

As Reported by the Senate Health, Human Services and Aging
Committee

126th General Assembly

Regular Session

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Sub. H. B. No. 257

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

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A B I L L

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.

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

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

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

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

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

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

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(B) Each hospital shall offer to each patient who is admitted to the hospital, in accordance with guidelines issued by the advisory committee, vaccination against influenza, unless a physician has determined that vaccination of the patient is medically inappropriate. The vaccine shall be of a form approved

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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