

MAINE STATE LEGISLATURE

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122nd MAINE LEGISLATURE

SECOND REGULAR SESSION-2006

Legislative Document

No. 2106

H.P. 1496

House of Representatives, April 10, 2006

An Act To Address Potential Shortages of Influenza Immunizing Agents in Maine

(EMERGENCY)

Reported by Representative PINGREE of North Haven for the Joint Standing Committee
on Health and Human Services pursuant to Joint Order 2006, H.P. 1488.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

1 **Emergency preamble. Whereas,** acts of the Legislature do not become effective
2 until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** certain segments of the Maine public are at high risk of contracting the
4 flu, and the flu can be deadly to these specific risk groups, which include the elderly, the
5 very young and those suffering chronic illnesses; and

6 **Whereas,** in recent years, there have been shortages of influenza immunizing agents
7 and delays in receiving influenza immunizing agents, and the availability of the influenza
8 immunizing agents has varied widely both geographically and by the type of health care
9 provider obtaining them; and

10 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
11 the meaning of the Constitution of Maine and require the following legislation as
12 immediately necessary for the preservation of the public peace, health and safety; now,
13 therefore,

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

15 **Sec. 1. 22 MRSA §1065** is enacted to read:

16 **§1065. Influenza immunizing agent distribution report**

17 A manufacturer or distributor that ships or distributes influenza immunizing agents to
18 or within this State shall report information on the distribution of such agents to the
19 Maine Center for Disease Control and Prevention as provided in this section.

20 **1. Report timing and content.** A manufacturer or distributor shall report the
21 following information on the distribution of influenza immunizing agents in this State
22 every 2 weeks during influenza season and on a monthly basis thereafter:

23 A. Contact name, company name, address, phone number and e-mail address of the
24 manufacturer or distributor that is shipping or distributing influenza immunizing
25 agents;

26 B. Contact name, business name, type of provider, address, phone number and e-
27 mail address of the licensed health care provider or facility that will receive influenza
28 immunizing agents;

29 C. The date that the manufacturer or distributor ships or distributes influenza
30 immunizing agents and date that the delivery is received by the licensed health care
31 provider or facility that ordered influenza immunizing agents; and

32 D. The type, quantity and dosage of influenza immunizing agents distributed to the
33 licensed health care provider or facility.

34 **2. Supply and demand.** The department shall estimate the supply and demand for
35 influenza immunizing agents at the beginning of each influenza season by assessing
36 aggregate orders; reviewing information disseminated by manufacturers, distributors and
37 the United States Department of Health and Human Services, Centers for Disease Control
38 and Prevention; identifying the number and location of high priority populations;
39 identifying possible geographic and provider type disparities; and reviewing historical
40 demand patterns.



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LD 2104

LR 3266(01)

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Fiscal Note for Committee Bill
Committee: Health and Human Services
Fiscal Note Required: No

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

Any additional costs to the Maine Center for Disease Control and Prevention in the Department of Health and Human Services in implementing this bill can be absorbed by the department utilizing existing budgeted resources.