

HOUSE SUBSTITUTE
FOR
HOUSE COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 852

AN ACT

2 To amend chapter 191, RSMo, by adding thereto
3 one new section relating to administration of
4 immunizations with mercury preservatives.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
6 AS FOLLOWS:

7 Section A. Chapter 191, RSMo, is amended by adding thereto
8 one new section, to be known as section 191.235, to read as
9 follows:

10 191.235. 1. Beginning January 1, 2006, immunizations
11 administered in the state of Missouri to children less than eight
12 years of age shall not contain any mercury preservatives,
13 including but not limited to thimerosal. The Food and Drug
14 Administration's designation as thimerosal free or trace only
15 shall comply with this section. All other persons receiving
16 immunizations that are not designated as thimerosal free or trace
17 only shall be informed in advance that it contains a mercury-
18 based preservative.

19 2. Beginning January 1, 2006, any insurer doing business in

1 the state of Missouri that provides insurance coverage for
2 immunizations on a fee schedule or on a percentage reimbursement
3 basis shall reimburse for immunizations not containing mercury at
4 the same percentage rate of the usual and customary charges which
5 were provided for immunizations containing mercury or other
6 preservatives immediately prior to January 1, 2006.

7 3. The director of the department of health and senior
8 services shall receive exemption from compliance with this
9 section by providing documentation of an outbreak requiring a
10 public vaccination program for which there does not exist a
11 sufficient supply of vaccine free of mercury preservative, as
12 required in subsection 1 of this section. The duration of such
13 exemption shall be determined by the director. Such
14 documentation shall be submitted to the chairs of committees of
15 the house of representatives and the senate whose jurisdiction
16 covers public health policy. Persons receiving an exempted
17 immunization shall be informed in advance that it contains a
18 mercury-based preservative.