

By Senator Lynn

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

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

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25 Section 1. Vaccinations and injections containing
26 mercury prohibited for pregnant women and young children.--

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

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

8 (3) If the Secretary of Health declares a public
9 health emergency under s. 381.00315, Florida Statutes, and
10 finds that an epidemic or shortage of supply of a vaccine will
11 prevent knowingly pregnant women and children younger than 3
12 years of age from receiving the needed vaccine, the State
13 Health Officer may authorize the administration of a vaccine
14 containing more mercury than the maximum level established in
15 subsection (1), or subsection (2) in the case of influenza
16 vaccine, to knowingly pregnant women or children younger than
17 3 years of age.

18 (4) A licensed health care practitioner may only
19 administer a vaccine containing more mercury than the maximum
20 level established in subsection (1), or subsection (2) in the
21 case of influenza vaccine, to a knowingly pregnant woman or a
22 child younger than 3 years of age if, according to the
23 practitioner's medical judgment under accepted medical
24 standards, the benefits of the patient receiving the vaccine
25 to prevent a vaccine-preventable disease outweigh the risks of
26 mercury exposure which could cause or contribute to a
27 life-threatening illness or condition, such as autism. Before
28 administering the vaccine, the practitioner must provide to
29 the patient or the patient's legal guardian information
30 concerning the risks and benefits of the vaccination.
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