

HB 1405

2009

1                   A bill to be entitled  
2           An act relating to the influenza vaccine; amending ss.  
3           402.305, 402.313, and 402.3131, F.S.; requiring children  
4           receiving care at child care facilities, family day care  
5           homes, and large family child care homes to be vaccinated  
6           for the influenza virus; requiring the Department of  
7           Health to adopt rules to add the vaccine to its list of  
8           required vaccines; requiring child care facilities, family  
9           day care homes, and large family child care homes to  
10          furnish proof of compliance to the department by a  
11          specified date; providing an effective date.

12  
13           WHEREAS, the state of Florida recognizes the importance of  
14          the influenza vaccine for children enrolled or enrolling in  
15          child care programs, and

16           WHEREAS, the Bureau of Immunization within the Department  
17          of Health acknowledges that vaccines, including the influenza  
18          vaccine, focus on disease prevention and are the most cost-  
19          effective medical intervention, and

20           WHEREAS, the Centers for Disease Control and Prevention,  
21          through the Advisory Committee on Immunization Practices,  
22          recommends that annual vaccination of all children aged 6 months  
23          through 4 years continue to be a primary focus of vaccination  
24          efforts because these children are at higher risk for influenza  
25          complications compared with older children, and

26           WHEREAS, vaccination against influenza each fall remains  
27          the primary mechanism to prevent disease, NOW, THEREFORE,

28

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

30  
 31 Section 1. Present paragraphs (b) and (c) of subsection  
 32 (9) of section 402.305, Florida Statutes, are redesignated as  
 33 paragraphs (c) and (d), respectively, and a new paragraph (b) is  
 34 added to that subsection, to read:

35 402.305 Licensing standards; child care facilities.--

36 (9) ADMISSIONS AND RECORDKEEPING.--

37 (b) Beginning September 1, 2010, and subject to the  
 38 availability of an adequate supply of the influenza vaccine, as  
 39 recommended by the Advisory Committee on Immunization Practices  
 40 of the Centers for Disease Control and Prevention, the influenza  
 41 vaccine shall be administered each influenza season between  
 42 September 1 and February 28 to each child who is enrolled or  
 43 enrolling in a child care facility. The department shall adopt  
 44 rules to add the influenza vaccine to its current list of  
 45 required vaccines. A child care facility must furnish proof to  
 46 the department of compliance with this paragraph for each child  
 47 receiving care at the facility by March 31, 2010.

48 Section 2. Subsection (14) is added to section 402.313,  
 49 Florida Statutes, to read:

50 402.313 Family day care homes.--

51 (14) Beginning September 1, 2010, and subject to the  
 52 availability of an adequate supply of the influenza vaccine, as  
 53 recommended by the Advisory Committee on Immunization Practices  
 54 of the Centers for Disease Control and Prevention, the influenza  
 55 vaccine shall be administered each influenza season between  
 56 September 1 and February 28 to each child who is enrolled or

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57 enrolling in a family day care home. The department shall adopt  
58 rules to add the influenza vaccine to its current list of  
59 required vaccines. A family day care home must furnish proof to  
60 the department of compliance with this subsection for each child  
61 receiving care at the home by March 31, 2010.

62 Section 3. Subsection (9) is added to section 402.3131,  
63 Florida Statutes, to read:

64 402.3131 Large family child care homes.--

65 (9) Beginning September 1, 2010, and subject to the  
66 availability of an adequate supply of the influenza vaccine, as  
67 recommended by the Advisory Committee on Immunization Practices  
68 of the Centers for Disease Control and Prevention, the influenza  
69 vaccine shall be administered each influenza season between  
70 September 1 and February 28 to each child who is enrolled or  
71 enrolling in a large family child care home. The department  
72 shall adopt rules to add influenza vaccine to its current list  
73 of required vaccines. A large family child care home must  
74 furnish proof to the department of compliance with this  
75 subsection for each child receiving care at the home by March  
76 31, 2010.

77 Section 4. This act shall take effect July 1, 2009.