

Senate Bill 333

By: Senators Thomas of the 54th, Lee of the 29th, Price of the 56th, Mullis of the 53rd,  
Kemp of the 46th and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 35 of Title 31 of the Official Code of Georgia Annotated, relating to  
2 vaccinations for firefighters, emergency medical technicians, and public safety officers, so  
3 as to provide for a vaccination program for emergency responders who may be exposed to  
4 infectious diseases when deployed to a disaster location; to provide for definitions of certain  
5 terms; to provide for application for federal funding and implementation of a vaccination  
6 program contingent upon such funding; to provide for related matters; to repeal conflicting  
7 laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 style="text-align:center">**SECTION 1.**

10 Chapter 35 of Title 31 of the Official Code of Georgia Annotated, relating to vaccinations  
11 for firefighters, emergency medical technicians, and public safety officers, is amended by  
12 designating the current contents thereof as Article 1 consisting of Code Sections 31-35-1  
13 through 31-35-3 and inserting a new Article 2 to read as follows:

14 style="text-align:center">"ARTICLE 2

15 31-35-10.

16 As used in this article, the term:

17 (1) 'Bioterrorism' means the intentional use, to cause or attempt to cause death, disease,  
18 or other biological malfunction in any living organism, of any of the following:

19 (A) Microorganism;

20 (B) Virus;

21 (C) Infectious substance; or

22 (D) Biological product that may be engineered as a result of biotechnology or any  
23 naturally occurring or bioengineered component of any microorganism, virus,  
24 infectious substance, or biological product.

1 (2) 'Commissioner' means the commissioner of human resources.

2 (3) 'Department' means the Department of Human Resources.

3 (4) 'Disaster location' means any geographical location where a bioterrorism attack,  
4 terrorist attack, catastrophic event, natural disaster, or emergency occurs.

5 (5) 'Emergency responder' means any state or local law enforcement personnel, fire  
6 department personnel, corrections officers, or emergency medical personnel who may be  
7 deployed to a bioterrorism attack, terrorist attack, catastrophic event, natural disaster, or  
8 emergency.

9 31-35-11.

10 (a) The department shall offer a vaccination program for emergency responders who may  
11 be exposed to infectious diseases when deployed to a disaster location. The program shall  
12 include, but not be limited to, vaccinations for hepatitis A, hepatitis B, diphtheria-tetanus,  
13 influenza, pneumococcal, and any other disease for which vaccinations are recommended  
14 by the United States Public Health Service and in accordance with the Federal Emergency  
15 Management Directors Policy. Immune globulin shall be made available when necessary  
16 and the department shall, in its judgement, determine if smallpox vaccinations shall be  
17 made available and for which personnel.

18 (b)(1) Participation in the vaccination program by emergency responders shall be  
19 voluntary.

20 (2) Participation in the vaccination program shall be mandatory for emergency  
21 responders who are:

22 (A) Classified as having 'occupational exposure' to blood borne pathogens as defined  
23 by the United States Occupational Safety and Health Administration Standard in 29  
24 C.F.R. Section 1910.1030; and

25 (B) Otherwise required by law to take certain designated vaccinations.

26 (c) An emergency responder shall be exempt from a mandatory vaccination when a written  
27 statement from a licensed physician is presented to the department indicating that a vaccine  
28 is medically contraindicated for that person or the emergency responder signs a written  
29 statement that the administration of a vaccination conflicts with his or her religious beliefs.

30 (d) In the event of a vaccine shortage, the commissioner, in consultation with the Governor  
31 and the federal Centers for Disease Control and Prevention, shall use federal  
32 recommendations to determine the priority for vaccinations for emergency responders.

33 (e) The department shall notify emergency responders of the availability of the vaccination  
34 program and shall provide educational materials to emergency responders on ways to  
35 prevent exposure to infectious diseases.

1 (f) The department may contract with county and local health departments, not for profit  
2 home health care agencies, hospitals, physicians, or other licensed health care organizations  
3 to administer the vaccination program for emergency responders.

4 (g) The vaccination program established pursuant to this article shall be implemented only  
5 upon receipt of federal funding or grants for aid for bioterrorism, including those such  
6 grants announced in March, 2003, by the United States secretary of health and human  
7 services. Upon the receipt of federal funding, the department shall make vaccines available  
8 to emergency responders as provided for in this article.

9 (h) The department shall take all necessary steps to apply for federal funding to implement  
10 the vaccination program including use of an expedited application procedure if  
11 circumstances require such. The department shall also amend the state health plan so as to  
12 meet federal funding requirements."

13

**SECTION 2.**

14 All laws and parts of laws in conflict with this Act are repealed.