

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003

# A Bill

HOUSE BILL 2823

4  
5 By: Representatives Medley, Biggs  
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7

## For An Act To Be Entitled

8  
9 AN ACT TO CREATE A VACCINATION PROGRAM FOR FIRST  
10 RESPONDERS TO BIOTERRORIST ATTACKS; AND FOR OTHER  
11 PURPOSES.  
12

## Subtitle

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16 AN ACT TO CREATE A VACCINATION PROGRAM  
17 FOR FIRST RESPONDERS TO BIOTERRORIST  
18 ATTACKS.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. Arkansas Code Title 20, Chapter 13, is amended to add an  
25 additional subchapter to read as follows:

26 20-13-1201. Definitions.

27 As used in this subchapter:

28 (1) "Bioterrorism" means the intentional use of any microorganism,  
29 virus, infectious substance, or biological product that may be engineered as  
30 a result of biotechnology or any naturally occurring or bioengineered  
31 component of any microorganism, virus, infectious substance, or biological  
32 product, to cause or attempt to cause death, disease, or other biological  
33 malfunction in any living organism;

34 (2) "Department" means the Department of Health;

35 (3) "Director" means the Director of the Department of Health; and

36 (4) "Disaster locations" means any geographical location where a



1 bioterrorism attack, terrorist attack, catastrophic or natural disaster, or  
 2 other emergency occurs; and

3 (5) "First responders" means state and local law enforcement  
 4 personnel, fire department personnel, and emergency medical personnel who  
 5 will be deployed to bioterrorism attacks, terrorist attacks, catastrophic or  
 6 natural disasters and emergencies.

7  
 8 20-13-1202. Vaccination program for first responders to bioterrorism  
 9 attacks.

10 (a) The Department of Health shall offer a vaccination program for  
 11 first responders who may be exposed to infectious diseases while deployed to  
 12 disaster locations.

13 (b)(1)(A) The vaccinations shall include, but are not limited to:

- 14 (i) Hepatitis A;
- 15 (ii) Hepatitis B;
- 16 (iii) Diphtheria-tetanus;
- 17 (iv) Influenza;
- 18 (v) Pneumococcal; and
- 19 (vi) Other vaccinations recommended by the United

20 States Public Health Service and in accordance with the policies the of  
 21 Federal Emergency Management Agency.

22 (B) Immune globulin will be made available if necessary.

23 (2) Participation in the vaccination program shall be voluntary  
 24 by the first responders, except for first responders who are classified as  
 25 having occupational exposure to bloodborne pathogens as defined by the  
 26 Occupational Safety and Health Administration Standard contained in 29 CFR  
 27 1910.10300, as in effect on January 1, 2003, who shall be required to take  
 28 the designated vaccinations or otherwise required by law.

29 (3) If a vaccine shortage occurs, the director, in consultation  
 30 with the Governor and the Centers for Disease Control and Prevention, shall  
 31 give priority for vaccination to first responders.

32 (c) The department shall notify first responders of the availability  
 33 of the vaccination program and shall provide first responders with  
 34 educational materials on ways to prevent exposure to infectious disease.

35 (d) The department may contract with county and local health  
 36 departments, not-for-profit home health care agencies, hospitals, and

1 physicians to administer a vaccination program for first responders.

2 (e)(1) This section shall be effective upon receipt of federal  
3 funding, federal grants, or both for administering a first responders  
4 vaccination program.

5 (2) Upon receipt of federal funding, the department shall make  
6 available the vaccines required for first responders under this section.

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8 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the  
9 General Assembly of the State of Arkansas that first responders to a  
10 bioterrorism attack may be subjected to vaccine-preventable diseases and the  
11 first responders are in need of vaccinations to protect them against vaccine-  
12 preventable diseases in view of a bioterrorism attack and it is essential to  
13 the welfare of the State of Arkansas and its citizens to protect its first  
14 responders against a bioterrorism attack. Therefore, an emergency is  
15 declared to exist and this act being immediately necessary for the  
16 preservation of the public peace, health, and safety shall become effective  
17 on:

18 (1) The date of its approval by the Governor;

19 (2) If the bill is neither approved nor vetoed by the Governor,  
20 the expiration of the period of time during which the Governor may veto the  
21 bill; or

22 (3) If the bill is vetoed by the Governor and the veto is  
23 overridden, the date the last house overrides the veto.