

1 SENATE BILL 366

2 **53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017**

3 INTRODUCED BY

4 Bill B. O'Neill

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10 AN ACT

11 RELATING TO HEALTH; AMENDING A SECTION OF THE VACCINE
12 PURCHASING ACT TO REQUIRE THE DEPARTMENT OF HEALTH TO SEEK TO
13 MAXIMIZE ANY DISCOUNTS OR OTHER EFFICIENCIES IN PROCURING
14 VACCINES.

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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 SECTION 1. Section 24-5A-5 NMSA 1978 (being Laws 2015,
18 Chapter 5, Section 5) is amended to read:

19 "24-5A-5. AUTHORIZED USES OF THE VACCINE PURCHASING
20 FUND.--

21 A. The fund shall be used for the purchase, storage
22 and distribution of vaccines, as recommended by the advisory
23 committee on immunization practices, for insured children who
24 are not eligible for the vaccines for children program.

25 B. The department shall credit any balance

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1 remaining in the fund at the end of the fiscal year toward the
2 department's purchase of vaccines the following year; provided
3 that the department maintains a reserve of ten percent of the
4 amount estimated to be expended in the following year.

5 C. The department shall seek to maximize any
6 discounts or other efficiencies available to it in procuring
7 vaccines.

8 [~~G.~~] D. The fund shall not be used:

9 (1) for the purchase, storage and distribution
10 of vaccines for children who are eligible for the vaccines for
11 children program; or

12 (2) for administrative expenses associated
13 with the statewide vaccine purchasing program [~~or~~

14 ~~(3) to pass through a federally negotiated~~
15 ~~discount pursuant to 42 U.S.C. 1396s]."~~