

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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HOUSE BILL 916  
Committee Substitute Favorable 4/28/03  
Senate Judiciary I Committee Substitute Adopted 6/3/03

Short Title: First Responders Vaccination Program. (Public)

Sponsors:

Referred to:

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 and local health departments shall offer a vaccination  
10 program for first responders who may be exposed to infectious diseases when deployed  
11 to disaster locations. The vaccinations shall include, but are not limited to, hepatitis A  
12 vaccination, hepatitis B vaccination, diphtheria-tetanus vaccination, influenza  
13 vaccination, pneumococcal vaccination, and other vaccinations when recommended by  
14 the United States Public Health Service and in accordance with Federal Emergency  
15 Management Directors Policy. Immune globulin will be made available when  
16 necessary, as determined by the 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) Nothing in this section shall require first responders, except first responders  
23 for whom the vaccination program is not voluntary as set forth in subsection (b) of this  
24 section, who present a written statement from a licensed physician indicating that a  
25 vaccine is medically contraindicated for the first responder or who sign a written  
26 statement that the administration of a vaccination conflicts with the first responder's  
27 religious tenets, to receive a vaccine.

1       (d) In the event of a vaccine shortage, the State Public Health Director, in  
2 consultation with the Centers for Disease Control and Prevention, shall give priority for  
3 vaccination to first responders deployed to a disaster location.

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

7       (f) 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 location' 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 work with local employers to access, when available, federal  
26 funds to implement a vaccination program for first responders as enacted in Section 1 of  
27 this act.

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