

2020 Second Extraordinary Session

SENATE BILL NO. 65

BY SENATOR BARROW

PUBLIC HEALTH. Provides relative to COVID-19 vaccinations. (gov sig) (Item #40)

1 AN ACT

2 To enact R.S. 40:1157.4, relative to COVID-19 vaccines; to provide for a risk review of
3 federally approved vaccines; to provide for a general disclosure form; to provide for
4 posting of safety and efficacy data; to provide for the administration of a COVID-19
5 vaccine to a person who has not received the general disclosure form; to provide for
6 an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 40:1157.4 is hereby enacted to read as follows:

9 **§1157.4. COVID-19 vaccine review; required disclosure**

10 **A.(1) Pursuant to the authority provided for in R.S. 40:1157.2, the**
11 **Louisiana Medical Disclosure Panel shall review any federally approved**
12 **COVID-19 vaccine to determine which risks or hazards related to the vaccine**
13 **must be disclosed by a health care provider to a patient or person authorized**
14 **to consent for a patient. The panel shall establish a general disclosure form to**
15 **be used by a health care provider prior to administering a COVID-19 vaccine.**

16 **(2) At least annually, or at such other period as the panel may determine**
17 **is appropriate, the panel shall review all federally approved COVID-19 vaccines**

1 to update the general disclosure form required by this Section.

2 B. The Louisiana Department of Health shall make data and
3 information about the safety and efficacy of all federally approved COVID-19
4 vaccines, including the general disclosure form established pursuant to
5 Subsection A of this Section, available to the public on a website maintained by
6 the department. The data and information shall be presented in a manner that
7 is understandable and accessible to all persons.

8 C. A health care provider shall provide the general disclosure form
9 established pursuant to Subsection A of this Section to any person who requests
10 a COVID-19 vaccine prior to administering the vaccine. However, if a person
11 requests a federally approved COVID-19 vaccine and the Louisiana Medical
12 Disclosure Panel has not published a general disclosure form, a health care
13 provider may administer the vaccine in conformance with the most current
14 immunization administration protocol set forth by the United States Centers for
15 Disease Control and Prevention Advisory Committee on Immunization Practice.

16 Section 2. This Act shall become effective upon signature by the governor or, if not
17 signed by the governor, upon expiration of the time for bills to become law without signature
18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
20 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Brandi Cannon.

DIGEST

SB 65 Original

2020 Second Extraordinary Session

Barrow

Present law provides for the La. Medical Disclosure Panel (panel) within the La. Department of Health (LDH) to determine which risks and hazards related to medical care and surgical procedures must be disclosed by a health care provider to a patient or person authorized to consent for a patient and to establish the general form and substance of the disclosure.

Proposed law retains present law and provides that the panel shall review any federally approved COVID-19 vaccine to determine which risks or hazards related to the vaccine must be disclosed by a health care provider to a patient or person authorized to consent for a patient and establish a general disclosure form to be used by a health care provider prior to administering a COVID-19 vaccine.

Proposed law requires LDH to make data and information about the safety and efficacy of all federally approved COVID-19 vaccines available to the public on the department's website in a manner that is understandable and accessible to all persons.

Proposed law provides that a health care provider shall provide the general disclosure form to any person who requests a COVID-19 vaccine prior to administering the vaccine. Further provides that, if a person requests a federally approved COVID-19 vaccine and the Louisiana Medical Disclosure Panel has not published a general disclosure form, a health care provider may administer the vaccine in conformance with the most current immunization administration protocol set forth by the U. S. Centers for Disease Control and Prevention Advisory Committee on Immunization Practice.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 40:1157.4)