

A bill for an act
relating to health; requiring providers to notify patients when a vaccine contains
more than a trace amount of mercury; amending Minnesota Statutes 2006,
section 121A.15, subdivision 3a.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2006, section 121A.15, subdivision 3a, is amended to
read:

Subd. 3a. **Disclosures required.** (a) This paragraph applies to any written
information about immunization requirements for enrollment in a school or child care
facility that:

(1) is provided to a person to be immunized or enrolling or enrolled in a school or
child care facility, or to the person's parent or guardian if the person is under 18 years
of age and not emancipated; and

(2) is provided by the Department of Health; the Department of Education; the
Department of Human Services; an immunization provider; or a school or child care
facility.

Such written information must describe the exemptions from immunizations permitted
under subdivision 3, paragraphs (c) and (d). The information on exemptions from
immunizations provided according to this paragraph must be in a font size at least equal to
the font size of the immunization requirements, in the same font style as the immunization
requirements, and on the same page of the written document as the immunization
requirements.

(b) Before immunizing a person, an immunization provider must provide the person, or the person's parent or guardian if the person is under 18 years of age and not emancipated, with the following information in writing:

(1) a list of the immunizations required for enrollment in a school or child care facility;

(2) a description of the exemptions from immunizations permitted under subdivision 3, paragraphs (c) and (d);

(3) a list of additional immunizations currently recommended by the commissioner; and

(4) in accordance with federal law, a copy of the vaccine information sheet from the federal Department of Health and Human Services that lists possible adverse reactions to the immunization to be provided.

(c) The commissioner ~~will~~ shall continue the educational campaign to providers and hospitals on vaccine safety including, but not limited to, information on the vaccine adverse events reporting system (VAERS), the federal vaccine information statements (VIS), and medical precautions and contraindications to immunizations.

(d) The commissioner ~~will~~ shall encourage providers to provide the vaccine information statements at multiple visits and in anticipation of subsequent immunizations.

(e) The commissioner ~~will~~ shall encourage providers to use existing screening for immunization precautions and contraindication materials and make proper use of the vaccine adverse events reporting system (VAERS).

(f) In consultation with groups and people identified in subdivision 12, paragraph (a), clause (1), the commissioner will continue to develop and make available patient education materials on immunizations including, but not limited to, contraindications and precautions regarding vaccines.

(g) The commissioner will encourage health care providers to use thimerosal-free vaccines when available.

(h) A provider administering a vaccine containing more than a trace amount of mercury as defined by the Food and Drug Administration shall provide the patient with the following disclosure in written form as well as an explanation: "THIS VACCINE CONTAINS MORE THAN A TRACE AMOUNT OF THIMEROSAL, A MERCURY COMPOUND."

Sec. 2. **EFFECTIVE DATE.**

This section is effective July 1, 2007.