

HCS HB 852 -- IMMUNIZATIONS

SPONSOR: Holand

COMMITTEE ACTION: Voted "do pass" by the Committee on Health Care Policy by a vote of 13 to 0.

This substitute contains provisions regarding immunizations.

Effective January 1, 2006, the substitute prohibits immunizations administered to children less than eight years old from containing mercury preservatives, including thimerosal. The Food and Drug Administration's designation of an immunization as "thimerosal free" or "trace only" will comply with requirements of the substitute. Other persons receiving immunizations that are not designated as "thimerosal free" or "trace only" are required to be informed that the immunization contains a mercury-based preservative.

Effective January 1, 2006, the substitute also requires insurers licensed in Missouri that provide coverage for immunizations on a fee schedule or a percentage reimbursement basis to reimburse for immunizations not containing mercury. This reimbursement must be at the same percentage rate of the usual and customary charges provided for immunizations containing mercury or other preservatives prior to January 1, 2006.

The Director of the Department of Health and Senior Services will be exempt from complying with the requirements of the substitute by providing documentation of an outbreak requiring a public vaccination program when a sufficient supply of vaccine that is mercury free is not available. Persons receiving an exempted immunization are required to be informed that it contains a mercury-based preservative. The duration of the exemption will be determined by the director. The documentation provided by the department is required to be submitted to the chairs of the committees in the House of Representatives and Senate whose jurisdiction is public health policy.

FISCAL NOTE: Estimated Net Cost on General Revenue Fund of Unknown in FY 2005, FY 2006, and FY 2007. Estimated Net Income on Other State Funds of \$8,000 in FY 2005, \$0 in FY 2006, and \$0 in FY 2007.

PROPOSERS: Supporters say that the bill does not discourage the administration of immunizations, but provides a mechanism for informing parents about heavy metal preservatives contained in certain vaccines, including mercury and its compound, thimerosal. The Centers for Disease Control and Prevention has recommended the removal of mercury from certain vaccines, and some

pharmaceutical companies have complied. There has been a steady increase in autism spectrum disorders which are correlated with the administration of immunizations containing mercury. The disorders not only affect children, but their families in terms of emotional and financial distress. The bill will safeguard children who receive immunizations from the potential side effects of mercury-based preservatives currently used in immunizations.

Testifying for the bill were Representative Holand; National Autism Association; Shelly Hume; Missouri Statewide Parent Advisory Network; Allan Clark, M.D.; Lujene Clark; Keith Mueller; August Tonelleri; Donald Bondbank; Fran Norton, R.N.; Alalia Kraft; Missouri First; and Missouri Coalition for Freedom in Health Care.

OPPONENTS: Those who oppose the bill say that federal law requires numerous testing trials before a drug is approved by the Food and Drug Administration. After approval, vaccines used during immunizations are frequently monitored. The Immunization Safety Review Committee of the Institute of Medicine indicated that the data linking the incidence of autism and mercury-based immunizations are inconclusive. More rigorous research is needed concerning the correlation between mercury-based preservatives used in vaccines and the incidence of autism in children. The bill could have an adverse impact on preventive public health measures by limiting or eliminating the administration of some immunizations, thus causing an increase in certain communicable diseases.

Testifying against the bill were Department of Health and Senior Services; Pharmaceutical Research Manufacturers of America; Cole County Health Department; Kansas City Health Department; Missouri Association of School Nurses; and Missouri Nurses Association.

Joseph Deering, Legislative Analyst