

# MAINE STATE LEGISLATURE

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L.D. 2146

Date: 4/1/20

(Filing No. S-611)

MAJORITY

HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE

SENATE

132ND LEGISLATURE

SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 864, L.D. 2146, "An Act to Increase Access to Critical Vaccinations"

Amend the bill in section 1 in paragraph E in subparagraph (1) in the 4th and 5th lines (page 1, lines 10 and 11 in L.D.) by striking out the following: "through the Northeast Public Health Collaborative or its successor organization"

Amend the bill in section 1 in paragraph E in subparagraph (4) in the first 2 lines (page 1, lines 15 and 16 in L.D.) by striking out the following: "Northeast Public Health Collaborative or its successor organization" and inserting the following: 'American Academy of Pediatrics, the American Academy of Family Physicians or the American College of Obstetricians and Gynecologists or their successor organizations'

Amend the bill by striking out all of section 2 and inserting the following:

'Sec. 2. 22 MRS §1066, sub-§4-A is enacted to read:

4-A. Additional funding request. Notwithstanding subsection 5, the board may request funding from the State to cover the cost of vaccines for children who qualify for vaccines under the United States Department of Health and Human Services, Centers for Disease Control and Prevention, Vaccines for Children Program for those vaccines that are recommended by the department or the American Academy of Pediatrics, the American Academy of Family Physicians or the American College of Obstetricians and Gynecologists or their successor organizations in accordance with subsection 3, paragraph E. Any funding request made by the board under this subsection is subject to legislative approval in the biennial budget process. The board shall submit the funding request to the State Budget Officer in accordance with the provisions of law that apply to departments of State Government and Title 5, section 1665. At the same time that the funding request is submitted to the State Budget Officer, the board shall also notify the joint standing committee of the Legislature having jurisdiction over health and human services matters of the amount of the funding request.'

Amend the bill in section 3 in paragraph G in the last line (page 2, line 8 in L.D.) by striking out the following: "paragraph F" and inserting the following: 'subsection 4-A'

COMMITTEE AMENDMENT

ROS

1 Amend the bill in section 4 in subsection 8 in the last 2 lines (page 2, lines 16 and 17  
2 in L.D.) by striking out the following: "Northeast Public Health Collaborative or its  
3 successor organization" and inserting the following: 'American Academy of Pediatrics, the  
4 American Academy of Family Physicians or the American College of Obstetricians and  
5 Gynecologists or their successor organizations'

6 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
7 number to read consecutively.

8 **SUMMARY**

9 This amendment is the majority report of the committee. The amendment reallocates a  
10 provision of the bill and removes language in the bill referring to the Northeast Public  
11 Health Collaborative or its successor organization and recommendations related to  
12 vaccines made by the collaborative. Instead, the amendment refers to the recommendations  
13 related to vaccines made by the American Academy of Pediatrics, the American Academy  
14 of Family Physicians or the American College of Obstetricians and Gynecologists or their  
15 successor organizations. The amendment requires the Maine Vaccine Board to consider  
16 vaccines that are recommended by those organizations when making its annual  
17 determination of vaccines that must be made available through the Universal Immunization  
18 Program. If federal funding is not available for certain vaccines under the United States  
19 Department of Health and Human Services, Centers for Disease Control and Prevention,  
20 Vaccines for Children Program, the amendment also authorizes the Maine Vaccine Board  
21 to request state funding to cover the costs of vaccines for children who qualify for vaccines  
22 under the Vaccines for Children Program for those vaccines that are recommended by the  
23 Department of Health and Human Services or those organizations.

24 The amendment provides a pharmacist licensed in this State with immunity from  
25 liability for negligence for administering a vaccine that is outside the guidelines  
26 recommended by the United States Department of Health and Human Services, Centers for  
27 Disease Control and Prevention Advisory Committee on Immunization Practices, or its  
28 successor organization, as long as the administration of the vaccine is in accordance with  
29 guidelines recommended by the State or those organizations.

30 **FISCAL NOTE REQUIRED**  
31 (See attached)



# 132nd MAINE LEGISLATURE

LD 2146

LR 2903(02)

## An Act to Increase Access to Critical Vaccinations

**Fiscal Note for Bill as Amended by Committee Amendment "A" (S-6011)**  
**Committee: Health Coverage, Insurance and Financial Services**  
**Fiscal Note Required: Yes**

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### Fiscal Note

Contingent potential future biennium cost increase - General Fund

#### Fiscal Detail and Notes

A contingent potential future biennium General Fund cost to the Department of Health and Human Services may result from this bill if federal funding is not available for certain vaccines from the United States Department of Health and Human Services. This bill authorizes the Maine Vaccine Board to request state funding, subject to legislative approval in the biennial budget process, to cover the costs of vaccines for children under the Vaccines for Children Program in the event of a federal funding shortfall.