

1 A bill to be entitled
 2 An act relating to immunizations; prohibiting vaccinating
 3 a woman who is knowingly pregnant or a child who is
 4 younger than a specified age with a vaccine that contains
 5 any mercury or injecting such a woman or child with a
 6 product that contains more than a specified amount of
 7 mercury; prohibiting vaccinating a woman who is knowingly
 8 pregnant or a child under a specified age with an
 9 influenza vaccine that contains more than a specified
 10 amount of mercury; providing the effective date of such
 11 prohibitions; providing for the State Health Officer to
 12 authorize the use of vaccines that contain a greater
 13 amount of mercury than is otherwise allowed if the
 14 Secretary of Health declares a public health emergency and
 15 makes certain findings; providing exceptions to the
 16 prohibition following disclosure regarding certain risks
 17 and benefits; providing an effective date.

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 19 Be It Enacted by the Legislature of the State of Florida:

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 21 Section 1. Vaccinations and injections containing mercury
 22 prohibited for pregnant women and young children.--

23 (1) Except for an influenza vaccine described in
 24 subsection (2), on and after July 1, 2007, a woman who is
 25 knowingly pregnant or a child who is younger than 3 years of age
 26 may not be vaccinated with a vaccine that contains any mercury
 27 or injected with a product that contains more than 0.5
 28 micrograms of mercury per 0.5-milliliter dose.

29 (2) On and after July 1, 2007, a woman who is knowingly
 30 pregnant or a child who is younger than 3 years of age may not
 31 be vaccinated with an influenza vaccine that contains more than
 32 1 microgram of mercury per 0.5-milliliter dose.

33 (3) If the Secretary of Health declares a public health
 34 emergency under s. 381.00315, Florida Statutes, and finds that
 35 an epidemic or shortage of supply of a vaccine will prevent
 36 knowingly pregnant women and children younger than 3 years of
 37 age from receiving the needed vaccine, the State Health Officer
 38 may authorize the administration of a vaccine containing more
 39 mercury than the maximum level established in subsection (1), or
 40 subsection (2) in the case of influenza vaccine, to knowingly
 41 pregnant women or children younger than 3 years of age.

42 (4) A licensed health care practitioner may only
 43 administer a vaccine containing more mercury than the maximum
 44 level established in subsection (1), or subsection (2) in the
 45 case of influenza vaccine, to a knowingly pregnant woman or a
 46 child younger than 3 years of age if, according to the
 47 practitioner's medical judgment under accepted medical
 48 standards, the benefits of the patient receiving the vaccine to
 49 prevent a vaccine-preventable disease outweigh the risks of
 50 mercury exposure. Before administering the vaccine, the
 51 practitioner must provide to the patient or the patient's legal
 52 guardian information concerning the risks and benefits of the
 53 vaccination.

54 Section 2. This act shall take effect upon becoming a law.