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Bill Analysis

Legislative Service Commission

Sub. H.B. 257 126th General Assembly (As Reported by H. Health)

Reps. Hagan, D. Evans, Strahorn, Ujvagi, Chandler

BILL SUMMARY

- Requires, with certain exceptions, that nursing homes and residential care facilities offer influenza and pneumococcal pneumonia vaccinations to all residents, in accordance with guidelines issued by the Advisory Committee on Immunization Practices of the U.S. Centers for Disease Control and Prevention.
- Requires, with certain exceptions, that hospitals offer influenza and pneumococcal pneumonia vaccinations to patients, in accordance with guidelines issued by the Advisory Committee on Immunization Practices of the U.S. Centers for Disease Control and Prevention.

CONTENT AND OPERATION

Long-term care facilities and hospitals to offer influenza and pneumonia vaccines

(Revised Code § 3721.041 and 3727.19)

The bill requires, with certain exceptions, that nursing homes and residential care facilities¹ offer all residents vaccinations against influenza and pneumococcal pneumonia, in accordance with guidelines issued by the Advisory Committee on Immunization Practices of the U.S. Centers for Disease Control and Prevention (CDC). The influenza vaccination must be offered on an annual basis. The bill requires, with certain exceptions, hospitals to offer vaccination against influenza and pneumococcal pneumonia to each patient, in accordance with

¹ A nursing home is a long-term care facility that receives and cares for at least three unrelated individuals who require skilled nursing care because of illness or physical or mental impairment and individuals who require personal care services but not skilled nursing care (R.C. 3721.01).

guidelines issued by the Advisory Committee. The vaccination offered must be of a form approved by the Advisory Committee for that calendar year. The bill provides that a resident or patient may refuse vaccination.

Under the bill a nursing home, residential care facility, or hospital is not required to offer a resident or patient vaccination against influenza or pneumococcal pneumonia if a physician has determined that vaccination is medically inappropriate. A nursing home or residential care facility is also not required to offer a resident vaccination against pneumococcal pneumonia if the resident has already received the vaccination.

Rule-making

The bill allows the Director of Health to adopt rules as the Director considers appropriate for the bill's implementation. The rules are to be adopted under the Administrative Procedure Act (R.C. Chapter 119.).

A residential care facility is a long-term care facility that provides accommodations for 17 or more unrelated individuals and supervision and personal care services for three or more of those individuals who are dependent on the services of others by reason of age or physical or mental impairment. A facility is also a residential care facility if it provides accommodations for three or more unrelated individuals who require certain specialized services (R.C. 3721.01 and 3721.011).

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-17-05	pp. 803-804
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