126th General Assembly

Regular Session   **Sub. H. B. No. 257**

2005-2006

Representatives Hagan, Evans, D., Strahorn, Ujvagi, Chandler, Allen, Barrett, Beatty, Brown, Calvert, Carano, Cassell, Combs, DeBose, Domenick, Evans, C., Faber, Fende, Flowers, Garrison, Harwood, Hughes, Martin, Mason, McGregor, J., Oelslager, Patton, T., Sayre, Schaffer, Seitz, Smith, S., Stewart, D., Stewart, J., Taylor, Widowfield, Yates, Yuko

Senators Hagan, Wilson, Amstutz, Clancy, Niehaus, Padgett, Schuring

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A BILL

To enact sections 3721.041 and 3727.19 of the Revised	1
Code to require nursing homes and other homes for	2
the elderly to offer residents vaccinations	3
against influenza and pneumonia and to require	4
hospitals to offer certain patients vaccinations	5
against influenza and pneumonia.	6

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3721.041 and 3727.19 of the Revised	7
Code be enacted to read as follows:	8
Sec. 3721.041. (A) As used in this section:	9
(1) "Advisory committee" means the advisory committee on	10
immunization practices of the United States centers for disease	11
control and prevention or a successor committee or agency.	12
(2) "Physician" means an individual authorized under Chapter	13
4731. of the Revised Code to practice medicine and surgery or	14
osteopathic medicine and surgery.	15

(B) Each home shall, on an annual basis, offer to each   16
resident, in accordance with guidelines issued by the advisory   17
committee, vaccination against influenza, unless a physician has   18
determined that vaccination of the resident is medically   19
inappropriate. The vaccine shall be of a form approved by the   20
advisory committee for that calendar year. A resident may refuse   21
vaccination.   22

(C) Each home shall offer to each resident, in accordance   23
with guidelines issued by the advisory committee, vaccination   24
against pneumococcal pneumonia, unless the resident has already   25
received such vaccination or a physician has determined that   26
vaccination of the resident is medically inappropriate. Each   27
vaccine shall be of a form approved by the advisory committee for   28
that calendar year. A resident may refuse vaccination.   29

(D) The director of health may adopt rules under Chapter 119.   30
of the Revised Code as the director considers appropriate to   31
implement this section.   32

Sec. 3727.19. (A) As used in this section: 33

(1) "Advisory committee" means the advisory committee on   34
immunization practices of the United States centers for disease   35
control and prevention or its successor agency.   36

(2) "Physician" means an individual authorized under Chapter   37
4731. of the Revised Code to practice medicine and surgery or   38
osteopathic medicine and surgery.   39

(B) Each hospital shall offer to each patient who is admitted   40
to the hospital, in accordance with guidelines issued by the   41
advisory committee, vaccination against influenza, unless a   42
physician has determined that vaccination of the patient is   43
medically inappropriate. The vaccine shall be of a form approved   44
by the advisory committee for that calendar year. A patient may   45

refuse vaccination.   46

        (C) Each hospital shall offer to each patient who is admitted   47
to the hospital, in accordance with guidelines issued by the   48
advisory committee, vaccination against pneumococcal pneumonia,   49
unless a physician has determined that vaccination of the patient   50
is medically inappropriate. Each vaccine shall be of a form   51
approved by the advisory committee for that calendar year. A   52
patient may refuse vaccination.   53

        (D) The director of health may adopt rules under Chapter 119.   54
of the Revised Code as the director considers appropriate to   55
implement this section.   56