



February 1, 2021

HOUSE BILL No. 1229

DIGEST OF HB 1229 (Updated February 1, 2021 12:15 pm - DI 77)

Citations Affected: IC 16-18; IC 16-21; IC 16-28.

Synopsis: Influenza immunizations. Requires hospitals to offer to administer an influenza immunization to hospital patients who are 65 years of age or older and are discharged from the hospital from October 1 through March 1, unless the immunization is contraindicated or is not available. Changes the date through which a health facility is required to administer or make available an influenza immunization from February 1 to March 1.

Effective: July 1, 2021.

Zent, Barrett, Fleming

January 14, 2021, read first time and referred to Committee on Public Health.
February 1, 2021, amended, reported — Do Pass.

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February 1, 2021

First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1229

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-18-2-223.7, AS AMENDED BY P.L.29-2009,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 223.7. "Medically contraindicated", for purposes
4 of **IC 16-21-18**, IC 16-28-14, and IC 16-28-14.5, means that a vaccine
5 would be detrimental to an individual's health because of a medical
6 condition of the individual.

7 SECTION 2. IC 16-21-18 IS ADDED TO THE INDIANA CODE
8 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2021]:

10 **Chapter 18. Immunization of Hospital Inpatients**

11 **Sec. 1. This chapter applies to a hospital licensed under or**
12 **subject to any of the following:**

- 13 (1) **This article.**
14 (2) **IC 16-22.**
15 (3) **IC 16-23.**
16 (4) **IC 16-23.5.**

17 **Sec. 2. (a) Except as provided in section 3 of this chapter, if a**

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1 patient who is sixty-five (65) years of age or older is discharged
 2 from a hospital during the period beginning October 1 and ending
 3 March 1 of the following year, the hospital shall, unless the
 4 immunization is medically contraindicated or the immunization is
 5 not available:

6 (1) offer to administer to the patient; or

7 (2) make available to be administered to the patient;
 8 immunizations against the influenza virus.

9 (b) Immunizations provided under this chapter must be in
 10 accordance with the recommendations established by the Advisory
 11 Committee on Immunization Practices of the United States Centers
 12 for Disease Control and Prevention that are in effect at the time the
 13 immunizations are provided.

14 **Sec. 3. A hospital is not required to provide or make available**
 15 **to the hospital's patients an annual immunization against the**
 16 **influenza virus if the state department determines that the**
 17 **necessary vaccine is not in adequate supply.**

18 **Sec. 4. A hospital may not require a patient to receive an**
 19 **immunization.**

20 SECTION 3. IC 16-28-14.5-3, AS ADDED BY P.L.29-2009,
 21 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2021]: Sec. 3. A health facility shall annually administer or
 23 make available to be administered the immunizations required under
 24 this chapter to each employee of the health facility who is employed by
 25 the health facility during the period beginning October 1 and ending
 26 February ~~March~~ 1 of the following year.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1229, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 4, delete "contraindicated:" and insert "**contraindicated or the immunization is not available:**".

Page 2, delete lines 26 through 34.

and when so amended that said bill do pass.

(Reference is to HB 1229 as introduced.)

BARRETT

Committee Vote: yeas 13, nays 0.

