

HOUSE No. 2100

The Commonwealth of Massachusetts

PRESENTED BY:

Peter J. Koutoujian

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act providing for the prevention of influenza in health care workers and high risk patients.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Peter J. Koutoujian	10th Middlesex
Jennifer M. Callahan	18th Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2158 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT PROVIDING FOR THE PREVENTION OF INFLUENZA IN HEALTH CARE WORKERS
AND HIGH RISK PATIENTS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

1 SECTION 1. Chapter 111 of the General Laws is hereby amended by adding the
2 following section:-

3 Section 221. Any physician, nurse, or health care worker, who is employed in a health care
4 setting or who provides health care to persons at high risk for influenza, shall receive an annual
5 influenza vaccine, unless exempted for any of the following conditions: (1) medical or religious
6 reasons; (2) if such individual refuses the vaccine after being fully informed of the health risks of
7 not being immunized; or (3) due to supply availability.

8 Elder care facilities shall offer and, upon consent, administer annual influenza vaccines to their
9 clients. These influenza vaccinations shall be administered by November 30 of each year. Clients
10 admitted between December 1 and January 31 shall be offered and, upon consent, administered
11 influenza vaccination prior to or upon admission to the facility.

12 The council shall promulgate regulations necessary to carry out this section, including penalties
13 for violations.

14 SECTION 2. The commissioner of public health shall file the regulations promulgated under
15 section 1 with the clerk of the house of representatives and the clerk of senate not later than 6
16 months following the effective date of this act.