

House Bill 1043

By: Representatives Kelley of the 16th and Cooper of the 43rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 43-34-26.1 of the Official Code of Georgia Annotated, relating to
2 vaccine protocol agreements, so as to exempt activities conducted by a hospital or health
3 system with respect to influenza vaccinations from certain requirements; to provide for
4 conditions; to provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Code Section 43-34-26.1 of the Official Code of Georgia Annotated, relating to vaccine
8 protocol agreements, is amended by revising subsection (o) as follows:

9 "(o)(1) This Code section shall not apply to any activities conducted within a hospital,
10 physician's office, nursing home, or other health care facility designated by the
11 department or conducted within any other facility or entity owned, operated, or leased by
12 a hospital.

13 (2) Except as otherwise provided in paragraph (1) of this subsection, any activities
14 conducted by a hospital or health system for the administration of the influenza vaccine
15 shall not be subject to paragraphs (5) through (9), (15), or (16) of subsection (d) of this
16 Code section as long as the following conditions are met:

17 (A) A signed and dated consent form by which the vaccine recipient consents to the
18 administration of the vaccine is obtained;

19 (B) If the vaccine recipient is a patient within the hospital or health system, the
20 administration of the influenza shall be noted in such patient's health record maintained
21 by the hospital or health system, including, but not limited to, the administering
22 pharmacist's or nurse's name, address, telephone number, and professional license
23 number; the name, dose, manufacturer, and lot number of the vaccine; and the date of
24 administration and injection site;

25 (C) If the vaccine recipient is not a patient within the hospital or health system, a
26 personal immunization card on card stock paper containing the vaccine recipient's

27 name, the pharmacist's or nurse's name and phone number, the name and dosage of the
28 vaccine, the injection site on the vaccine recipient, the date of the administration of the
29 vaccine in legible writing or printed type in a format made available by the Department
30 of Public Health, and written information developed by the Department of Public
31 Health on the importance of having and periodically seeing a primary care physician
32 shall be provided to the vaccine recipient; and
33 (D) If requested by the patient, the influenza vaccine shall be administered in an area
34 or location with portable screening, at a minimum."

35 **SECTION 2.**

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