

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

H

1

HOUSE BILL 916

Short Title: First-Responders Vaccination Program. (Public)

Sponsors: Representatives Brubaker; and Insko.

Referred to: Health.

April 8, 2003

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH A VACCINATION PROGRAM FOR FIRST  
3 RESPONDERS TO TERRORIST INCIDENTS, CATASTROPHIC OR NATURAL  
4 DISASTERS, OR EMERGENCIES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 22 of Chapter 130A of the General Statutes is amended  
7 by adding the following new section to read:

8 **"§ 130A-485. Vaccination program established; definitions.**

9 (a) The Department shall offer a vaccination program for first responders who  
10 may be exposed to infectious diseases when deployed to disaster locations. The  
11 vaccinations shall include, but are not limited to, hepatitis A vaccination, hepatitis B  
12 vaccination, diphtheria-tetanus vaccination, influenza vaccination, pneumococcal  
13 vaccination, and other vaccinations when recommended by the United States Public  
14 Health Service and in accordance with Federal Emergency Management Directors  
15 Policy. Immune globulin will be made available when necessary, as determined by the  
16 State Health Director.

17 (b) Participation in the vaccination program is voluntary by the first responders,  
18 except for first responders who are classified as having "occupational exposure" to  
19 bloodborne pathogens as defined by the Occupational Safety and Health Administration  
20 Standard contained at 29 C.F.R. § 1910.10300 who shall be required to take the  
21 designated vaccinations or otherwise required by law.

22 (c) The Department shall exempt from vaccinations first responders who present  
23 a written statement from a licensed physician indicating that a vaccine is medically  
24 contraindicated for the first responder or the first responder signs a written statement  
25 that the administration of a vaccination conflicts with the first responder's religious  
26 tenets.

27 (d) In the event of a vaccine shortage, the State Public Health Director, in  
28 consultation with the Centers for Disease Control and Prevention, shall give priority for  
29 vaccination to first responders.

1       (e) The Department shall notify first responders of the availability of the  
2 vaccination program and shall provide educational materials on ways to prevent  
3 exposure to infectious diseases.

4       (f) The Department may contract with local and district health departments,  
5 not-for-profit home health care agencies, hospitals, and physicians to administer a  
6 vaccination program for first responders.

7       (g) As used in this section, unless the context clearly requires otherwise, the  
8 term:

9           (1) 'Bioterrorism' means the intentional use of any microorganism, virus,  
10 infectious substance, biological product, or biological agent as defined  
11 in G.S. 130A-479 that may be engineered as a result of biotechnology  
12 or any naturally occurring or bioengineered component of any  
13 microorganism, virus, infectious substance, or biological product to  
14 cause or attempt to cause death, disease, or other biological  
15 malfunction in any living organism.

16           (2) 'Disaster locations' means any geographical location where a  
17 bioterrorism attack, terrorist incident, catastrophic or natural disaster,  
18 or emergency occurs.

19           (3) 'First responders' means State and local law enforcement personnel,  
20 fire department personnel, and emergency medical personnel who will  
21 be deployed to bioterrorism attacks, terrorist attacks, catastrophic or  
22 natural disasters, or emergencies."

23       **SECTION 2.** Nothing in this act obligates the General Assembly to  
24 appropriate State funds for the implementation of this act. The Department of Health  
25 and Human Services shall apply for federal funds available to implement a vaccination  
26 program for first responders as enacted in Section 1 of this act and, upon receipt of  
27 federal funds, shall implement the vaccination program established by this act.

28       **SECTION 3.** This act is effective when it becomes law.