

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

Senate Bill 318

BY SENATORS TAKUBO, PLYMALE, STOLLINGS, UNGER,

MILLER AND MULLINS

[Introduced February 15, 2017; Referred
to the Committee on Health and Human Resources]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §16-3-4a, relating to offering influenza immunizations to patients age sixty-five
 3 or older in specified facilities.

Be it enacted by the Legislature of West Virginia:

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
 2 section, designated §16-3-4a, to read as follows:

**ARTICLE 3. PREVENTION AND CONTROL OF COMMUNICABLE AND OTHER
 INFECTIOUS DISEASES.**

§16-3-4a. Influenza immunizations for vulnerable West Virginians.

1 (a) Except as herein provided, and as recommended by the Advisory Committee on
 2 Immunization Practices of the Center for Disease Control, from October 1 of every year and
 3 continuing through March 1 of the following year any hospital licensed pursuant to the provisions
 4 of article five-b of this chapter shall offer to any inpatient who is sixty-five years of age or older an
 5 influenza immunization prior to discharge.

6 (b) Except as herein provided, and as recommended by the Advisory Committee on
 7 Immunization Practices of the Center for Disease Control, from October 1 of every year and
 8 continuing through March 1 of the following year any assisted living residence licensed pursuant
 9 to the provisions of article five-d of this chapter and any nursing home licensed pursuant to article
 10 five-c of this chapter shall offer to any inpatient who is sixty-five years of age or older an influenza
 11 immunization.

12 (c) The immunizations set forth in subsections (a) and (b) of this section shall not be
 13 offered in cases where the immunization is contraindicated.

14 (d) Nothing in this section should be construed to require an influenza immunization as a
 15 condition of receiving any type of service from any of the facilities listed in subsection (a) and (b)
 16 or as a condition of discharge.

- 17 (e) The requirements of this section are subject to the availability of sufficient influenza
18 immunizations.

NOTE: The purpose of this bill is to allow influenza immunizations to be offered to patients and residents of specified facilities on a voluntary basis based upon recommendations of the Center for Disease Control.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.