

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 1870

(SENATE AUTHORS: BENSON, Hoffman and Nienow)

DATE	D-PG	OFFICIAL STATUS
03/18/2015		Introduction and first reading Referred to Health, Human Services and Housing

1.1 A bill for an act
 1.2 relating to health; requiring certain health care providers to report adverse
 1.3 vaccination events and disclose certain information; proposing coding for new
 1.4 law in Minnesota Statutes, chapter 144.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [144.3353] ADMINISTRATION OF VACCINATIONS.

1.7 Subdivision 1. **Definitions.** (a) The following definitions apply to this section.

1.8 (b) "Health care provider" means a Minnesota licensed physician, physician
 1.9 assistant, or advanced practice registered nurse.

1.10 (c) "Vaccine adverse events reporting system" or "VAERS" means the national
 1.11 vaccine safety surveillance program run by the Centers for Disease Control and Prevention
 1.12 and the Food and Drug Administration.

1.13 (d) "Vaccine information" means the information provided by the manufacturer with
 1.14 the vaccine, including the package insert, and the vaccine information statement provided
 1.15 by the Centers for Disease Control and Prevention.

1.16 Subd. 2. **Required disclosure.** Any health care provider who administers a
 1.17 vaccination must provide the patient or the patient's parent or legal guardian with vaccine
 1.18 information, as defined in subdivision 1, paragraph (d), on the particular vaccine that
 1.19 will be administered prior to the vaccine being administered. The health care provider
 1.20 must also obtain written informed consent from the patient or the patient's parent or legal
 1.21 guardian prior to administering the vaccine.

1.22 Subd. 3. **Required reporting of adverse events.** Any health care provider that is
 1.23 made aware that a patient has or may have had an adverse reaction to a vaccination must
 1.24 report that adverse event to the vaccine adverse events reporting system. The report

2.1 may be made in any way that is consistent with reporting requirements through VAERS.
2.2 The health care provider must make the report immediately after becoming aware of an
2.3 adverse event or a potential adverse event and provide the commissioner a copy of the
2.4 report within five days of reporting to VAERS.

2.5 Subd. 4. **Health care provider protections.** A health care provider may not
2.6 be retaliated against by an employer, nor shall the health care provider be subject to
2.7 disciplinary action by the provider's professional licensing board, for providing a patient
2.8 or a patient's parent or legal guardian with the health care provider's medical opinion on
2.9 the benefits or potential side effects of a vaccination or for reporting an adverse event
2.10 to VAERS or the commissioner.