsection.

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SUMMARY

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15 This bill requires hospital and designated health care
16 facility employees to be immunized against hepatitis B. It also
17 requires staff and volunteers of nursing homes and extended care
18 facilities to be immunized annually against influenza.

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