

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 2278

(SENATE AUTHORS: LUCERO)

DATE
03/01/2023

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Introduction and first reading
Referred to Health and Human Services

OFFICIAL STATUS

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 law
1.4 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 assistant,
1.9 or advanced practice registered nurse.

1.10 (c) "Vaccine adverse events reporting system" or "VAERS" means the national vaccine
1.11 safety surveillance program run by the Centers for Disease Control and Prevention and the
1.12 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 vaccination
1.17 must provide the patient or the patient's parent or legal guardian with vaccine information,
1.18 as defined in subdivision 1, paragraph (d), on the particular vaccine that will be administered
1.19 prior to the vaccine being administered. The health care provider must also obtain written
1.20 informed consent from the patient or the patient's parent or legal guardian prior to
1.21 administering the vaccine.

2.1 Subd. 3. Required reporting of adverse events. Any health care provider that is made
2.2 aware that a patient has or may have had an adverse reaction to a vaccination must report
2.3 that adverse event to the vaccine adverse events reporting system. The report may be made
2.4 in any way that is consistent with reporting requirements through VAERS. The health care
2.5 provider must make the report immediately after becoming aware of an adverse event or a
2.6 potential adverse event and provide the commissioner a copy of the report within five days
2.7 of reporting to VAERS.

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