

The House Committee on Health and Human Services offers the following substitute to HB 208:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated,
2 relating to regulation of hospitals and related institutions, so as to require nursing homes to
3 annually offer influenza vaccinations to its health care workers and other employees; to
4 provide for limited liability; to provide for related matters; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to
9 regulation of hospitals and related institutions, is amended by adding a new Code section to
10 read as follows:

11 "31-7-19.

12 (a) Each nursing home shall annually offer on site to its health care workers and other
13 employees who have direct contact with patients, at no cost, vaccinations for the influenza
14 virus in accordance with the recommendations of the Centers for Disease Control and
15 Prevention, subject to availability of the vaccine. Each nursing home shall keep on record
16 a signed statement from each such health care worker and employee stating that he or she
17 has been offered vaccination against the influenza virus and has either accepted or declined
18 such vaccination. A nursing home may offer to its health care workers and other
19 employees who have direct contact with patients any other vaccination required or
20 recommended by, and in accordance with the recommendations of, the Centers for Disease
21 Control and Prevention, which may be offered or administered pursuant to standing orders
22 approved by the nursing home's medical staff to ensure the safety of employees, patients,
23 visitors, and contractors.

24 (b) A nursing home or health care provider acting in good faith and in accordance with
25 generally accepted health care standards applicable to such nursing home or health care

26 provider shall not be subject to administrative, civil, or criminal liability or to discipline for
27 unprofessional conduct for complying with the requirements of this Code section.
28 (c) The failure on the part of a nursing home to comply with the provisions of this Code
29 section shall not subject such nursing home to any civil or criminal liability."

30

SECTION 2.

31 All laws and parts of laws in conflict with this Act are repealed.