

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE DRH70227-LN-94 (3/20)

Short Title: First-Responders Vaccination Program. (Public)

Sponsors: Representative Brubaker.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH A VACCINATION PROGRAM FOR FIRST
RESPONDERS TO TERRORIST INCIDENTS, CATASTROPHIC OR NATURAL
DISASTERS, OR EMERGENCIES.

The General Assembly of North Carolina enacts:

SECTION 1. Article 22 of Chapter 130A of the General Statutes is amended
by adding the following new section to read:

"§ 130A-485. Vaccination program established; definitions.

(a) The Department shall offer a vaccination program for first responders who may be exposed to infectious diseases when deployed to disaster locations. The vaccinations shall include, but are not limited to, hepatitis A vaccination, hepatitis B vaccination, diphtheria-tetanus vaccination, influenza vaccination, pneumococcal vaccination, and other vaccinations when recommended by the United States Public Health Service and in accordance with Federal Emergency Management Directors Policy. Immune globulin will be made available when necessary, as determined by the State Health Director.

(b) Participation in the vaccination program is voluntary by the first responders, except for first responders who are classified as having "occupational exposure" to bloodborne pathogens as defined by the Occupational Safety and Health Administration Standard contained at 29 C.F.R. § 1910.10300 who shall be required to take the designated vaccinations or otherwise required by law.

(c) The Department shall exempt from vaccinations first responders who present a written statement from a licensed physician indicating that a vaccine is medically contraindicated for the first responder or the first responder signs a written statement that the administration of a vaccination conflicts with the first responder's religious tenets.

1 (d) In the event of a vaccine shortage, the State Public Health Director, in
2 consultation with the Centers for Disease Control and Prevention, shall give priority for
3 vaccination to first responders.

4 (e) The Department shall notify first responders of the availability of the
5 vaccination program and shall provide educational materials on ways to prevent
6 exposure to infectious diseases.

7 (f) The Department may contract with local and district health departments,
8 not-for-profit home health care agencies, hospitals, and physicians to administer a
9 vaccination program for first responders.

10 (g) As used in this section, unless the context clearly requires otherwise, the
11 term:

12 (1) 'Bioterrorism' means the intentional use of any microorganism, virus,
13 infectious substance, biological product, or biological agent as defined
14 in G.S. 130A-479 that may be engineered as a result of biotechnology
15 or any naturally occurring or bioengineered component of any
16 microorganism, virus, infectious substance, or biological product to
17 cause or attempt to cause death, disease, or other biological
18 malfunction in any living organism.

19 (2) 'Disaster locations' means any geographical location where a
20 bioterrorism attack, terrorist incident, catastrophic or natural disaster,
21 or emergency occurs.

22 (3) 'First responders' means State and local law enforcement personnel,
23 fire department personnel, and emergency medical personnel who will
24 be deployed to bioterrorism attacks, terrorist attacks, catastrophic or
25 natural disasters, or emergencies."

26 **SECTION 2.** Nothing in this act obligates the General Assembly to
27 appropriate State funds for the implementation of this act. The Department of Health
28 and Human Services shall apply for federal funds available to implement a vaccination
29 program for first responders as enacted in Section 1 of this act and, upon receipt of
30 federal funds, shall implement the vaccination program established by this act.

31 **SECTION 3.** This act is effective when it becomes law.