



H.B. 264

126th General Assembly
(As Introduced)

Rep. Skindell

BILL SUMMARY

- Specifies that an employee who suffers an adverse reaction to a smallpox vaccination administered as part of homeland security measures may receive Ohio workers' compensation benefits.

CONTENT AND OPERATION

In 2002, the United States Congress passed the Homeland Security Act, which permitted administering smallpox vaccinations to specified groups of people as a counter-terrorism measure. Implementation of the smallpox vaccination portion of the Homeland Security Act is scheduled to occur in three phases. During each phase, new groups of people may be vaccinated against smallpox. The first phase includes smallpox vaccinations for health care response teams who would volunteer to provide care for patients with smallpox or investigate suspected cases of the disease. The second phase includes first responders, such as police and fire fighters, and other health care staff volunteers who would not be regularly involved in caring for smallpox patients. The final phase includes any person in the general public who wished to be vaccinated. Currently, the federal government has only implemented the first phase. (42 U.S.C. 322.)

The bill specifies that a person to whom a smallpox vaccination was administered in one of the phases described above and who had an adverse reaction to the vaccination would be eligible to receive Ohio workers' compensation benefits. In order to receive benefits, the adverse reaction must be either (1) an adverse effect that appears in the smallpox vaccine injury table established by the Secretary of the United States Department of Health and Human Services or (2) a medical condition that directly resulted from receiving a smallpox vaccination verified by a person authorized to practice medicine or osteopathic medicine in Ohio. Several examples of adverse reactions recognized by the Department of Health and Human Services are eczema vaccinatum (skin

rashes), generalized vaccinia (virus spreads through the blood), and post-vaccinia encephalitis (inflammation of the brain or spinal cord).

According to the Bureau of Workers' Compensation, benefits for these types of claims are currently provided pursuant to the Bureau's administrative policy.

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-17-05	p. 805

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